

Minutes

Planning Board Meeting

May 13, 2010

Members of the Planning Board in attendance were James Graham, Acting Chairman, Mark Whitcher, and Kate Sawal, Alternate member.

The Chairman called the public meeting to order at 7: 30 PM and announced the members present. The closing date for applications to appear on the agenda for the June 2010 regular meeting will be 5 p.m., Tuesday, May 18, 2010. 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 more Board members were present.

The first order of new business was the application of HERBERT SCRIBNER for Modification of an Approved 2-lot Subdivision approved at the May 2, 2008 meeting for land located on Parker Mountain Road and NH Route 126 (Tax Map 11, Lots 89 and 89-3). Mr. Scribner hopes to change the interior lot line and frontage and create a new 160+ foot private road for access. Randy Orvis of Géomètres Blue Hills presented the plans. Herbert Scribner was present. Mr. Tursi, an abutter, was also present. Mr. Orvis addressed the Board and explained the purpose of the application. He noted that the original 2-lot subdivision depended on a boundary adjustment plan approved in tandem with the subdivision. However, the boundary adjustment never was completed. As a result, the subdivision plan needs to be modified. In order to create enough frontage for the two lots, they will need to create an approximately 160 foot new private road off NH Route 126 which will provide both access and frontage for the lots. Mr. Orvis then asked Board members if they had reviewed Mr. Scribner's request for waivers from the Street Construction Standards. The waiver request, which simply listed the waivers requested, was reviewed. Mr. Orvis clarified that the intent is to request waivers to all road construction specifications. They hope to construct an access to driveway specifications in the private road ROW area., which is designed with a hammerhead turn-around area. Board members agreed that a note should be added to the plan regarding proposed ownership of the ROW. The modified plan shows Lot 89-3 increasing from 3.56 acres to 3.648 acres and Lot 89 increasing from 19.25 acres to 21.35 acres. The additional area comes from land originally part of the boundary adjustment with the adjoining lot. Board members agreed that the waiver request would establish a significant question of precedent and is a decision that should involve all Board members. Jim Graham advised that the waiver letter should be more specific and should include reasons for the waiver.

The Board then reviewed the plans with the checklist. The following items are missing and/or need clarifications: update title and plan intent box; update plan set information and sheet numbering; show setbacks; check that Lot 89 meets minimum width requirements; check for ledge; acreage update for Lot 89; wetlands seal; driveway permit information and DES subdivision information should be provided and shown on the plans; and clarify the waiver request. After discussion, Mr. Orvis agreed that he would forward additional plans in PDF format. Board members agreed that a number of items were missing and that the plans were not ready for acceptance. Discussion was continued to the next regular meeting.

The next item of new business was the application of GRAYSTONE BUILDERS, INC. to amend the conditions of approval of a 17-lot Conservation Development Subdivision of land located on Bunnell Drive (Tax Map 3, Lot 2, Owner: David B. Smith). Graystone is requesting an additional extension to the 2-year time period imposed by the Board as Condition #1 in its Notice of Decision dated August 11, 2005, originally extended to May 1, 2008 by vote of the Planning Board at the June 7, 2007 meeting of the Board, further extended by vote of the Planning Board at the April 3, 2008 meeting, and most recently further extended to May 6, 2010 by vote of the Planning Board at the September 3, 2009 meeting. James Graham read the public hearing notice regarding the request from Graystone Builders. David Smith and the Augers, abutters, were present. David Smith then addressed the Board and advised that he was present to request the additional extension. He noted that the case is still before the Supreme Court and noted that he believes that the abutters are trying to purchase the land. Mr. Graham asked how much additional time they need. Mr. Smith said that he did not know. After a brief discussion, it was agreed that the town attorney has typically suggested extensions of one year, with May as the anniversary date, in order to take account of any changes following town meetings. Mr. Graham asked if the abutters had any comments. There were no comments. Mr. Whitcher asked if everybody was okay with the extension, noting that he was new on the Board and unfamiliar with the history of the case. Jim Graham noted that in previous years it had been made clear that legal issues could arise if the extensions were not granted while the case was still pending in court. Kate Sawal suggested a

six month extension. After discussion of the pending court dates later in the fall, Kate Sawal made a motion, seconded by Mark Whitcher, to grant an extension per the request of the applicants; an additional extension to Condition #1 in the Notice of Decision of Conditional Approval of the conservation subdivision dated August 11, 2005; this extension will expire at the end of the May 7, 2011 meeting of the Planning Board, and is granted subject to the condition that any further extension thereafter must be requested in writing and received by the Planning Board no later than April 7, 2011. This extension is being granted because the delay in resolving the quiet title legal action has been caused by factors inherent in the legal system and the applicants have made a good faith effort to make progress therein, and further because up until this point, there have been no changes in the regulations and ordinances of the Town of Strafford that would make the conditionally approved project non-conforming. The Acting Chairman called the vote, there was no further discussion, and the vote was unanimous in the affirmative of the members present.

The next item of business was the application of PUBLIC SERVICE OF NEW HAMPSHIRE for a Public Hearing in Accordance with NH RSA 231: 158 and the Strafford Scenic Roads Ordinance. PSNH is requesting permission to trim and/or remove trees and brush for routine maintenance along power distribution lines located along Back Canaan Road, Parsons Hill Road, Willey Pond Road, and Evans Mountain Road, designated Scenic Roads in the Town of Strafford. Work is scheduled to begin following this hearing and will take the rest of the year to complete. Public notice was published in Fosters Daily Democrat on April 30, 2010 and May 4, 2010 and in the Suncook Valley Sun on May 5, 2010 and posted as required. The Chairman then opened the Public Hearing. David Crane of PSNH was present. He addressed the Board and explained the request. PSNH has a 4-year maintenance trimming cycle and the current project covers about 80% of Strafford. Mr. Crane came before the Board with a similar request in 2006. He noted that the specifications are the same now as in previous years. They hope to cut 8 feet to the side, 10 feet below, and 15 feet above the lines to account for normal growth and snow and ice storms above. Larger trees might need to be cut on a case by case basis. There is one dead butternut on Willey Pond Road that they have identified that needs to be cut in entirety, and another dead tree across the road from it that also should be cut. He said that the approvals granted by the Board in August 2009 for tree trimming on Willey Pond Road and Evans Mountain Road probably would not be applicable because they were geared for the placement of new higher poles in these neighborhoods. Kate Sawal asked if the trees were flagged and Mr. Crane indicated that they were. It was agreed that Mr. Crane's crews would need to work with the approvals granted to Mr. Enman last year. Board members noted that the Board had met on-site with PSNH to identify trees for cutting and to discuss trimming of other trees. No trees should be cut or trimmed as part of this project that were not allowed to be cut as part of the 2009 approvals for PSNH. Mr. Graham then called on the audience members. Roscoe Tasker said that their family approved of tree trimming and noted power outages over the past few winters. Several other neighborhood members agreed. There being no further discussion, Kate Sawal then made a motion, seconded by Jim Graham, to send a letter to Public Service Company of New Hampshire in accordance with New Hampshire RSA 231:158 II and the Strafford Scenic Roads Ordinance, giving written consent for Public Service Company to trim and/or remove trees as flagged and brush for routine maintenance along power lines located along Parsons Hill Road, Willey Pond Road, Evans Mountain Road, and Back Canaan Road, designated Scenic Roads in the Town of Strafford, according to the specifications as stated in the April 15, 2010 letter and as agreed upon in discussion with the Board, and in conformance with the and not to exceed prior approvals granted to PSNH by letter dated August 27, 2009 to trim and/or remove trees as marked and agreed upon during discussion at the on-site review held August 20, 2009 for the setting of new poles along Willey Pond Road and Evans Mountain Road. There was no further discussion and the vote was unanimous in the affirmative of the members present. Mr. Graham will send the approval letter once the invoices for the newspaper notices have been received and forwarded to PSNH for payment.

Board members then reviewed recent correspondence. There being no further business before the Board, it was moved, seconded and voted to adjourn at 9:15 pm.

Minutes

Planning Board Work Session

May 20, 2010

Members present: Charles Moreno, Chairman, Don Rhodes, James Graham, Lynn Sweet, Mark Whitcher, Kate Sawal, Alternate member, and Paul Eaton, SRPC representative.

Dan Camara of SRPC was also present.

Dan Camara of SRPC attended to work with the Board regarding long-term planning issues regarding agricultural soils. Soils maps were also reviewed. After discussion and review of maps, it was agreed that the Board would like to focus on the three categories of agricultural soils—prime, statewide importance, and local importance.

Board members briefly turned to on-going business. Jim Graham made a motion to accept and approve the minutes for April as presented. Lynn Sweet seconded the motion. There was no further discussion and the vote was unanimous in the affirmative. Discussion then turned to application requirements. It was agreed that Board members need earlier access to application materials to allow review prior to the meeting. Several Board members suggested that full size plans would be preferable to electronic materials. It was agreed that electronic PDF files would also be helpful. After discussion, a motion was made and seconded to require the following items for initial application to the Board: one full size set and one 11 x 17 inch set for the file; one full size plan set and postage paid mailing envelope to be provided for each Board member.

Board members then reviewed recent correspondence. There being no further business before the Board, it was moved, seconded and voted to adjourn at 10:00 pm.