

Minutes

Planning Board Meeting

May 10, 2012

Members of the Planning Board in attendance were Charles Moreno, Chairman, Paul Eaton, Terry Hyland, Lynn Sweet, Mark Whitcher, and Donald Coker, Alternate member. The Chairman called the public meeting to order at 7:35PM and announced the members present. The closing date for applications to appear on the agenda for the June 2012 regular meeting is 5 p.m., Tuesday, May 22, 2012. The Chairman reminded the audience that the Board has a policy setting time limits for meetings and that the Board will not consider any new business after 10:30 PM. It was agreed to postpone consideration of the minutes until after the formal business.

The first item of continuing business was the application of JANET CHASSE PREVATT AND TERRY PREVATT for 3-lot, revised to 2-lot, subdivision of their property located at 79 Ridge Farm Road (Tax Map 15, Lot 22). Chris Berry of Berry Surveying advised the Board that they have begun working on the engineering for Ridge Farm Road improvements. Paul Eaton noted that the concern seemed to be focused on getting the various rights to the roadway more documented, and advised that the applicant should probably be more focused on getting that straightened out. Further discussion was continued to the next regular meeting.

The first item of new business was the application of MARK and JUDITH WHITCHER for the 9-lot subdivision of their property located on Province Road and Wild Goose Pond Road (Tax Map 1, Lots 14 and 14A). Mark Whitcher recused himself from the discussion as the owner of the property. The Chairman advised that Donald Coker would serve as a voting member for this case. Chris Berry of Berry Surveying and Engineering presented the plans. Prior to the opening of discussion, Mark Whitcher asked if the audio files for the recent boundary adjustment between Tax Map 1, Lots 6-6, 6-7 and 14 had been given to the Board by the abutter who made the recording. Mr. Ferreira, the abutter, was present this evening and advised that he had recently tried to send the file by email. It is unclear if the file had gone through. Mr. Berry submitted the final plans and mylar for the recent lot line adjustment and then introduced the project, accompanied by Atty. Jim Shulte and Damon Burt, wetlands scientist. Mr. Berry advised that the Whitchers have a 50 acre parcel plus the 2.5 acre Lot 14A recently purchased from the Boy Scouts. The plan set is 13 pages; sheets 1 and 2 are a complete perimeter survey, including that part of the lot defined by the recently boundary adjustment. Mr. Berry noted that they also plan to submit a voluntary merger request to formally merge Lots 14 and 14A prior to subdivision. Sheet 4 shows the topography of the whole site. Over the past 18 months they have surveyed and flagged wetlands. They are proposing 9 frontage lots. Greg Messenger, the Road Agent, is here because they have applied for driveway permits, Mr. Berry noted. Mr. Berry said that detail sheets for the lots are given to prove that the lots meet the existing zoning code. They are proposing a joint 30 foot driveway easement for access to the back lot from Province Road, and have subtracted the easement from the buildable area calculation for the front lot. The plans show the driveway access, 4K septic area, well and proposed building area for each lot. The final sheet shows the driveway easement with slopes meeting the current zoning ordinance, he noted. There is one cemetery on-site he noted; it has not been calculated as part of the lot area for Lot 14-2. They have identified shared access points for some of the lots and have met with the Road Agent on-site. They have received NH WSPCC state subdivision approval for the 4 lots that are less than 5 acres in total area—Lots 2, 5, 7 and 8. They have a letter that they have written to Mr. Messenger following their site walk, and they have a letter from Damon Burt stating that there are no vernal pools on-site.

Mr. Berry then advised the Board that they want to discuss tree-clearing. He advised the Board that the Road Agent says that some trees along Province Road will need to be removed for safety and sight distance at the driveway locations. Mr. Berry advised that the Whitchers are not interested in immediate clearing, so they would like to have the tree clearing tied to building permits or certificates of occupancy. He noted that the Road Agent is concerned about the new owners, and suggested that providing a sight-line easement might be one solution. Or, he noted, the tree removal could be made a condition of approval or required at some other stage of the process. They feel that the vegetation should be removed when the lots are developed rather than before. It was noted that the tree removal question could lead to some conflict. It was noted that work in the Town's ROW should be reviewed and financial guarantees posted. Lynn Sweet then moved to the checklist, noting that she had reviewed the checklist herself in advance of the meeting to speed review. She noted the following items that needed to be clarified: the locus should show on Sheet 3 for recording; surveyors and wetlands seals will need signatures; check if the Ferreira home is within 100 feet of the boundary; label Webber Road on Sheet 3; remove the notation regarding Class on Waldron Road; check culverts with the Road Agent or on-site.

Board members then reviewed the plans. Donald Coker asked about the width of the lots. It was agreed that most lots are at least 150 feet in width. Mr. Berry was asked about the steep slopes and driveway cross-sections. He noted that he has hand-out sheets as supplements. In response to questions, Mr. Berry advised that there is no intent for meets and bounds to appear on the topographic detail sheets. Discussion returned to the steep slopes. Mr. Berry agreed that there are steep slopes, and said that the area has been removed from the buildable area calculations. The separate sheets show the steep slopes in orange. The sheets were prepared from surface contours and computer 3-D modeling. Board members asked that the steep slopes be indicated on the topography sheets of the plan set. It was asked whether Lot 14-2 has the required frontage. After discussion, it was agreed that the new driveway easement between Lots 2 and 3 should show on the plan. Frontage for Lot 14-4 was questioned. Mr. Berry responded that the plan intent is to create two private roads, one between Lots 4 and 5 and one between Lots 6 and 7, to create the required frontage. Mr. Berry also noted that the cross-section for the driveway seems good, although it will need a lot of fill to stay within the 10% grade maximum. Greg Messenger, the Road Agent, advised that the private roads need to be built to private road standards that the Town has adopted. Chris Berry advised that they are not yet prepared to talk about road side drainage at the logging entrance, noting that the Road Agent would like to keep the drainage on-site, but that doing so would conflict with the proposed locations of the building sites. They therefore hope to find a better spot to release the drainage, but haven't figured this out yet. Mr. Berry then submitted a supplemental sheet for the private roads to be used for frontage, noting that they are prepared to submit a waiver request for a waiver from the requirement for paving. Mr. Coker asked if it was normal for the Board to use this type of private road. Lynn Sweet said that the Board had done this for Herb Scribner's subdivision on Parker Mountain Road. Chris Berry noted that private roads can be used as frontage. Mr. Coker asked if this was a terminology issue—private road vs. driveway, and Mr. Berry agreed that it was. Atty. Shulte said that the road would be privately owned and taxed to both lots. Paul Eaton asked about precedents, and the Scribner plan was again noted. It was agreed that the issue would need to be reviewed.

The Chairman then reviewed the items from the checklist. He noted that the plan has been submitted, but whether things will work may need to be sent for outside review. Board members agreed that the proposed private road information must be part of the plan set, and it was agreed that the cover sheet should be prepared for recording as orientation given the complexity of the plans. Donald Coker asked for clarification on where things stood, and the Chairman reviewed the procedure, noting that the Board is considering accepting the plans for consideration, which would start the clock. Lynn Sweet then made a motion to accept the plans as complete for consideration, conditional upon the completion of the items noted above (locus on Sheet 3; surveyors and wetlands scientists signatures; locate the Ferreira home if within 100 feet; label Webber Road on Sheet 3; remove Class from Waldron Road; confirm culvert locations; put steep slopes on topo sheets; show the driveway easement between Lots 2 and 3; add the private road sheet to the plan set; add the cover sheet to the recording set). Charles Moreno and Paul Eaton both seconded, with the request that the total frontage be added to the lot calculations for each lot. Paul Eaton seconded the amended motion. There was no further discussion and the Chairman called the vote. The vote was unanimous in the affirmative. Discussion briefly returned to the proposed tree cutting and work in the Town's ROW. Lynn Sweet suggested that this should be discussed after the site review. It was also agreed that the proposed private roads should be discussed, and the question of regional impact was noted, given the sparse settlement on Province Road in this area. Charles Moreno noted that there is other development beyond this property toward Barnstead, so all agreed after brief discussion that the proposal is not scattered and premature. Donald Coker noted the Growth Control ordinance. Board members agreed that it could apply but would probably not be appropriate here. An on-site review was then scheduled for May 31st at 6PM on-site.

Discussion then returned to the question of regional impact. Atty. Shulte suggested that the impact of the development would be 20 students to the high school in Northwood and suggested that there is nothing in Barnstead for many miles and that traffic would not go there. Chris Berry advised the Board that the applicants had chosen to notify Northwood because they feel that the development would have the most impact on Northwood, and said that they do not feel that the project merits the regional impact designation, saying that they do not feel that Barnstead would be impacted. All agreed that the issue is traffic. After lengthy discussion, Lynn Sweet then made a motion that the proposal is not a project of regional impact. Terry Hyland seconded the motion; there was no further discussion, and the vote was unanimous in the affirmative. Ms. Sweet at first suggested that a courtesy letter could be sent to Barnstead, but after discussion agreed with the Chairman that no letter was necessary.

There being no further business before the Board, it was moved, seconded and voted to adjourn at 9:35 pm.

Members present: Charles Moreno, Chairman, Paul Eaton, Terry Hyland, Lynn Sweet, and Donald Coker, Alternate member. Mark Witcher, member and applicant, was present. Chris Berry and Damon Burt for Berry Surveying were present. Steve Leighton, Rick and Brianna Ferreira and Darlene Williams, abutters, were also present.

Board members met on-site at 6:00 PM for a review of the Witcher subdivision proposal (Tax Map 1, Lots 14 and 14A). Attention focused on the driveways. Mr. Berry was asked to locate the proposed driveway locations on the plans. Mr. Moreno asked about Japanese Knotweed control near Lot 14-1 and the issue was discussed, with the suggestion made that a town-wide policy should be considered. There was concern about sight lines and stone walls in the area of the shared driveway for Lots 2 and 3. Dead-end road requirements were noted for the private roads. Rick Ferreira, an abutter, expressed concern about the location of the building envelope on the back lot and proximity to his home, given the steep terrain. There was extensive discussion of the proposed tree removals and whether the driveway access points could be shifted to reduce the required removals. It was suggested that Mr. Berry consider straightening the Lot 7/Lot 8 boundary and calculate if this would reduce the required tree cutting and associated work in the shoulder area along Province Road.

It was moved, seconded and voted to adjourn without meeting for a work session. The meeting adjourned at 8:00 PM.