

PLANNING BOARD MINUTES
February 6, 2008

ROLL CALL:

Ruth-Ellen Post, Chairman – Excused	Ross McLeod, Vice Chairman – Excused
Nancy Prendergast, Secretary – Present	Walter Kolodziej, Regular Member – Present
Phil LoChiatto, Regular Member – Present	Pam Skinner, Regular Member – Present
Neelima Gogumalla, Alternate – Present	Rick Okerman, Alternate – Present
Alan Carpenter, Selectmen Member – Present	Margaret Crisler, Selectmen Alternate – Excused

STAFF:

Al Turner, Director of Planning and Development – Present
Shaun Logue, Town Planner – Excused

- Ms. Prendergast opened the meeting at 7:00 pm;
- The Board stood and recited the Pledge of Allegiance;
- Mr. Okerman and Ms. Gogumalla replaced Ms. Post and Mr. McLeod;
- Mr. Okerman recorded motions for Ms. Prendergast.

MINUTES:

- Mr. Kolodziej motioned to approve the January 30 minutes as amended. Mr. LoChiatto seconded. Passed 5-0-2. Ms. Gogumalla and Mr. Carpenter abstained;
- Mr. LoChiatto motioned to approve the January 9 minutes. Ms. Skinner seconded. Passed 4-0-3. Mr. Okerman, Mr. Carpenter, and Mr. Kolodziej abstained.

CORRESPONDENCE:

- Copy of a letter to Herbert Associates regarding the approval of the road name change from Brewster to Newbury;
- Abutter notification from Hookset regarding a telecommunications facility;
- Notice of decision from Derry regarding a 6 month extension being given to H&B Homes for a 4 lot subdivision with a hammerhead. Board discussion to have staff send Derry a copy of Spruce Pond II conditions of approval;
- Letters from Attorney Mason and Findeisen Survey requesting to continue the Pelletier Public hearing to February 20. Board discussion regarding notifying the abutters. Mr. Kolodziej motioned to continue the Pelletier Subdivision to February 20 at 7:30 pm, and the applicant will notify the abutters at the applicant's expense. Passed 7-0.

OLD/NEW BUSINESS:

- Mr. Turner distributed the revised Impact Fees for Public Safety Facilities document and asked that members bring this document to the public hearing on Impact Fees;
- Mr. Turner suggested that the Board consider upcoming workshops for discussion of a driveway ordinance, and subdivision and site plan amendments;
- Reminder: The Town Deliberative session will be held on Saturday, 9:00 am at Golden Brook School. The School Deliberative session will be held on Friday, 7:00 pm at Golden Brook School;
- Mr. Turner discussed a court ruling regarding the Lane case in regards to where a wetlands begins, and the next steps that the Lane's need to take. Board discussion regarding wetlands and culverts.

LIASION REPORTS:

- Selectmen: Mr. Carpenter provided an update on the progress of discussions with Mesiti Development regarding the Village Center District water systems.

Ms. Gogumalla stepped down. Mr. McLeod joined the Board and took over as Chair. It was noted that the Pelletier Subdivision has been continued to the February 20 meeting.

PUBLIC MATTERS:

DeLuca Lot Line Adjustment

17, 19 & 21 Farmer Road, lots 17-L-59, 60 & 61

The applicant is proposing a lot line adjustment for lots 17-L-59, 60 and 61 located on Farmer Road. Staff has reviewed the application, and it is ready for public hearing. Mr. LoChiatto motioned to open for public hearing. Mr. Kolodziej seconded. Passed 7-0.

Mr. Turner showed the plan on a map, the lots are to be readjusted, he discussed the acreage changes, the lots do not meet soil based lot sizing requirements, several variance have been received one of which was for the soil based lot sizing requirements, and the lots meet the requirements with the variances. Studies and reviews include staff review and high intensity soil mapping. Mr. Turner also reviewed the recommended conditions of approval.

Peter Zohdi, Herbert Associates, stated that there are three existing lots of record with homes on them and he showed the proposed lot line changes on the map, the home on lot 61 will remain, the new structures will be moved away from the shoreline, the 2 new homes will have new leach beds away from the pond, he explained the variances were for: 1) setbacks; 2) on a non-town approved road; and 3) soil based lot sizing. Board discussion regarding the Board's purview is for the lot line relocation, and a wetlands permit is needed to cross the wetland, the wetland is < 1 acre, has no WWPD, and does not require a special permit. Mr. Turner discussed the drainage and asked if the road will be reconstructed, the new Shoreland Act takes place April 1, 2008, and they will need a letter of compliance regarding the Shoreland Protection.

Mr. Zohdi showed the area of Farmer Road to be reconstructed on the map, there is an existing culvert, he discussed the culvert and catch basin and has discussed the changes with Mr. Turner and the road agent, it is a private road, and will stay 50' away from the pond during the road work. Mr. Turner stated it should be run by the Shoreland Protection Bureau. Mr. Zohdi stated that he will be meeting with Eban Lewis from the Shoreland Protection Bureau who will walk the area, and they will get a letter from Shoreland Protection.

Mr. Turner stated that one of the homes has been torn down and there is a complaint to the Shoreland Protection Bureau because all of the trees have been taken down on the lot. Mr. Zohdi stated they did cut the trees, a lot of trees were cut many years ago, all trees have been located as part of the application to the Shoreland Protection, and will be glad to take care of the vegetation. No public comment.

Mr. Carpenter motioned to approved the lot line adjustments as presented for Farmer Road lots 17-L-59, 60 and 61 based on the facts that: 1) the structures will be further back from the water; 2) 2 of the 3 lots will increase significantly in size; 3) the septic and leach fields will be across the street and further away from the water as presented by the applicant. Conditions of approval are: 1) Existing stone walls will be retained in place or rebuilt after construction; 2) The Farmer Road section bordered by these lots will be reconstructed with proper drainage and culverts; 3) All approvals from the Shoreland Protection Bureau will be in place before any site work or construction begins. Ms. Prendergast seconded. Board discussion regarding the relocation of the stone walls, amend the motion to work with Town staff to

relocate the stone wall. Ms. Prendergast seconded the amendment. Board discussion that the stone walls should be relocated to the proposed lot line. Board members asked permission to walk the site. Mr. Zohdi stated it was okay for the Board to walk the site, and that the client did cut the trees. Passed 7-0.

Ms. Prendergast motioned to adjourn. Mr. Kolodziej seconded. Passed 7-0. Meeting adjourned at 8:55 pm.

These minutes are in draft form and have not yet been reviewed and approved.

Respectfully submitted, Nancy Charland