

PLANNING BOARD

NOVEMBER 16, 2006

MEMORIAL BUILDING

7:00 P.M.

The following are to be considered draft minutes only until approved by the Board at their next meeting.

Present: Kevin Lee, Chairman, Andy D'Amico, Linda Welch, Peter Keene, Darrin Patten, and Neal Huntoon. **Absent:** Ken Jacques.

The meeting was called to order at 7:02. p.m.

Also present: Courtney Daniel from the Upper Valley Lake Sunapee Region Planning Commission, Bob Costello, and Doug Marcotte.

Minutes: Linda moved to approve the October 19, 2006 minutes as written, seconded by Andy and unanimously approved.

Zoning Report: Andy reported that a variance application is in the hearing process. A visit to the site is to be held.

Literature and Correspondence:

Notice of workshop on December 13, held by the Sunapee Area Watershed Coalition.

Request from UVLSRPC for \$1,183.84 in membership dues for 2007.

Regional Planning Commission fall newsletter.

Notice of compliance on an administrative order by the DES for Sandra Rowse property.

Andy mentioned the recent passing of George Thomson, a noted member of the community instrumental in compiling the original master plan and subdivision regulations.

Matarazzo-Design Review Hearing – Continued: At 7:15 p.m. the hearing was reopened. George Matarazzo and Peter Blakeman were present to discuss the design. Marc O'Halloran was also present. Andy D'Amico stepped down.

1. George reported he met with the Selectmen on November 14, and was granted a waiver for lots 6, 7 & 9 for use of 50' right of way access outside of the frontage on these lots. The waiver is contingent on all approvals being in place.
2. He is also looking into the concept of a permanent open space easement for the existing trail system through the property. He is leaning toward a long-term easement to the snowmobile club for use and maintenance. If the snowmobile club dissolves, the trail would revert to lot owners.
3. He is looking at the issue of a wildlife corridor easement, and looking for guidance as to where that might be. The setback areas on the site are all areas where no construction

will happen, there is all ready considerable open space on the property, plus the area around the power line easement.

4. An easement area provided to Mr. D'Amico for a well located on Lot 3 is shown.
5. They are in the process of applying for a Special Exception by the ZBA for the driveway and road crossing of the wetlands. That hearing is scheduled for December 5th.
6. Discussion regarding scheduling a site visit. The surveyor is staking the road site. Test pits are flagged and numbered in the field.
7. They are working on retention areas for drainage. Proposed septic areas are depicted on lots greater than 5 acres. Septic designs will be done for lots less than 5 acres and the area of cluster housing.

Linda reviewed the status of the Board's recommendation regarding the waiver. Neal explained that the waiver is contingent on Planning Board's approval of the subdivision. The waiver will be reviewed and drawn up by town counsel.

Kevin reviewed the general discussion the Board had after the last hearing regarding fire protection for a subdivision of this size, with the provision of a cistern or individual home fire suppression systems. George indicated he will review options that may be available with Peter.

Discussion and site visit scheduled for Saturday December 9th at 9:00 a.m. Town Departments (fire, highway, and police), ZBA, Conservation Commission and Ross Stevens will be notified.

Kevin reported on concern by Conservation Commission regarding an environmental impact study. Peter indicated that the drainage report will be a very comprehensive detail of the drainage impact on the property.

The Board discussed the possibility of not allowing further subdivision of Lot 9. Linda indicated the Board had discussed restricting further development for any lot receiving a waiver.

Mr. Matarazzo noted that they may still be looking toward a land swap with Mr. D'Amico. The Board agreed that lots 6, 7 & 9 should remain as currently shown, with the exception of what they do for an annexation with Mr. D'Amico, and that the plat should show restriction of further subdivision of those lots.

Motion unanimously approved to continue the Design Review Hearing to December 21, 2006 at 7:15 p.m.

Costello – Consultation: Bob Costello met with the Board to review the discrepancy he has with a right of way off Meadowbrook Road to the Nemcovich property (formerly Reney Property). He owns land at the end of Meadowbrook Road and indicates that the subdivision approved by the Planning Board (1995) when that property was subdivided by the Reney's allowed a right of way across his land.

The Board reviewed deed descriptions, survey and subdivision plans for the property. The Board explained that the basis of the access being shown where it was on the plan is the basis of the Planning Board's approval at that time. The Board indicated to Mr. Costello that if he does not agree on the property boundaries as shown on that survey plan, than he would need to hire a surveyor to clarify the issue. The Board agreed that this was not a town issue but a civil issue property dispute. The Board explained that the Nemcovich deed shows that there is an access to the property from Meadowbrook road but there is no deed description of the location of the right of way. The Planning Board would not be the party to grant a right of way across someone's land. In good faith, the Planning Board used the survey plans represented at the time the property was surveyed.

Work session: At 8:20 p.m. the Board met with Courtney Daniel from the Upper Valley Lake Sunapee Region Planning Commission.

1. Courtney provided the Board with a handbook for Capital Improvements. The Board can appoint a committee for Capital Improvement Planning Update.
2. Courtney provided the Board with two examples of a noise control ordinance, one being a comprehensive ordinance from the Town of Durham, and the other being a smaller standard more appropriate towards Springfield. Andy questioned the examples he had presented regarding obnoxious use that dealt with light and odor issues as well as noise issues.
3. Proposed amendments for the Zoning Ordinance were reviewed.
4. A timeline for amending the Zoning Ordinance was presented for the Board's review.

After discussion, Andy moved to proceed with the proposed amendments to the Zoning Ordinance for this year's Town Meeting, seconded by Peter, and unanimously approved.

Courtney reported on innovative zoning techniques. The Planning Commission will be scheduling a meeting with other towns that are investigating these ideas.

The Board then reviewed the amendment to the definitions between the zoning ordinance and subdivision regulations prepared by Courtney. After review, Darrin moved to proceed with clarification of definitions as part of the Zoning Ordinance Amendments for this year's town meeting, seconded by Linda and unanimously approved.

The Board voted to adjourn at 9:45 p.m.

Respectfully Submitted,

Janet Roberts,
Recording Secretary