

Minutes
Planning Board Meeting
June 4, 2009

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

The Chairman called the public meeting to order at 7: 40 PM and announced the members present. The closing date for applications to appear on the agenda for the July 9, 2009 regular meeting will be 5 p.m., Tuesday, June 16, 2009. The July meeting will be held the second week of the month due to the Independence Day holiday. 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 represented the applicants and presented slightly revised plans showing items requested by the Board at last month's meeting. Charlie Burnham and Chris Reagan, abutters, were present. Mr. Haskell talked through the various revisions, noting that they are now waiting to hear from the Town's consultants. He noted that they have located the additional stone walls for the cow path and added them to the plans. Paul Eaton asked whether the Board should schedule a public hearing on the proposed paving of Back Canaan Road, a scenic road, at this time. After discussion, it was noted that the public hearing required by Strafford's scenic road ordinance would only be scheduled after the Board had received an application and required fees. Ron Haskell agreed that they would like to schedule the hearing as soon as possible but noted that they would like to get the report from the consultants first. By agreement between the applicants and the Board, further discussion was continued to the next meeting.

The first item of new 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). This is a major subdivision by cumulative impact. James and June Fredette were present, accompanied by their son Tim, who hopes to build on the new lot. Joyce and Brian Creighton and John and Jean Lane, abutters, were present. Lynn Sweet stepped off the Board for this item because she is an abutter. Vernon Dingman, the surveyor, presented the plans. They propose to take a 5.07 acre lot off the corner of the larger 42+/- acre property. Although the new lot has frontage on Wild Goose Pond Road, they propose to access the new lot from Merrill Road (a private ROW), so as to avoid creating a wetlands crossing. The property has a deeded right to use Merrill Road. Discussion quickly turned to whether additional information on wetlands and topography would be needed for the new lot. Mr. Dingman has shown detail in the area proposed for the new building, and used wetlands data from the original 1989 subdivision for the remainder of the plan. After lengthy discussion, it was agreed that additional detail were would be needed in order to be sure that the new lot meets Strafford's zoning requirements for uplands area. The land is in current use assessment. They plan to access utilities from existing poles on Merrill Road. Mr. Dingman noted that a shallow depth of soil above SHWT was a limiting factor for placement of the building envelope.

Board members then reviewed the plans with the checklist. The following items found to be missing and/or need clarification: show updated wetlands on the whole proposed new lot and add information on contours; have a statement on steep slopes and ledge added to the notes section; give a breakdown of contiguous buildable area and wetlands; show a wetlands symbol in the wetlands area; plan set note and label sheets as sheet 1 of ...; identify the corner markers; add soils data to the plan; update abutters list for recent sale of the lot across the road (it was noted that the abutter notice had been sent to the new owner); add the culvert under Wild Goose Pond Road to the plan and show the watercourse feeding the culvert; show the proposed driveway location off Merrill Road; add a note regarding the Merrill Road ROW easement on the property; and label setback lines. Board members agreed that in many ways the required information was all in place. Paul Eaton then made a motion, seconded by Jim Graham, to accept the plans as complete for consideration, conditional upon the completion of the items noted above. There was no further discussion and the Chairman called the vote. The vote was unanimous in favor of the motion. The abutters present then spoke briefly, and asked if they would be able to go on record this evening in favor of the project. They asked if they would need to come to any additional meetings to give their support. Board

members agreed that the official public hearing would be held next month, but noted that the abutters comments were now on record. Further discussion of this item will take place at the next meeting.

The next item of new 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). This is a major subdivision by cumulative impact. Lynn Sweet rejoined the Board. Jon Berry of Berry Surveying and Engineering presented the plans; Peter Horne, an abutter, was also present. Mrs. Chadwick hopes to create one additional lot off her 66+/- acre property for her son Norman. This lot had been discussed briefly when a lot was created for her son Ken in 2006. The new lot would have about 625 feet of frontage on the Class VI portion of Roberts Road. The property is in current use. Mr. Berry advised the Board that he was submitting a written request for three waivers to the road construction standards in the subdivision regulations regarding the proposed upgrade of a section of Roberts Road along the new lot. First, they are asking that they be granted relief from the requirement that they upgrade Roberts Road for the whole of the frontage. They are proposing to upgrade about 98 feet of the road to provide adequate access to about 30 feet beyond the new driveway location for a turn-around. Another turn-around constructed as part of the 2006 subdivision is also located along this stretch of road. Mr. Berry noted that the road grades become very steep past the section of the road that they propose to upgrade. Secondly, they are requesting relief from the requirement that they upgrade the road to the current specification of a full 22 foot width with 3 foot shoulders. They request that they be allowed to upgrade to the same 18 foot width with 2 foot shoulders standard as was required by the Board in 2006. It was noted that the road will only serve two single-family residences after this new subdivision. This would maintain consistency with the road construction required on the first part of the road and would also prevent possible erosion and/or undermining of the old stone walls that might result from expanding the width of the road surface. Thirdly, they are requesting a waiver to the current requirement for paving, noting the historic nature of the road and the limited use of the road. It was noted that the town does not maintain the road. After some discussion and review of photographs submitted, Board members agreed that they would like to review their discussions regarding this issue in 2006.

Board members then reviewed the plans with the checklist. The following items were missing and/or need clarifications: show the utility pole for the new driveway; remove the stone wall symbol across the new driveway and turn-around; and clarify the locus to show Ken Chadwick's lot and lot number as separate from the current project. Noting that the plans are essentially complete, Paul Eaton made a motion to accept the plans as complete for consideration, conditional upon the completion of the items noted above. Jim Graham seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative. Peter Horne, who is the abutter on the other side of the Roberts Road for the length of the Chadwick property, then spoke to the Board. He advised that he is in favor of the granting of the waivers, noting that widening the road or constructing the road beyond the area suggested would impact the character of the road and could seriously disrupt and undermine the stone walls. He noted that these issues had also been discussed in 2006. Further discussion of this application will take place at the next meeting.

Board members then called on Linda Colpritt, who was waiting to speak to the Board regarding her boundary adjustment plan for land on Jo Al Co Road and Webber Road. It was noted that the plan had been conditionally approved, but the Board is waiting for confirmation regarding the frontage/driveway access for the second lot. Ms. Colpritt advised the Board that the Selectmen had presented her with a letter from the Road Agent which they hoped that she would sign. She advised the Board that she does not intend to sign the letter and asked if the Board would sign the plans. Lynn Sweet advised Board members that Ms. Colpritt has retained counsel and that there have been discussions between the parties. Lynn Sweet noted that the town has been trying to point out that a natural flow of water crosses the property and that a culvert will be needed for a new driveway. General discussion followed, with Board members noting that development can increase flow, and also noting that the area in question is located along the Class VI portion of the road, so it is not maintained by the town, and the ditches may not be maintained. Board members noted that they had granted Ms. Colpritt relief by granting a waiver to the street construction standards to allow the boundary adjustment, but that the driveway access approval from the road agent had been a condition of approval of the plan. Jim Graham asked Ms. Sweet if the Selectmen were in agreement that the conditions of the plan would be met as long as the letter was signed, and Ms. Sweet said yes. Mr. Graham then asked if Ms. Colpritt and her attorney and the town could agree on a letter that she would be willing to sign. After some general discussion, Ms. Sweet agreed that she would try and meet with Ms. Colpritt and the Road Agent again on site to look at the situation, and would try and work toward bringing the parties together.

Board members then met with Lester Huckins, who was present to meet with the Board regarding the conditional approval of the proposed 3-lot subdivision of the land of the Bertha Huckins Revocable Trust earlier this year. Mr. Huckins presented revised plans that showed the corrected private road ROW providing frontage for the new lot as well as all of the revised setback lines from the corrected ROW location. The private road as constructed so far is also shown on the plan set; the majority of the access road for this lot and the front lot are now within the ROW. Lynn Sweet advised the Board that she had worked with the surveyor and Mr. Huckins to have the corrections completed and has reviewed the site. The revised ROW location allows the construction of a home on the new lot which will stay out of the area of the existing hay field. They have also completed the required shoulders on Hillside Drive. Mr. Huckins advised the Board that they still need to add the final 6 inches of gravel to the private drive. This would normally be completed once construction of the home was completed and heavy equipment traffic ended.

Board members then reviewed the revised plan set. It was noted that the revised plan only shows one culvert under the new private road, where two had been shown on the previous plan. Mr. Huckins suggested that the two culverts would not be required since any flooding would overtop the road as sheet flow. It was also noted that the new plan shows the wetlands crossing in a different location, which in turn might affect drainage calculations. Board members noted that normally plans are signed after roads shown on the plan have been built to the plan specifications or bonded. They noted that three issues had been raised last month: the setbacks, the location of the private drive as built, and the construction specifications. Paul Eaton asked Mr. Huckins when they had decided to change the road specifications. Mr. Huckins noted that the original engineering had been done when the area was under significant snow cover and that calculations had changed once the actual contours were exposed. After revision, the private drive as constructed is substantially within the ROW and it was agreed that the small storage shed shown could be moved. Board members agreed that any future upgrade of the private road could be done within the ROW. Regarding the question of whether the construction of the road meets plan requirements, Board members agreed that they would all prefer to have Don Rhodes review the site in coordination with the surveyor and the revised plans, because Mr. Rhodes had conducted the initial review. Items to be checked include width and depth of gravel. Board members are also looking for revised drainage calculations to support the single culvert. After further discussion, it was agreed that the Board could sign the plans based on initial inspections by Board members present this evening, if a letter was drafted to the Building Inspector stating that a certificate of occupancy should not be granted for the structure proposed for the new lot until the road had been finally inspected and approved. A motion was made and seconded and Board members voted to approve this solution.

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 11:00 PM.