

Minutes
Planning Board Meeting
September 4, 2008

Members of the Planning Board in attendance were Don Rhodes, Secretary and Acting Chairman, Jim Graham, Lynn Sweet, and Alternate member Kate Sawal.

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 October 2, 2008 regular meeting will be 5 p.m., Monday, September 15, 2008. 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. It was agreed to hold review of the minutes until more members are present.

The next item of business was the application of CARL S. and JOANN BROWN for 2-lot subdivision of their property located on Province Road (Tax Map 7, Lot 33). There was nobody present for this item.

The first order of new business was the application of GRANITE STATE REALTY TRUST for a 6-lot Conservation Development of land on Canaan Road and Back Canaan Road (Tax Map 4, Lot 83-1). Randy Orvis, accompanied by Ashley Rowe, was present representing the applicants. A number of abutters were present, including Chris and Lorene Reagan, Nancy Beck, Dona and Ben Carling, Charles and Ann Burnham, and Bruce McCormick. Mr. Orvis submitted slightly revised plans to Board members, noting that they show slightly different utility pole and road entrance locations, and he also submitted a drainage report. Mr. Orvis advised Board members that the wetlands delineation review results had affected the road layout and the lots somewhat. He also noted that they plan to keep some trees along the boundary with Lot 83-1-7 for screening. They are proposing a common well for the two smallest lots, and have designed a detention pond in the field area. Three of the lots would be over one acre, and two would be about ½ acre lots. Charles Burnham, an abutter, asked if the Conservation Commission had reviewed the plans. It was noted that the Commission had not, although Mr. Orvis also advised that they don't yet know who they will approach to hold the proposed easement on the open space area. They are thinking about approaching Fish and Game, who would require that the open space be open to the public. Mr. Burnham noted the annual expenses for easement holders, and noted that providing for this should be addressed as part of the planning process.

Board members then reviewed the plans. Jim Graham asked if it wouldn't make more sense to combine the smallest lots. Mr. Orvis replied that they intend to create 6 lots. Don Rhodes advised the applicants that the new application does not address the comment that he has made consistently regarding the need for a buffer around all the lots, noting that he had suggested a minimum of a 50 foot buffer. He noted that this plan shows the two smallest lots tucked up against the adjacent lot line, which is crowding lots one quarter the size of conventional lots up to the abutter, who would now have 3 homes in their backyard instead of one. Charlie Burnham asked if Mr. Orvis had ever studied the open space area in detail, and noted that there is an old farm dump in back that should be checked. Chris Reagan, another abutter, asked about crowding the new homes. Jim Graham noted that he prefers the yield plan to the plans submitted tonight. Don Rhodes noted that the proposed road is not as long as town regulations would allow, and noted that the Board has had the discussion with the applicants suggesting alternative layouts using a longer road. He noted that there seems to be some reluctance on the part of the developer to extending the road, so the Board has never seen a concept that lengthened the road. Mr. Rhodes advised the applicants that these comments have been made by Board members on a number of occasions during the design review process.

Board members then reviewed the plans with the checklist. Mr. Rhodes advised the abutters regarding the process for review of applications, beginning with review for completeness this evening. He noted that there would also need to be a technical review of the plan set by knowledgeable people. He noted that a public hearing on this application would not be opened tonight, but that he would open the meeting up for brief comments. The following items are missing from the plans and/or need clarifications: the Board needs clarifications from Lee Carbonneau of Normandeau Associates regarding the drainage areas that she identified on the plan and wetlands locations; note 11 regarding cemeteries should be eliminated; driveways within 200 feet should be added (Beck, Paul, and several on Canaan Road); and add a note on the location of the farm dump. Jim Graham noted that without a buffer around the

lots, the layout does not meet the zoning requirements of the Conservation Development ordinance. Kate Sawal asked if the Board had already accepted the conservation development approach for this project. Don Rhodes agreed that there had not been a true consensus from the Board, and some reluctance on the part of the applicant, but that the plans had gone through the Design Review process as required. Ms. Sawal asked if the Board had decided that it was beneficial to the town to go forward with the conservation development rather than the yield plan. Don Rhodes agreed that it seemed to be the consensus of the Board to go forward with Conservation Development, although he again noted that several Board members have been disappointed that the applicant was not willing to investigate other layout options with lengthening the road. Ashley Rowe said that the Board was unwilling to waive the requirement for pavement, so they cannot lengthen the road. Board members responded that the request was unreasonable. Returning to the plans, Jim Graham made a motion to accept the plans as complete for consideration, conditional upon the completion of the items noted above and the receipt of state approvals. Lynn Sweet seconded the motion, there was no further discussion, and the vote was two votes in the affirmative and two abstentions. The motion carried.

The Acting Chairman then opened the discussion to the abutters. Charlie Burnham noted the history of this lot and of conservation development planning. He said that a good conservation easement properly drawn and held would benefit the town. But, he noted, people had also spent a long time discussing cluster development and where they didn't want sprawl. For me, he said, this project does not meet the criteria for a good conservation development. It is in people's backyards, he noted, and is decreasing their property values. Ben Carling commented on the impact of the project. He said that he would prefer a gravel road for the development, especially if it offers a configuration that is less impactful, and said that in this case, the ordinance is at odds with the people. Mr. Rhodes replied that the pocketbook issue is not something that should be taken too seriously, and that the long-term interest of the town is the important issue. He noted that gravel roads are more expensive to maintain and create more long-term cost to the town. Chris Reagan advised the Board that the small lots are unlike anything in the area and will impact the neighborhood. Nancy Beck asked if DES review would be required. In closing, Dona Carling said that the proposal is a different community value than what brought them to this community. Board members then briefly reviewed information from Normandeau Associates indicating that they can offer engineering review services. It was agreed to send the plans and drainage report to Normandeau for a proposal for full engineering review. The proposal can be discussed at the next meeting and the Board can also let the applicant know about costs, etc. at that time.

The next item of new business was the application of CHARLES and ALICE GOODWIN for 2-lot subdivision of their property on First Crown Point Road (Tax Map 18, Lot 29). Jon Berry of Berry Surveying and Engineering presented revised plans. The Goodwins hope to divide about 15 acres off an existing undeveloped 100 acre parcel. The proposed lot line has been configured around an existing woods road, which will serve as access to the buildable area of the lot by shared easement with the remaining land. The property is over 800 feet in elevation, so minimum lot size is 5 acres. There are wetlands across both the front and back of the lot and 7.2 acres of contiguous buildable area between. They have dug a test pit and wetlands have been flagged. Wetlands setbacks and buffers are shown on the plans. They have used the subdivision plans for the adjacent Craven property as a reference plan for the northwest boundary for consistency. Sheet 2 shows topography and wetlands; Sheet 3 shows 250 foot sight distance and driveway profiles. They plan to fill a bit and add a culvert for drainage for the new driveway. Don Rhodes asked if the Road Agent had looked at the proposal. Mr. Goodwin noted that Greg Messenger had said that he could build the driveway/road, so it was agreed that there are no apparent problems where the existing road meets First Crown Point Road. Don Rhodes noted that 300 feet of sight distance is more typical, and said that it would be good if they could increase the sight distance.

Board members then reviewed the plans with the checklist. Kate Sawal asked if the Board would require the applicant to prove that the remaining 85 acres are buildable. It was agreed that the Board typically waives this requirement with lots this large. However, Don Rhodes suggested that the plans show the area across the driveway from the building site, just to show that there are no wetlands, etc. in that location that would impact the proposed building site on the new lot. After some discussion regarding ROWs, it was agreed to change the driveway ROW to at least a 30 foot easement. There is an existing turn-out at about 700 feet. Jon Berry suggested adding another turn-out before the wetlands area, to meet the new town requirement for long driveways. There were no items missing on the plans. Jim Graham then made a motion to accept the plans as complete for consideration. Lynn Sweet seconded the motion,

there was no further discussion and the vote was unanimous in the affirmative. Mr. Rhodes then opened the public hearing on this application. There were no comments. Mr. Rhodes then closed the public hearing. Jim Graham noted the conditions discussed by the Board: driveway turn-outs—a bulge in the driveway; change the driveway to a 30 foot easement; have about 100 feet of the area of the remaining land across the driveway reviewed for wetlands; show and set 4 additional bounds at major points of the property line; and trimming of the trees along First Crown Point Road for sight distance. Jim Graham then made a motion to accept and approve the plans for 2-lot subdivision, conditional upon the completion of the items noted above. Lynn Sweet seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative. Mr. Berry was directed to bring the plans and mylar to the office for signatures once completed.

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