

Minutes
Planning Board Meeting
July 9, 2009

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

Members of the Board met in a public work session at 6:30 PM. Planning and zoning department administrative changes designed to make plan review more efficient were discussed. Board members also discussed several proposed changes to both application requirements and the procedures for processing applications. It was agreed to work toward more communication between the various Boards and between the Boards and the Building Inspectors. Code enforcement and construction inspection were also discussed.

The Chairman called the regular 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 August 6, 2009 regular meeting will be 5 p.m., Tuesday, July 21, 2009. Lynn Sweet then made a motion to approve the minutes for the June meeting as presented. Jim Graham seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative. The Chairman reminded the audience regarding rules of procedure at a public hearing and noting 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.

The first order of continuing business was the application of DAMARA MASS, INC. for 6-lot conventional subdivision of their property located at Canaan Road and Back Canaan Road (Tax Map 4, Lot 83-1). Ron Haskell and Randy Orvis of Geometres Blue Hill were present representing the applicants. They were advised that the Town's consultants had been working on site on Tuesday, and had again been delayed by heavy rain. The Normandeau Associates personnel have contacted the Board to say that they hope to complete their review by next week and they plan to contact the applicant's engineers prior to finalizing their report to the Board. This information was relayed to Mr. Haskell and Mr. Orvis, who requested that Normandeau contact them directly rather than contact their engineer, who may be away on vacation. By agreement between the applicants and the Board, further discussion was continued to the next meeting.

The next item of continuing business was the application of JAMES and JUNE FREDETTE for 2-lot subdivision of their property located on Wild Goose Pond Road (Tax Map 1, Lot 2-3). James and June Fredette were present, accompanied by their son Tim. Lynn Sweet stepped off the Board for this item because she is an abutter. Vernon Dingman, the surveyor, presented revised plans showing items requested by the Board at the last meeting. They have changed the scale of the plan in order to make the plan easier to read with the added details. With the complete wetlands review, they have gained about .4 acres of uplands for a total of 2.65 acres of uplands. The revised plans show the primary building area out front and also include wetlands and uplands calculations for the lot to show that the lot meets zoning requirements. There was some discussion about soils, which Mr. Dingman has added to the plans. After extensive discussion, it was agreed that the Hollis-Charlton soils labels should be removed from the plans since they were not field identified, and a small soils map should be submitted to the Board. Note 7 should be updated and the typo corrected to state that the soils identifications are shown on a separate sheet. After discussion, it was also agreed that the septic setback line should be closed into a complete loop near the property boundary to show the complete septic area, and the 100 foot line should be identified. The wetlands lines should be added to Sheet 1. The building envelope area should be identifiable. And finally, add an arrow to show direction of flow of the wetlands areas feeding the culvert. Kate Sawal asked if the driveway off Merrill Road might create any drainage problems for neighbors, noting the wetlands complex in this area. Lynn Sweet, speaking as an abutter, indicated that there would be no problem, noting that the area is generally flat and water is flowing towards this lot rather than off the lot.

The Chairman then opened the public hearing. There were no comments. The Chairman then closed the public hearing. Paul Eaton then made a motion, seconded by Jim Graham, to approve the plans for 2-lot subdivision with the condition of the completion of the plan revisions as noted above. No financial guarantee is required because there are no infrastructural improvements required. There was no further discussion and the Chairman called the vote. The vote was unanimous in the affirmative of the members voting with the abstention of Don

Rhodes, who noted that he had missed the first meeting on this application. The applicants were directed to bring the mylar and copies to the Town Offices for signatures and recording.

The next item of continuing business was the application of VIRGINIA CHADWICK for the 2-lot subdivision of her property located on First Crown Point Road and Roberts Road (Tax Map 20, Lot 59). Lynn Sweet rejoined the Board. Jon Berry of Berry Surveying and Engineering presented revised plans showing the items requested by the Board at the last meeting. The Chairman then briefly reviewed the status of this application, noting that Mr. Berry had submitted requests for three waivers at the last meeting. Board members first turned to the revised plans to review checklist items from last month. Discussion then turned to the waivers while Board members reviewed the discussion of road issues from the 2006 subdivision application. One of the lots has full frontage on First Crown Point Road, but the Class VI portion of Roberts Road provides frontage for the second lot. It was noted that the Board had agreed to allow an 18 foot travel width with gravel surface for the Roberts Road upgrade back in 2006, but had left open the question about further development. The applicants are now proposing to upgrade Roberts Road an additional 100 feet beyond the 2006 upgrade along the proposed new lot, using the area beyond the proposed driveway as the turnaround area. Mr. Berry advised that the applicant would prefer not to upgrade the full 200 feet of frontage required because the grade descends steeply beyond the first 100 feet. It was noted that the Board had not required full upgraded construction of road frontage for several recent applications. Returning to the revised plans, it was agreed that labeling Roberts Road on the locus might help clarify things, along with showing a tapered transition between the upgraded section of Roberts Road and the roadway beyond.

Discussion then turned to the waiver requests. Paul Eaton advised Board members that he was concerned with precedent, while Jim Graham and Lynn Sweet focused on functionality and existing grades. Don Rhodes said that he felt that there would be no public benefit to upgrading the road beyond the proposed section, because upgrading the full 200 feet would mean greater disruptions to the area and increased impervious surface. He noted that there is only a single landowner the full length of this section of the Roberts Road, one on either side, and neither propose any further development; both have frontage on First Crown Point Road. Both landowners have requested that the roadway and the stone walls not be disrupted more than necessary. It would be different if there were other landowners and access issues, he noted. Regarding the waivers for width and pavement, Board members agreed that were in agreement that the granting of the waivers and retaining the lane and its stone walls makes sense, for environmental, historic, and aesthetic reasons. Noting that many of the major remaining issues with this application had been addressed, the Chairman then opened the public hearing on this item. There were no comments. The Chairman then closed the public hearing. Discussion returned to the waiver requests. Kate Sawal noted that the 2006 records had indicated that the Board might consider paving if there was further development along this road. All agreed that this one additional lot was not a significant extension. Jim Graham then made a motion, seconded by Lynn Sweet, to grant the waiver as requested to the requirement for paving. Don Rhodes advised that he was abstaining from the vote because he had missed last month's meeting, but agreed with granting the waiver. The Chairman called the vote, which was unanimous in the affirmative with Kate Sawal voting. Jim Graham then made a motion to grant the second waiver as requested regarding width from the current requirement of 22 feet down to 18 feet, in order to be consistent with the previous upgrade brought up to plan specifications per 2006. Lynn Sweet seconded the motion. There was no further discussion; Don Rhodes abstained due to his previous absence and Kate Sawal voted. The vote was unanimous in the affirmative. Board members then turned to the question of whether the road should be constructed for a full 200 feet. All Board members agreed that the road would need to be fully constructed through to Crown Point Road in order to further subdivide. Jon Berry noted that if they upgrade the 100 feet as proposed, there is only a 3% slope, so there would be less erosion than if they continued, and they could use the existing break in the wall for the turn-around. Public safety issues were noted if the road was upgraded too far in for people to turn. Paul Eaton again noted his concern with precedent, while other Board members suggested that there are good reasons for granting a waiver here as long as the Board is clear about the reasoning. Jim Graham then made a motion, seconded by Lynn Sweet, to grant a waiver to allow the Roberts Road to be upgraded as proposed and shown on the plan so it creates a hammerhead turnaround and nice access to the lot. Drainage was discussed and Jon Berry advised that the berm across the road proposed in 2006 had never been built because there was no water and no sign of erosion. The Chairman called the vote. The vote was 3 in the affirmative with one nay vote. The motion passed by majority vote. Don Rhodes advised Mr. Berry that the town will need the same easement as required for Ken Chadwick's lot for a public turnaround, 30 feet into the lot; he also noted that the typical section should state that materials for the road construction should meet DOT standards. Jim Graham noted the erosion problems at the far Crown Point Road end of Roberts Road, and suggested that the situation speaks to keeping the upgraded section on the upper end shorter. Don Rhodes noted that it would be

positive to include the erosion berm into the construction, but agreed that if there is no water, there would be no point. Jim Graham then made a motion, seconded by Lynn Sweet, to approve the plans for 2-lot subdivision as presented, conditional upon the plan revisions noted above and upon the completion (built or bonded) of the proposed upgrades to the Roberts Road. If the applicants have the work completed, a letter should be submitted from the Road Agent stating that the work has been completed. There was no further discussion and the Chairman called the vote. The vote was unanimous in the affirmative. Mr. Berry was advised to bring the mylar and copies to the office for signatures once the road work has been addressed.

The next item of business was to call on Sue Hoey, who had requested an opportunity to meet informally with the Board regarding proposed subdivision of her property located on Old Whig Hill Road (Tax Map 3, Lot 19). She noted that their property is located on the Class VI portion of the road, which they improved to town road standards when they built their home. They hope to divide a single lot off the part of their property closest to Sunny Oaks Terrace. It was noted that there are now two lots on the opposite side of the road from the Hoeyes in this area, one of which was created by subdivision of property fronting on the lower open end of Old Whig Hill Road in 2003. Board members agreed that they might be able to consider the proposal in light of the previous approvals, but noted that considerable further road widening might be needed. Don Rhodes also noted the report of the public safety committee and the hazard mitigation committee regarding the suggestion to have this road reopened as secondary access to the Whig Hill development.

Board members then reviewed recent correspondence. Jon Berry confirmed that the Board requests a full 5 acres of buildable land for lots above 800 feet. It was agreed that the Morse subdivision completed by Mr. Berry a few years ago had set the standard for the revised ordinance. Noting the receipt of letters from both the state and Corey Colwell regarding the Caswell Road subdivision plan conditionally approved in 2008, it was agreed that the Board should confirm the status of the Colwell/Hodges plan and permitting with the Shoreland office at NH DES. The need for bonding for the Caswell Road improvements as a condition of approval was also noted. The mylar has been submitted, but is therefore not ready for signatures. There being no further items before the Board, a motion to adjourn was made and seconded. The meeting adjourned at 11:00 PM.