The regular monthly meeting of the Dunbarton Planning Board was held at the above time, date and place with Chairman Ken Swayze presiding. The following members were present:

Kenneth Swayze, Chairman
George Holt, Co-Chairman
Alison Vallieres, Secretary
Michael Guiney
Charles Frost

Kelly Dearborn-Luce, Planning and Zoning Department

Members of the Public:

Jacques Belanger, Surveyor
Arthur Sicilano, Surveyor
Joann Wilusz
Lynn Marcou
Maurice Cote

Ken Swayze, Chairman, called the meeting to order at 7:00 p.m. with a five (5) member Planning Board present.

Ken Swayze, Chairman, confirmed with the Secretary that the meeting had been posted in two public places and also placed on the Dunbarton Web Site in conjunction with the law regarding posting of meetings, etc.

7:00 p.m. – GENERAL SESSION:

A. General Board Administration:

1. Approval of previous meeting minutes: Wednesday, July 17, 2013

MOTION:

Charles (Chuck) Frost made a motion that the Dunbarton Planning Board approve the minutes of the previous meeting of Wednesday, July 17, 2013 as written. Mike Guiney seconded the motion. The motion passed unanimously.

B. Correspondence

Kelly Dearborn-Luce reported that she had e-mailed members with the upcoming correspondence items in order to save time, etc. She also wanted to verify the e-mail addresses of all members.

Items brought up in the e-mail as follows:
1. Rules of Procedures will be tabled for this meeting. Ken has approached her about some of the concerns and/or changes that we can address. We will work on another draft and send it out to members for review and more comments.

2. Dena Brown and Gerald Williams on Flintlock Farm Road have postponed their lot line adjustment until further notice as they may be purchasing the lot instead.

3. No new updates from the last legislature report (February 2013). If anyone wants a copy of the list, let her know and she will forward it to you.

4. George Holt asked about the new note regarding accessibility on the bottom of the Public Notices and it is for the Board to prepare if someone with disabilities is in need of any special accommodations, in accordance with the ADA. The accessibility law is not just for "access" physically into a building, that we have with no issues. The hearing, seeing, speaking or other impairments also need assistance and if we cannot accommodate at the time of a meeting, we would have to postpone until we can accommodate. So by the Town asking first, and to avoid "excluding", we would know in advanced to make any reasonable accommodating adjustments.

Ken Swayze, Chairman, reported that the Dunbarton Planning Board had received Travis James’ resignation from the Dunbarton Planning Board effective July 29, 2013.

C. Selectmen's Report

Les Hammond, Selectmen's Representative was absent from the meeting.

D. Upcoming Applications for September 2013

Possibility of Giovagnoli Site Plan Review Continuation of Public Hearing

Greg Scarlet (GPS Properties) to discuss continuation for his project and plans and updates.

Tom Giovagnoli Site Plan Review Extension:

At this point in the meeting, Jacques Belanger, Surveyor, requested that the Giovagnoli Site Plan Review be extended for 90 days by the Dunbarton Planning Board. He noted the application was submitted in March 2013 and application was on the agenda in April 2013.

MOTION:

George Holt made a motion that the Dunbarton Planning Board extend the application for Site Plan Review from Tom Giovagnoli for 90 days. Mike Guiney seconded the motion. The motion passed unanimously.

GENERAL BUSINESS:

MAURICE COTE, COTE & SCIREE, REGARDING AN EXTENSION FOR A FOUR LOT SUBDIVISION on 22.5 ACRES, INCLUDING APPROXIMATELY 1,100 FEET OF NEW TOWN ROADWAY LOCATED OFF
GRAPEVINE ROAD IN THE LOW DENSITY DISTRICT IN DUNBARTON, NH TO BE KNOWN AS NATALIE DRIVE (TAX LOT #H4-02-10)

Maurice Cote and Jacques Belanger, Surveyor, appeared before the Board to discuss the Natalie Drive four lot subdivision and what other options there would be for the project. There is only 493 feet of frontage so the lot cannot be subdivided without a new roadway. The only option would be to go to the Zoning Board of Adjustment for a Variance for frontage.

After discussion, the Dunbarton Planning Board noted that the project might qualify for the recently passed Open Space Ordinance. The minimum acreage is 20 acres and the parcel has 22.5 acres. The Planning Board suggested that Maurice Cote and Jacques Belanger review the ordinance and see if this would work for them.

The Planning Board noted that this parcel abuts the Bela Brook Conservation Area. This requires a 125 foot setback from wetlands in the Wetlands Conservation District.

Natalie Drive Request for Extension:

Kelly Dearborn-Luce reported that the last extension had been granted on September 21, 2011 for a period of two years with the stipulation that they come back to the Planning Board on interim progress at the end of the first year.

The Planning Board also recommended that the equipment at the top of the hill be removed if at all possible.

The Planning Board also noted that roadway requirements have changed since the original approval on July 21, 2004. Roadways are now required to be 60' feet wide. This would have to be discussed with the Road Agent.

MOTION:

George Holt made a motion that the Dunbarton Planning Board grant a two year extension to the Cote & Sciure Real Estate, LLC (H4-02-10 subject to the following conditions:

1. Applicant shall be required to conform to all current/updated subdivision regulations as of August 20, 2013, particularly regarding incomplete construction.

2. Applicant shall execute a new "Agreement to Continue Roadway Construction for "Natalie Drive".

Mike Guiney seconded the motion.

At this point in the discussion, Charles (Chuck) Frost stated he thought at the last extension approval in September 2011, they were supposed to come back to the Planning Board prior to doing any road work, etc. He made an amendment to the above motion as follows:

3. That the Dunbarton Planning board grant a two (2) year extension to complete roadway improvements and any other associated work pursuant to the original Notice
of Decision granted July 21, 2004 with the condition they come back and report to the Planning Board on interim progress at the end of the first year.

Mike Guiney seconded the amendment to the motion.

The amended motion passed unanimously.

PUBLIC HEARINGS:

CONTINUED PUBLIC HEARING: BEVERLY MARCOU REVOCABLE TRUST (G2-03-03) PROPOSED TWO LOT SUBDIVISION AT PROPERTY LOCATED ON MANSION ROAD AND CALEB'S WAY IN THE LOW DENSITY DISTRICT IN DUNBARTON, NH

Kelly Dearborn-Luce reported as follows:

The only change from the outstanding items in the status report on Beverly Marcou Trustee 2 lot subdivision on Mansion Road and Caleb's Way, is that Kyle Parker, Building Inspector and she went to the home at 250 Mansion Road to measure the actual square footage of the existing apartment. The total square feet measured at 840. The apartment does not go all the way over the existing garage. The zoning ordinance, Article 4, page 14, allows a one bedroom unit, up to 1000 square feet. The requirements about the apartment complying to our existing zoning ordinance is noted on the revised plans and the new square footage will need to be corrected on the note. The applicants are anticipating their approval.

Would request that the following be put on the plan "the total square feet of the apartment be changed to 840 as measured by the Building Department and that it complies with the current zoning requirements".

It was noted for the record that Mike Guiney and George Holt did a Site Walk on July 24, 2013.

There were no abutters nor concerned members of the public present.

There being no further comments, Ken Swayze, Chairman, closed the Public Hearing at 7:30 p.m.

DECISION:

MOTION:

George Holt made a motion that the Dunbarton Planning Board approve the proposed subdivision of the Beverly Marcou Revocable Trust of Tax Lot G2-03-3 consisting of a two (2) lot subdivision on 11.38 acres, located on Mansion Road and Caleb’s Way in the Low Density (5 acre) District subject to the following conditions:

1. Submittal of a final, technically accurate, and graphically correct plan-set in full compliance with all current subdivision regulations and incorporating any and all additional requirements established during deliberations with the Board (per minutes of August 21, 2013).
2. Approval and receipt of all other required local, State and Federal permits. There shall be no change(s) to the base plan(s) without re-consultation with the Board, as a result of such other permit approvals.

3. Payment of all fees and costs associated with the Dunbarton Planning Board application process.

4. That all specified work and improvements at the site, as specified by the Land Subdivision Regulations, be completed prior to the signing and filing of the Mylar (i.e. survey monumentation and related); or a surety be posted in favor of the Town, in an amount adequate to complete such work as required.

5. Preparation, submittal, and filing of all Deeds, legal instruments, and/or documents required or intended to be filed at the Merrimack County Registry of Deeds, in such content and form acceptable to the Town.

6. The existing Accessory Dwelling Unit remains in compliance with the current Zoning Ordinance.

Alison Vallieres seconded the motion. The motion passed unanimously.

The Planning Board noted that it will wait for Kyle Parker, Building Inspector, to check the bounds prior to signing of the final plan.

OTHER BUSINESS:

Ken Swayze, Chairman, brought up the fact that some members are not able to review plans during the day and suggested that the Planning Board schedule a monthly Workshop Meeting to review plans.

It was noted that the Zoning Board of Adjustment members pick up their plans, etc. at the Town Office at least a week prior to the meeting and review them at their leisure. In addition, George Holt would like to receive a PDF copy of the plans and this would save having to schedule a meeting. The plans could also be mailed if they can't be picked up, etc.

Alison Vallieres stated she did not feel it would be necessary to schedule a Planning Board Workshop Meeting just to review plans. The plans are available to the members. If they cannot come in the day, the Town Office is open until 7:00 p.m. on Tuesday and Thursdays. If they don't pick up the plans, they could be mailed, etc.

The consensus of the discussion was that the Planning Board will not schedule a Workshop Meeting to review plans. Members will come to the Town Office and either pick them up or they will be mailed.

There being no further business, George Holt made a motion that the meeting adjourn at 7:45 p.m. Mike Guiney seconded the motion. The motion passed unanimously.

Respectfully submitted,
Alison R. Vallieres, Secretary