

## Minutes

### Planning Board Meeting

November 3, 2016

Members of the Planning Board in attendance were Charles Moreno, Chairman, Don Clifford, Terry Hyland, Steve Leighton, Lynn Sweet. The Chairman opened the meeting at 7:12 p.m. and introduced the members present. The closing date for applications to appear on the agenda for the December 2016 regular meeting is 5 p.m., Tuesday, November 8, 2016. The Chairman advised 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. Board members then reviewed the minutes of the most recent meeting, held on September 1, 2016. Lynn Sweet made a motion to accept and approve the minutes as presented. Terry Hyland seconded the motion. There were no further comments and the minutes were accepted by unanimous vote of the members that were in attendance at the September meeting.

There were no items of continuing business. The first order of new business was to consider a letter received from BRIAN and SANDRA PAYNE under Paragraph 2.6.16, Subdivision Regulations, requesting a one-year extension of the conditional approval of their application for conservation subdivision and boundary adjustment for property located on Roller Coaster and Payne Drive (Tax Map 37, Lots 11, 11-1 and 12 and Tax Map 7, Lot 8 and 8-1). Board members reviewed the letter. It was noted that Board discussion of this property had most recently taken place at the January 2016 meeting when the Board was considering an application for non-residential use of Map 37, Lot 11-1. It was agreed that the proposed business use was a separate issue from the subdivision proposal. Board members noted that the applicants have made progress on some of the conditions of approval, that the NH DES Dredge and Fill permit has only been in place since July and that there also have been medical concerns. Board members agreed that a one-year extension is reasonable. It was noted that NH DOT driveway permits are good for one year and that the driveway permit for Payne Drive was issued on 12/2/2015. A renewal is suggested. In light of the above discussion, Steve Leighton then made a motion to grant a one-year extension of the conditional approval and to notify the applicants of the need for renewal of the NH DOT driveway permit for the relocation of Payne Drive. Lynn Sweet seconded the motion, there was no further discussion, and the Chairman called the vote. The vote was four ayes and one nay; the motion was passed by majority vote.

The Board then called on Cal and Scott Schroeder, the first of several members of the audience who had requested an opportunity to meet informally with the Board. Cal Schroeder is hoping to split off the larger part of his land which the family has agreed to dedicate for conservation, thereby dividing the conservation land from the house lot. His parcel is about 30 acres in area and is located on Perry Road at an elevation over 800 feet, so the larger minimum lot size of 5 acres would be required for conventional subdivision. The Schroeders are hoping to take advantage of the conservation development ordinance. Board members advised them regarding the requirements and noted that conservation development would allow flexibility in lot area and frontage requirements for the house lot. Cal Schroeder noted that they also hope to plan for a family graveyard. Setback requirements regarding cemeteries were noted. The Schroeders noted that the parcel was previously surveyed, and Board members agreed that the proposed subdivision plans could focus on the front of the lot, referencing the previous survey for the rear boundaries.

The Board then called on Glen Foss regarding the conditionally approved 3-lot subdivision of his property located on Second Crown Point Road (Tax Map 19, Lot 28A). This application was conditionally approved at the November 2, 2006 meeting of the Board, several years before the adoption of Paragraph 2.6.16 regarding conditional approval. It was noted that the plans submitted for the November meeting moved the proposed common driveway to the northwest corner of the Lot 1; laying out a common driveway for access to Lots 2 and 3. Glen Foss advised the Board that he does not intend to sell Lot 3, which is already developed with several agricultural buildings. Mr. Foss advised that he is able to access the rear of the lot from the farm access by the existing barns. In light of this information, Board members agreed that a common driveway would not need to provide interior access to Lot 3. However, a driveway easement would still be required to allow access across Lot 1 to reach Lot 2. Mr. Foss was advised to work with Berry Surveying for final plans, and it was suggested that the shared driveway easement could end at the Lot1/Lot 2 boundary. The Board unanimously agreed that there is no need for the shared driveway to continue to Lot 3. Mr. Foss was advised to have the plans finalized and to bring the plans for signatures once the shared driveway has been built or bonded as far as the Lot 1/Lot 2 boundary line.

The Board then called on Bob Fabian, who attended the meeting regarding the conditionally approved boundary adjustment between the land of Edward Robert Fabian III and Stephen Fabian (Tax Map 19, Lot 55-1) and the Fabian Living Trust, Patricia Fabian, Trustee (Tax Map 19, Lot 55). This application was conditionally approved at the September 1, 2011 meeting of the Board, several years before the adoption of Paragraph 2.6.16 regarding conditional approval. Although approved, final signatures had been suspended due to objections to the proposal raised by Patricia Fabian, one of the landowners. The Board has received a notarized letter from Patricia Fabian working with Emmanuel Krasner, Esq. and Mrs. Fabian has now withdrawn her objections and requests that the Planning Board proceed with final approval and signatures. Board members reviewed both Mrs. Fabian's and Atty. Krasner's letter and agreed that the Chairman could go forward and sign the plans. Mr. Fabian was directed to forward the fees for recording the plans to the Planning & Zoning Office.

Noting that tonight is the regular November meeting of the Board, Board members next turned to the annual review of Steve Leighton's gravel excavation on Sloper Road (Tax Map 12, Lot 52-2). Steve Leighton excused himself from the Board for his item. Mr. Leighton advised the Board that he has received no complaints during the past year. He completed the restoration on the neighboring lot in 2014; he noted that the pond continued to hold water even during this year's drought. He continues to work the gravel excavation at a slow pace. Board members noted that the Board also has received no correspondence on this item, and at the 2013 hearing, abutters were advised to forward any concerns to the Board in writing in advance of the November meeting. Nothing has been received. The next annual review will take place next in November 2017.

Board members then reviewed the final plans submitted by Jim Franklin for the Menard subdivision reviewed at the September 2016 meeting. Board members immediately noted that there is still not a true survey of the front boundary as there is only a 'plus or minus' distance given for the frontage of the larger lot and there is no indicated corner monument at the south corner. A survey of the frontage and a corner monument will be needed.

There being no other business before the Board, a motion to adjourn the meeting was made and seconded. The vote was unanimous in the affirmative and the meeting adjourned at 9:15 PM.