

Minutes  
Planning Board Meeting  
March 5, 2009

Members of the Planning Board in attendance were Charles Moreno, Chairman, Don Rhodes, 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 April 2, 2009 regular meeting will be 5 p.m., Tuesday, March 17, 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.

The first item of continuing business was the application of LINDA M. (Duval) COLPRITT, 184 Jo Al Co Road, for boundary adjustment between her two lots (Tax Map 1, Lots 29-1 and 29-2). Linda Colpritt, accompanied by Sandy McPhee, submitted revised plans to the Board showing the items requested at the last meeting and a letter from her surveyor/wetlands scientist. Board members reviewed the plans. The suggested cemetery access easement is shown, as well as the current use status of the property, which had been missing last month. There is no wetlands or ledge in the building area as shown. It was noted that Peter Landry will need to stamp the plans as both surveyor and wetlands scientist. It was agreed that setback lines should be shown for the building area shown for Lot 29-2. Don Rhodes then asked if the driveway location had been looked at by the road agent. Board members agreed that Mr. Landry should confirm with the road agent and get a statement from him that he approves the location. Don Rhodes noted that they will probably need a driveway culvert for the new driveway, but that the culvert would likely be part of the driveway permit requirement. Finally, a typo was noted in the owner block. Jim Graham then made a motion to accept the plan as complete for consideration. Don Rhodes seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative. The Chairman then opened the public hearing on the application. There were no comments. The Chairman then closed the public hearing. Board members noted that this is a lot line adjustment, and fairly straightforward. Jim Graham then made a motion, seconded by Don Rhodes, to accept and approve the plans for lot line adjustment, conditional upon the completion of the items noted above. There was no further discussion and the vote was unanimous in the affirmative. The applicant was advised to bring the corrected final plans to the office for signatures.

The final order of continuing business was the application of GRANITE STATE REALTY TRUST for 6-lot subdivision of their property located at Canaan Road and Back Canaan Road (Tax Map 4, Lot 83-1). Randy Orvis of Geometres Blue Hills presented revised plans, accompanied by Ron Haskell. Charlie Burnham, Bruce McCormick, and Chris Reagan, abutters, were present. Ron Haskell addressed the Board and said that it had been determined that the cluster subdivision would not work, so they will withdraw the conservation development plan and go with a 6-lot conventional subdivision. He said that the new plans should address the Board's concerns with the smaller size lots. They will have more sheets prepared, but they haven't yet worked out all the plan notes and details. The 40.92 acre parcel would now be split into 6 lots: Lot 1-8 would be 2.501 acres, Lot 1-9 would be 2.1 acres, Lot 1-10 would be 2.448 acres, Lot 1-11 would be 2.355 acres and Lot 1-12 would be 2.488 acres. The large lot of remaining land would be 26.93 acres. The road ROW would use 2.1 acres including the area behind the McCormick's lot, which would include a detention pond. The first item of business was to discuss the recent deed transferring this property to the ownership of Damara Mass, Inc. The surveyors advised the Board that they were unaware of the sale, but believe that Damara Mass, Inc. includes one of the current developers. It was agreed that the ownership change raises legal issues for public notice.

A brief discussion of the overall concept followed. It was noted that with the ownership change, and the incomplete plan set, and with no new drainage analysis, Board members would not be able to review the plans in detail and would not be in a position to formally accept the plans. The surveyors said that they were just looking for consensus from the Board on the overall conceptual approach, noting that the owners (which owners?) would rather go with the conventional plan. The Chairman briefly reviewed the advantages and disadvantages of conservation development versus conventional subdivision. Ron Haskell said that they feel that shifting to conventional subdivision will keep the new homes as far away

from the abutters as possible. Lynn Sweet noted that the Board cannot require conservation development. Don Rhodes agreed, noting that there was no compelling reason to force conservation development at this site. Further discussion will take place following resolution of the ownership issue.

The first order of new business was the application of JAMES N. LUND for a Public Hearing regarding his application to amend the conditions of approval for a conditionally approved plan: Mr. Lund is requesting several changes to the conditions of approval, including waivers to street construction standards and the requirement for installation of a cistern, as imposed by the Board in their motion for conditional approval of a plan for Lot Line Revision at the regular meeting of the Board held on May 1, 2008, for property located at 10/12/14, 31 and 35 Lund Drive and Second Crown Point Road (Tax Map 19, Lot 28-1, 28-4, 28-6 and 28-7). The Chairman read Mr. Lund's letter requesting the amended conditions to the Board, as well as a letter received from Fire Chief Paul Stover regarding the Lund project. Jon Berry of Berry Surveying and Engineering was also present to assist Mr. Lund. One abutter was present. Mr. Lund is asking for four waivers: a waiver to the requirement for pavement on Lund Drive; a waiver to allow the width to be reduced from a 20 foot traveled way to a 16 foot traveled way; a waiver to reduce the required shoulder width from 3 feet to 2 feet; and finally a reconsideration of the requirement for a cistern based on the Fire Chief's letter as well as removing the requirement for access from the new road to the old parking area by the multiunit buildings, also based on the Fire Chief's letter. Don Rhodes asked if all the parking for the multiunit buildings is in the parking area, and Jim Lund confirmed that it is. Mr. Berry also confirmed that the intent is that there would be no change in lot lines from the plan approved at the May 2008 meeting. Jim Graham asked who would be traveling the new road, and it was noted that the new road would serve 4 existing units, and one additional undeveloped lot. Kate Sawal asked if they still plan on installing reflectors along the fence between the new road and the parking area. They said that they planned to follow all the proposed specifications for the area except for construction of the ramp and gate for access. It was noted that the septic system would have to be moved to follow the 2008 plans.

Board members then discussed the proposal. Don Rhodes suggested that he was comfortable with waiving the pavement, as well as some reduction from the current 22 foot required road width, but suggested that a 20 foot traveled way with 2 foot shoulders should be the minimum. Jim Graham agreed on waiving the pavement was waived, and the 2 foot shoulders adequate. Lynn Sweet advised that it would be agreeable if the road was never to become a town road and if there was further development, the road must be brought up to the full required standard. Don Rhodes suggested that if the road was less than 20 feet in width, there would be no basis to ask the Town to accept the road, but if the road is built to 20 feet in width, it would only require paving. Any consideration for town acceptance would require that the road be paved. The Chairman then opened the public hearing on these first items. There were no comments. Lynn Sweet then made a motion, seconded by Jim Graham, to grant a waiver to the requirement for pavement, and to allow an overall width of 24 feet, with 20 feet of travel width and 2 foot shoulders. There was no further discussion, and the vote was unanimous in the affirmative.

Board members then turned to the cistern requirement. Don Rhodes said that if the Fire Department doesn't want the cistern, there is no reason to require it. Jim Graham agreed. The Chairman opened the public hearing on this item. There were no comments. Lynn Sweet then made a motion, seconded by Jim Graham, to reconsider the requirement for a cistern subject to the February 9, 2009 letter from the Fire Chief. There was no further discussion and the vote was unanimous in the affirmative. The next issue to consider was the passageway connector between the new road and the multiunit parking area. It was noted that this was originally also a Fire Department request, connected to the cistern. Kate Sawal noted that due to the difference in elevation, the area would be unsafe without the reflectors and a barrier. Don Rhodes said that he still felt that allowing an emergency access would allow logical circulation on the property. Jim Lund noted that the idea was nice until the loop became a raceway that was unsafe for children playing in the area. He noted that now that it has been built up to two levels, it would create a drainage problem to try to connect the two. The Chairman asked if the new Fire Chief was aware of the whole history of the project. Don Rhodes again noted his concern that the gates and ramp for emergency access between levels would be needed for public safety. He suggested that the ramp might be designed for a steeper grade to help drainage, if needed. Lynn Sweet made a motion to deny the request for eliminating the passageway connector and to instead leave the plans as they are for this item. Jim Graham seconded the motion. Jim Graham noted that a lot of thought had gone into the plans for the ramp, but said that he would be open to rethinking the gate. Kate Sawal said that the Board should talk to the Fire Chief and get more input from him. Further discussion among Board members followed, with contributions from Jon Berry. It was suggested that the parking lot area could be extended to allow trucks and especially an ambulance to turn around in front of the

multiunits, addressing some of the concerns. There was no further discussion and the Chairman called a vote on the motion on the table. The motion was passed by unanimous vote of the members present. The Chairman advised the applicant that the 2008 plan, with amended conditions, would still need to be built or bonded before the plans can be signed. Bonding details would need to be worked out with the Selectmen. Jon Berry advised the Board that he would revise the plans based on this evening's discussion for Board review.

Board members then reviewed recent correspondence. Jon Berry asked about a property on Roller Coaster Road. Board members noted that zoning only allows one residential building per lot. Dan Phelan addressed Board members regarding whether the Board had considered any regulations protecting agricultural soils and or agricultural structures. He noted a sample ordinance from Vermont. Finally, Board members reviewed a letter from John Herrmann, Parker Mountain Road, regarding a proposal to complete the construction of a commercial kitchen in order to process organic produce at his farm. It was agreed that agriculture is an approved land use, and that home produce is also allowed under Article 1.4.2 of the Zoning and Land Use Ordinances. The Board will write a letter with a copy to the Building Inspector. Finally, it was agreed that the proposed new application plan set requirements proposed by the Board, to include the requirement for the submission of 11 by 17 sets for Board members in advance of the meetings, should be adopted as part of the Subdivision Requirements. Further discussion will take place at a future work session. There being no further items before the Board, a motion to adjourn was made and seconded. The meeting adjourned at 10: 45 PM.