

**PLANNING BOARD MINUTES  
DECEMBER 3, 2003**

**ROLL CALL:**

Ross McLeod, Chairman – Present	Wayne Morris, Vice Chairman – Present
Lee Maloney, Secretary – Present	Walter Kolodziej, Regular Member – Present
Nancy Prendergast, Regular Member – Present	Pam Skinner, Regular Member – Excused
Roy Dennehy, Alternate – Present	Phil LoChiatto, Alternate – Excused
Chris Doyle, Selectmen Member – Excused	Bruce Breton, Selectmen Alternate – Present

*Mr. McLeod opened the meeting at 7:30 pm. Mr. Breton replaced Mr. Doyle.*

**MINUTES:**

- Ms. Prendergast motioned to accept the minutes of June 11. Mr. Morris seconded. Passed 5-0;
  - Ms. Prendergast motioned to accept the minutes of July 16. Mr. Breton seconded. Passed 5-0;
- Mr. Kolodziej joined the Board. Mr. Dennehy replaced Ms. Skinner.*
- Mr. Morris motioned to approve the minutes of Oct 8. Mr. Breton seconded. Passed 6-0-1. Mr. Dennehy abstained;
  - Mr. Morris motioned to accept the minutes of Oct 22. Ms. Prendergast seconded. Passed 7-0;
  - Mr. Dennehy motioned to accept the minutes of Nov 12. Mr. Breton seconded. Passed 5-0-2. Ms. Prendergast and Mr. Kolodziej abstained.

**ROAD BONDS:**

- Yorkshire Road, final release of \$15,790. Discussion ensued. Ms. Prendergast motioned to release and to recommend to Selectmen to accept as a Town road subject to approval by the fire department. Mr. Kolodziej seconded. Passed 7-0.

**CORRESPONDENCE:**

- Design assistance application from Plan NH;
- NH Preservation Alliance request for contributions;
- Public hearing notice from Rye;
- Public hearing notice from Chester;
- RPC Newsletter;
- Special Places newsletter;
- Letter from Mr. Albert Lynch regarding zoning changes;
- Letter from Mitch and Lisa VanBerlo requesting for their public hearing be continued;
- Letter from Sanders Shaffer regarding trails in the Castle Reach area. Discussion ensued regarding trails, clear-cutting, distance, location, Jan 7 agenda, and cul-de-sac design.

**OLD/NEW BUSINESS:**

The Board discussed Senate Bill 95. Mr. Kolodziej motioned to continue the 12 Partridge Road public hearing to January 7. Ms. Prendergast seconded. Passed 7-0. Mr. Morris motioned to hear the Capital Improvement Committee next. Ms. Prendergast seconded. Passed 6-0-1. Mr. Kolodziej abstained.

**PUBLIC HEARINGS:**

**Capital Improvement Program – Public Discussion**

Ms. Maloney explained and the Planning Board discussed the 2004 CIP. No public comment.

**McIntosh Hollow Cul-de-Sac (7-A-5 & 6) – Public Discussion Continued**

**Gov Dinsmore Road**

Mr. Turner stated the maps were received and sent out yesterday. Mr. Nassar discussed revisions to the hammerhead including frontage, conforming lots, hammerhead design, truck turning radius, neighbor support, written statement with the attorneys, waivers, disturbed area, and drainage. Discussed ensued regarding timing, previous approval for cul-de-sac, legal agreement, Class VI road, hammerhead size, safety issues, Board issues, and other hammerheads in Town.

## **90 Indian Rock Road Special Permit (17-J-7) – Public Discussion Continued**

### **90 Indian Rock Road**

Mr. Turner discussed the five unit development, and site walk. The Board discussed with Mr. Joe Maynard, Benchmark Engineering, the site walk observations, boat launch, abutters, and Conservation Commission. No public comment. Discussion ensued regarding the driveway, line-of-sight, signs, mailboxes, driveway width, limit cutting of trees, limbing trees, condominiums, architectural review, roof drainage, drainage treatment, and lighting.

Public comment began with Ms. Marion Bailey, Heron Cove, discussed her concerns regarding the road, pond depth, and difficult area for a boat ramp.

The Board discussed sending the plan out for highway safety, fire, police, Conservation Commission, highway agent (entrance), and the Cobbett's Pond Improvement Association. Discussion ensued regarding treatment swale and weed growth, landscaping, and source flow calculations.

## **Rocky Ridge Lot Line Adjustment (17-J-100 & 100A) – Public Hearing**

### **9 & 11 Rocky Ridge Road**

Mr. Turner discussed the lot line adjustment, and the plan meets requirements and recommends it for public hearing. Mr. Dennehy motioned to accept for public hearing. Ms. Prendergast seconded. Passed 7-0.

Mr. Turner further discussed substandard lots, seasonal use, building encroachments, line adjustment, right-of-way, docks, property history, legally non-conforming, remain seasonal properties, potential year-round conversion, and location.

Public comment heard from Mr. Eric Meyer, 12 Rocky Ridge Road; Ms. Lisa Linowes, 20 Bramley Hill Road; and Mr. Joe Ward, 8 Rocky Ridge. Concerns included town land, deeded lake access, septic approval, adverse possession, and year-round conversion standards.

Discussion ensued regarding what can happen to the lot, beach area, and variance. Ms. Linowes discussed a condition of approval. Mr. Brian Haynes, Promise Lane Survey, discussed the selling of the lots.

Public Mr. Larry Jacobs, owner, discussed a brief history of the lots, seasonal use, and potentially sell one lot. Discussion ensued regarding the encroachment and waivers.

Mr. Kolodziej motioned to approve the waiver of 601.17 because of the unique consideration of the land. Ms. Maloney seconded. Passed 7-0. Discussion ensued regarding stipend for town land use.

Ms. Maloney motioned to approve the lot line adjustment with a note on the plan that the approval of this plan does not endorse or approve the building encroachment from lot 17-J-100 onto town property, and lots 17-J-100 and 17-J-100A are to remain seasonal. Mr. Kolodziej seconded.

Discussion ensued regarding conversion. Passed 6-1. Mr. Dennehy opposed.

## **Spruce Pond Review of Conditions of Approval (3-B-600, 650, 1200 & 1300) – Public Hearing**

### **Rockingham Road**

Mr. Turner discussed the approved plan, left-turn lane condition be modified and amended, the application meets all requirement and recommends for public hearing. Ms. Maloney motioned to open for public hearing. Mr. Dennehy seconded. Passed 7-0.

Mr. Turner discussed required actions, Rt 28 corridor, plans for neighboring land, curb cuts, future development, left-turn lane design, and staff recommends condition #3 be for Phase II. Board discussed zoning. Mr. Jack Szemplinski, Benchmark Engineering, discussed development of the area, DOT says not warranted for first phase, and coming forward with Phase II. Discussion ensued regarding Phase II includes depot road connection, Rt 28 improvements, and de-acceleration lane.

Public comments began with Mr. Bruce Anderson, Conservation Commission Chair, discussed Conservation Commission comments, consequences for decisions, and minimizing impacts. Mr.

Turner stated left-turn lane discussion have been throughout the whole process, and it will be needed during second phase.

Board discussed process, Phase I peak hour trips, and left-turn lane threshold. Mr. Maynard discussed left-turn lane vs. by pass shoulder, neighborhood business parcel, wetlands, reducing slopes, other development, road width, left-turn lane without wetland impact, Phase II time frame, condition postponed to Phase II, work with DES for area development, working with Herbert Associates, not developing the commercial lot until Phase II.

Mr. Kolodziej motion to grant postponement of condition #3 of Phase I to Phase II, developer to work with developers of the land on the opposite side of Rt 28 for best development, and postpone development of adjacent business parcel until Phase II work begins. Ms. Maloney seconded. Passed 7-0.

Discussion ensued regarding bypass shoulder as Phase I, impacts, quasi-bypass shoulder, and DOT requirements. Mr. Morris motioned to reopen the hearing. Mr. Dennehy seconded. Passed 6-0-1. Mr. McLeod abstained. Discussion ensued regarding bypass shoulder for Phase I, safety, Phase II coming soon, and bypass shoulder as part of Phase I.

Mr. Morris motioned that the bypass should be built for Phase I after 25 units are occupied. Discussion ensued regarding Cyr development, other bypass lanes, extra pavement, and work out with staff and DOT. Mr. Morris withdrew his motion.

Mr. Morris motioned for applicant to work with staff and DOT to get a viable, safe option without a full-blown left-hand turn lane with Phase I. Ms. Prendergast seconded. Passed 5-0-2. Mr. McLeod and Mr. Kolodziej abstained.

Mr. Breton motioned to continue to the January 7 meeting. Mr. Dennehy seconded. Passed 7-0.

Mr. Kolodziej motioned to adjourn. Mr. Dennehy seconded. Passed 7-0 Meeting adjourned 11:18 pm.

These minutes are in draft form and have not been submitted for approval.

Respectfully submitted, Nancy Charland