

**PLANNING BOARD**

**MARCH 15, 2007**

**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, Andy D'Amico, Darrin Patten, Ken Jacques Peter Keene, and Neal Huntoon.

**Minutes:** Ken moved to accept the minutes of February 15, 2007 as written, seconded by Andy with 4 in favor.

**Reports:** No driveway applications have been received.

Planning Board members were in attendance at the March 7 Zoning Meeting and the work session that followed.

Ken Jacques reported on March 8 at the Conservation Commission meeting, a motion was made, seconded and approved to indicate to the Zoning Board the issues the ZBA set forth before the Conservation Commission for comment are felt to have been addressed at the work session. The Zoning Board should have what they need for their April meeting.

**Literature and Correspondence:** Mighty Oaks Realty has submitted a property line perimeter survey and will file in at the registry of deeds.

Compilation of results from Ausbon Sargent Land Trust's survey for the proposed land summit in October. Members will review the list and make their five top choices following this evening's business.

Notification of the Office of Energy and Planning Spring Conference on April 28 in Manchester.

**Consultation – Sayer:** Present: Doris Sayer, Keith Sayer, and John MacKenna. John stated Doris would like to subdivide a piece of land to build a smaller home. A third lot may be a possibility. The Board discussed setback and frontage requirements. Ken discussed showing any wetlands there may be on the property. John stated there may be some wet area on the property. There is a deed description for a right of way across the property for Jay Bewley's property. The Board explained the soils and slope determinations in factoring lot sizing. At this point Doris just wants to subdivide one lot for a new house. John was interested in knowing whether the remaining land might have the potential for future two-lot subdivision. Test pits will need to be done.

**Lee – Continued Public Hearing for two-lot subdivision:** At 7:25 p.m. the continued hearing was reopened. Present: Tim Lee. Clayton has not finished the survey work yet. Tim reviewed what Clayton has been able to do to this point. Plat and deed restrictions

prohibiting further subdivision was discussed. Tim was told this should be written on the plan and in the deed. The Board moved, seconded and approved to continue the subdivision hearing to April 19, 2007 at 7:15 p.m.

**Berkeley – Continued Public Hearing for two-lot subdivision:** At 7:30 p.m. the continued hearing was reopened. Present: Steve Berkeley. Steve presented the plan. Wetlands are showing on the property. Right of way description will be written in deed. Restriction to prohibit further subdivision of either lot is included on the plan. The Board reviewed the application.

1. The pins need to be set and will need to be checked.
2. The abutter's house and driveway located within 200 feet of Steve's property need to be shown on the plat.

The driveway permit has been received.

Darrin moved to accept the application with the above conditions noted, seconded by Andy and unanimously approved.

Steve will let the Board know when the pins are set so they can be checked. He will have the location of the abutter's house and driveway noted on the plan. Darrin moved to approve the subdivision, pending the checking of the pins, and the abutter information being shown on the plat, seconded by Andy and unanimously approved.

Steve will have the mylar available for the April meeting.

**Charles – Public Hearing for two-lot subdivision:** At 7:45 p.m. the Public Hearing was opened. Present: Mac Charles and Allen Wilson. Abutters present: Keith & Susan Cutting.

Allen presented the proposal. Total lot area now is 15.97 acres. Mac would like to divide into two lots, Lot 3A of 9.09 acres, and Lot 3B of 6.88 acres. Allen stated the plan proposes creating the 200 feet of frontage utilizing 110' feet of the existing driveway and building it as a private road, built to town standards. The total amount of frontage for both lots would be greater than 200 feet. The Board discussed whether this would create a dead-end street. Mac stated they would like to have this delineated. The last time he met with the Board this is what was asked for. He is willing to place deed restrictions that these two lots could never be subdivided again. He would like a private drive to access both lots. He would like not to have to build a private road. Kevin stated that the existing lot is a non-conforming lot as it does not have 200 feet of frontage. Mac stated in 1991 he was given subdivision approval and was not told that he should leave 400' as a requirement. He would like a waiver or variance in that direction. Allen stated the Planning Board could grant waivers on any of their regulations. Darrin stated there is a

State requirement regarding waivers for frontage that requires involvement from the Board of Selectmen. The Board discussed getting more information regarding the

requirements for this; the line you get your access from has to have 200 'minimum frontage. Darrin stated the Board is in the process of sorting out issues regarding frontage requirements. Allen stated wetlands are shown on the plan. The Board reviewed regulations regarding the 1500 road length limit and the fact that Sanborn Hill Road is a dead end road. This could also create problems. The Board discussed the 4:1 ratio.

The Board felt they would like to be able to have more time to do more research on the guidelines.

Allen stated he would be interested in finding out information regarding the stipulation of frontage on a created road. He stated it has been applied differently in different towns. The Board stated that statutory guidelines had been brought to their attention by a representative from the Upper Valley Lake Sunapee Region Planning Commission when addressing similar issues for another subdivision proposal.

Mac stated they should have been told in 1990 there needed to be more frontage left on the remaining land. The proposal is for two large-size lots, never to be subdivided again. The Board stated, if the land wasn't being subdivided it wouldn't be an issue; there could be two homes on the remaining land. Mac stated his intent is to sell one of the lots to his daughter and her husband. Two houses would be accessing from a private drive.

Ken moved to continue the hearing to the April 19 meeting, seconded by Andy, and unanimously approved. The hearing will be held at 7:30 p.m.

Keith Cutting asked for clarification as to the information the Board would be looking for. Kevin stated the Board would be reviewing:

1. Frontage requirements for corner lots.
2. A private road off Sanborn Hill Road more than 1500' from the beginning of the road at Route 114, where it was not originally a dead-end road, how would the status of that road be looked at?
3. Waiver of 4:1 ratio, frontage to depth of lot.
4. Waiver of statutory guidelines for access with less than 200' of frontage.

Keith stated the designation of their right of way across his property has been correctly identified. Keith stated he and Susan were there to support Mac in this and to offer any positive comments they may be able to give. Mac stated he has a paper signed by people who did not want to attend, that they would agree with the subdivision as proposed. This was from all the abutters around the property.

Kevin mentioned that houses and driveways within 200' need to be shown on the plan if they are not. Allen stated there is nothing within 200 feet.

**Miscellaneous Business:**

**Mighty Oaks Realty:** The Board reviewed the boundary line survey for Mighty Oaks Realty on George Hill Road.

**Ausbon Sargent Land Trust:** The Board reviewed topics for the land summit proposed by the Ausbon Sargent Land Trust, and chose 5 issues they would like to see addressed.

**Subdivision Regulation Review:** Kevin asked the Board to consider working on subdivision regulations through the year, and to update regulations and make them available in electronic format.

With no further business, the Board voted to adjourn at 8:55 p.m.

Respectfully Submitted,

Janet Roberts,  
Recoding Secretary