PLANNING BOARD MEETING MINUTES

DATE: Wednesday, April 18, 2018

TIME: 7:00 p.m.

LOCATION: Town Offices

IN ATTENDANCE: George Holt (GH); Ken Swayze (KS); Alison Vallieres (AV); Chuck Frost (CF); Jeff Crosby (JC); Brian Pike (BP); Michael Kaminski (MK), Selectmen’s Representative; Mike Cummings (MC), Building Department: Donna White (DW), P/Z/B Department

ABSENT:

BUSINESS:

1. Approval of Minutes from March 18, 2018. CF made the motion to accept the minutes; JC seconded the motion. BP asked if the corrections he submitted had been incorporated; discussion ensued about the substance of those corrections. CF suggested a change of the word ‘admonished’ on page 4, paragraph L.1; after brief discussion it was agreed to leave as printed. All were in favor.

2. Election of Officers. GH made a motion to elect KS as chair; seconded by JC. All were in favor. KS thanked GH for taking care of the meeting minutes over the last few months. KS said he would like to nominate GH as co-chair/secretary. BP made a motion to elect GH as co-chair/secretary; seconded by CF. All were in favor.

3. Selectmen’s Office Report:
   a. MK reported that he was nominated to serve on the Planning Board (PB) again this year.
   b. KS presented the PB’s school recommendation to the BOS on March 22, 2018. MK said the motion was re-worded slightly and accepted. He read the revised motion which was passed. MK said Selectman Martel thanked the PB for working things out on the school project and for the good recommendation.
   c. CF asked about a requirement for public hearing after the PB saw the school plans. MK said it was decided that the requirement was not applicable. He said the BOS took joint responsibility with the School Board to keep the project moving.

4. Planning Department Report:
a. MC reported that Botnick did not get a final on the building even though it has been erected. He said the architect was called to do inspections. The electric has been signed off. The owner wants to occupy the building. GH recused himself from this discussion. It was asked why the dirt and drainage work isn’t being done. KS asked JC if he feels there is a lot of work to be done to use the premises. JC said the owner decided the arena would be for personal use and did away with the stables. That would reduce the amount of parking that is required. He said the owner must comply with the driveway permit situation which is part of the site plan, as well as the site work required as part of the approval. JC said roof runoff is a concern. He asked if the drainage work has been done. MC said it has not. BP said the owner has an approved plan from the PB; he wonders how pieces can be removed from the plan. KS said they are not taking things away, he just needs to do the site work to get a CO/final. KS advised MC that the owner must complete the drainage. KS said the applicant paid a lot in site plan and building permit fees, and the PB said it would look at the fees. This needs to be done. JC said the owner must follow the requirements of the driveway permit regardless of the use. MK urged MC to be proactive in following up on this. GH returned to the Board.

b. MK spoke about a farm operation on Route 13. The assessor is looking at the property. MC said they are up to date with permits. The Town is in waiting mode. MK said the BOS had a meeting to reassure neighbors and abutters; there are no new structures or housing plans at this point. There was a driveway permit for logging; the owner is applying for a permanent State driveway permit.

OLD BUSINESS:
Bryan and Kelly Comeau - 2-Lot Subdivision - Lot A2-01-05, 1191 Gorham Pond Road.
KS stated that this is a continued public hearing. DW reported a few minor administrative corrections have been added to the status report. Jacques Belanger (JB) stated that he has nothing new to present since the last meeting. No changes from the status report have been made at this point; there are some minor fixes to be done on the plan. KS asked JC about the driveway. JC said he has looked and the location is satisfactory. There was discussion of the history of the access. JC said they still should pull a driveway permit. BP noted that a deceased abutter is listed on the plan; JB said it is listed as shown on the property records. KS asked DW to clarify this with the Town Administrator.

1. KS opened the public hearing to the public; hearing no comments, he closed it to the public and brought it back to the Board.
2. GH moved to approve the proposed subdivision of Bryan & Kelly Comeau of Tax Lot A-2-01-05 consisting of a two (2) lot subdivision on 17.48 acres, located on Gorham Pond Road 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/meetings on March 21, 2018 & April 18, 2018).

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); and subject to approval by the Road Agent of driveway location.

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

Seconded by JC. All were in favor.

NEW BUSINESS:
Jonathan Riley – 2-Lot Subdivision – Lot D5-01-06 - County Road
[Note that this is for receipt and acceptance of the application.]

1. AV recused herself from this case.

2. DW reported that the plans were reviewed and noted the following:
   a. No waivers requested.
   b. No issues with the plan other than minor details.

3. GH moved to accept application and proceed with deliberations; seconded by CF. All were in favor.

4. The applicant's agent, Art Siciliano (AS), described the plan which proposes a two-lot subdivision of 13.72 acres in the low-density district. AS gave an overview of the plan, noting that ledge and earth are to be removed for sight distance on Lot 7. He said the area being removed is owned by the Town. KS asked AS if he had questions on the summary report; AS did not. JC asked for the width of the ROW; AS said it is 50’. JC spoke about concerns from the highway department side. He noted that there are a couple of big pines near the existing driveway; he said it would be nice to have those come down. KS reminded AS that all the required work is to be done prior to the plan being filed at MCRD. AS asked if it could be on the condition that the work is done by the time of CO; KS explained the process and why that is not possible.

   There was lengthy discussion about the width of the ROW, the Town getting another 10’ for future widening, the affect on the proposed lot acreage, and the possibility of an easement for construction and maintenance. JC stated there needs to be a ditch line for proper drainage in the area where the ledge will be removed. GH suggested that Board members do their own site visit before another meeting.

5. KS opened the meeting to public comment.

6. Abutter Comments:
   a. Bill Preston, 81 County Road, asked about drainage plans for water shed. He said the land is full of water pockets; water can’t be forced onto abutting properties. He would like this noted and addressed. Mr. Preston asked if there would be blasting involved as he is concerned about his well; he does not want
any blasting over there. AS said the ledge would probably be hammered. Mr. Preston asked if the road will be able to handle the trucking since a lot of material will have to be brought in. He asked when the abutters would know the house location. KS explained that this is a subdivision application, not a building project. Mr. Preston noted that one lot grew by four acres; GH explained how it calculates out to what is shown on this plan. AS said the previous survey was a poor drawing; the scale was not right.

b. Cynthia Forcier, 51 County Road, said she is cool with the subdivision but has concerns that her lot is being conveyed as smaller than what she thought. AS again explained that the frontage seems to be accurate; the former plan was drawn incorrectly so the areas are incorrect. Discussion continued about the acreage differences. KS stated that AS is a licensed land surveyor. He said this is not under the scrutiny of the PB; Mr. Preston would need to talk with AS about his survey. KS said the Board is bound to go with the information provided by a licensed surveyor; this is not an arbitration board.

c. No other abutter or public comments were provided. KS closed the hearing to the public; opened it to the Board only.

7. KS notes that the hearing is continued to May 16, 2018, 7:00 p.m. at this location. There will be no further notification.

8. AV returned to the Board.

Romona Derochemont & Lake Gorham Association - Re-subdivision of land/Lot Line Adjustment - RD K1-04-13 and LGA K1-04-14 & 15 - Holiday Shore Drive (Gorham Pond)
[Note that this is for receipt and acceptance of the application.]

1. DW introduced the application.
   a. There are no waivers requested.
   b. No issues with the plan other than minor details.

2. JC moved to accept application and proceed with deliberations; seconded by AV. All were in favor.

3. The applicant’s agent, Jacques Belanger, explained that the Derochemont party had a garage built some time ago; it has been discovered that it is just over the property line. The Association is working with the Derochements to correct the situation. JB explained that the Association has merged two lots so that this project will not create a more non-conforming lot. The property line is shifting over 20’, improving the situation all around. JB said monuments are to be set. GH asked if there would be any change in use on the Association property. Association Vice President, Bob Leonard, said there would be no change. JC reported that a stonewall appeared last year; it is in the Town’s ROW. Mr. Leonard said it is on the owner’s property; not under the Association’s jurisdiction. JC will address this with the resident.

4. KS opened the public hearing to the public. Hearing no comments, the hearing was closed to the public; opened to the Board only.

5. KS stated that there will be an exchange of land and deeds here. Documentation of authorization to act on behalf of the Association will be required to transfer the land and sign the mylar.

6. GH moved to approve the proposed re-subdivision and lot line adjustment of Romona Derochemont of Tax Lot K1-04-13 and Lake Gorham Association of Tax Lot K1-04-14 & 15, with no new lots being created, located on Holiday Shore Drive (Gorham Pond) 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/meetings on April 18, 2018).
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).
5. Preparation, submittal, and filing of all Deeds, legal instruments, and/or documents required or intended to be filed at the Merrimack Country Registry of Deeds; in such content and form acceptable to the Town.

Seconded by CF. All were in favor.

BOARD DISCUSSION:

1. There was brief discussion about the use of exaction fees in relation to the Riley proposed 2-lot subdivision and the preference of property being granted to the Town rather than easements given.
2. GH will get the Master Plan draft to DW; DW is to email to Board members; hard copies available on request.
3. BP spoke about CTAP money. KS explained that the project is done but the Town did get substantial funds from it over the years. BP said there is other money out there to help PB with their regulations. He has emailed this information to the office and Board members.

BP moved to adjourn the meeting at 8:45 p.m.; seconded by MK. All were in favor.

Respectfully submitted,
Donna White