

Minutes
Planning Board Meeting
January 8, 2009

Members of the Planning Board in attendance were Charles Moreno, Chairman, Paul Eaton, Don Rhodes, Secretary, Lynn Sweet, and Alternate member Kate Sawal.

Don Rhodes, serving as Acting Chairman, called the public meeting to order at 7: 35 PM and announced the members present. Mr. Moreno arrived at about 8:00 PM. The closing date for applications to appear on the agenda for the February 5, 2009 regular meeting will be 5 p.m., Tuesday, January 20, 2009. 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. Lynn Sweet made a motion to accept the December minutes as presented. Paul Eaton seconded the motion; there was no further discussion and the vote was unanimous in the affirmative.

There were no items of continuing business before the Board. The first item of new business was the application of the BERTHA HUCKINS REVOCABLE TRUST for 3-lot subdivision of property located at 22 Hillside Drive (Tax Map 11, Lot 4). Corey Colwell of Ames MSC presented the plans. The Huckinses hope to create one new lot (proposed Lot 2) and clean up the existing non-conforming situation of having two residences on one lot by dividing off the existing second home onto its own lot (proposed Lot 1). A new private road ROW off Hillside Drive would serve Lot 2; Lot 1 has frontage on Hillside Drive. Because the new private road would only serve one lot, the applicants have submitted requests for waivers to the Street Construction Standards. They are requesting a waiver to the requirement for pavement and a waiver to the required width. A dredge and fill permit application has been prepared for a wetlands crossing for the new private road. The wetlands area is located near the Lot 2/Lot 1 boundary area, and channels sheet flow off the hill toward the abutting property. Mr. Colwell noted that they feel that a full cul-de-sac for the new road would take too much space for access to only one lot, so they are showing an L-shaped turn-around area. They are also requesting a waiver to the requirement that the private road be built past the Lot 1 driveway entrance. Regarding Hillside Drive, Don Rhodes noted that in the past the Board has required upgrading access to the whole property when adding units. There was further discussion of both Hillside Drive and the proposed new road, with Board members noting that typically roads must be built in order to meet the requirements for frontage. There was some brief discussion of the dredge and fill permit application, which had been reviewed by the Conservation Commission at their meeting earlier in the week. It was noted that there was some question about the size of the proposed culvert. Lester Huckins noted that this area was an old rock roadway/cow lane, and that they are trying to minimize disturbance because of natural sheet flow off the hill. Don Rhodes noted concern over the extent of the drainage area coming toward the drive and noted that the new road would block water flow. It was noted that this area is an extensive hay field with little impervious surface coverage except the main house and barns. Mr. Rhodes suggested that the drainage area be identified based on topography and flow computed, and noted that the Board is obligated to look at what would happen to the abutter.

Board members then reviewed the plans with the checklist. The following items are missing and/or need clarifications: drainage calculation as noted above, state permits, and seals of surveyors. Discussion then returned to the proposed new private road. Mr. Colwell noted that the road cannot serve more than the one lot because of the 800 foot road limit, and said that they feel that it is important to do what makes sense, not more than what is needed. Board members noted their sympathy, but Mr. Rhodes advised the applicant that the Board needs to stay within the intent of the voters and also noted that the courts are enforcing stricter criteria for waivers. Don Rhodes then suggested that the Board conduct an on-site review, noting that the site review would also allow the Board to look at Hillside Drive, which is paved and plowed by the Town but is narrower than Town standards. Lynn Sweet then made a motion to accept the plans as complete for consideration, noting that there are only minor items missing from the plans. Paul Eaton seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative. Board members returned briefly to the question of the waivers. Don Rhodes suggested that the Board should review the site before proceeding further with the requests. Board members then scheduled an on-site review for Thursday, January 15th at 4:00 PM. Further discussion will take place at the next meeting.

Board members then turned to the first item for informal discussion. Jim Lund was present regarding the plans for lot line adjustments between his properties conditionally approved by the Board at the May 2008 meeting. Mr. and Mrs. Lund were present, accompanied by Jon Berry of Berry Surveying. Jim Lund advised the Board that

he had met with the Selectmen on Tuesday evening regarding the various conditions of approval of his recent boundary adjustment because he has not been able to do some of the things on the plan due to cost. The Selectmen advised that he would need to meet with the Board to determine his next step. Don Rhodes advised that Mr. Lund will need to identify what items on the plan he would like to change and whether those changes would be significant enough that the Board would need to hold a public hearing on the modifications. Mr. Lund noted that his 2001 plan creating the lots in question showed a private road that had never been constructed. He said that he would like to build the road shown on the 2008 plan to the 2001 standards. He said that he would also like relief from the requirement for a cistern. He noted that he has presented a proposed schedule for completion based on revision of the specifications, but that he would still need bonding. A lengthy discussion of the procedural questions followed. Both the 2001 and the 2008 plans were noted. It was noted that the least costly alternative might be to proceed with construction of the road as shown on the 2001 plan with a subsequent lot line adjustment to the rear of the new lots as needed to increase lot area. Mr. Lund noted that he prefers the 2008 layout, but it was agreed that it would be more costly. It was agreed that either modification of the conditions of approval for the 2008 plan or boundary adjustment to the back of the lots as configured on the 2001 plan would require application to the Board.

Board members then reviewed recent correspondence. There being no further items before the Board, a motion to adjourn was made and seconded. The meeting adjourned at 9:45 PM.