

Planning Board Meeting Minutes

December 12, 2017

6:30 PM

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Chairman Burns called the meeting to order at 6:33 PM.

**Members Present:** Scott Burns – Chairman, Everett Kennedy, Alan Theodhor, Frank Lombardi, Tim O’Neil – Alternate and Joyce McGee – Secretary.

**Members Absent:** John Tholl Jr. – Selectman Rep.

**Public Present:** Robert Cargill, Robert Stiles, and Chris & Becky Matthews.

Chairman Burns appointed Alternate Tim O’Neil as a voting member.

**Public Hearing(s):**

**1. Minor 2-Lot Subdivision**

**#608 – Owner(s)/Applicant: Cargill, Robert & Daphne and Cargill, Katrina – 995 Jefferson Road, Tax Map 215 Lot 016:** who is/are requesting a 2-Lot Subdivision on said parcel consisting of 11.15 acres, Lot 1 is to become 5.02 acres and Lot 2 is to become 6.13 acres. Survey is prepared by Timothy W. Sutherland Land Surveying.

Mr. Cargill was present as Land Surveyor Tim Sutherland couldn’t make it do to the weather. Mr. Cargill stated that he is looking to place a single family home on the land across from the existing farm house. He hadn’t realized that you couldn’t have two homes on one lot. He would like to use the existing driveway as a common entrance for both home sites as the road curves, site distance is an issue.

Secretary McGee had checked with NHDOT regarding the Change of Use and if a permit was needed. DOT response was, I don’t believe we have anything on these items. If the Planning Board has not received anything from us on these, then they probably have not submitted. I think there are sight distance issues with the Cargill lot if it is near the S curve just before the Jefferson Town line. Secretary McGee also read from a letter that NHDOT sent regarding when a permit is needed.

Chairman Burns feels they need an updated driveway permit as we have gotten in trouble with the State for not letting them know of changes. Everett Kennedy felt it wouldn’t be a problem. Chairman Burns stated it would add extra traffic, not very much but it would add too it.

## II. TOWN ROAD INVENTORY (Class 4, 5, & 6 Roads)

Has the town/city taken over any new roads, reclassified existing roads, or changed the road inventory, including road name changes? Names of roads may have recently changed due to E-911 requirements. Any changes to the Road Inventory should be reflected in the State Town/City Road Inventory records. These records are the basis for town/city Highway Block Grant Aid.

An approved article on the town warrant, city council vote or a letter signed by the board of selectmen/city council is required prior to any change to the State town/city road inventory records.

If there have been changes, please contact the NHDOT Bureau of Planning and Community Assistance (603) 271-3344 to review the changes and update the Official town/city road inventory records.

## III. DRIVEWAY PERMITS

A driveway permit is required for all new drives/roads and for all drives/roads to be altered that access the State maintained road. It is important to note that all logging activities accessing a State highway require a permit regardless of whether a drive exists or not. Permits for logging driveways are temporary and expire one year after issuance. Alterations to existing drives that require a permit may include; adding pavement, widening, realignment, reconstruction, or changing the existing drainage affecting the highway. A driveway permit is also required for a change in use of an existing driveway or town/city road (i.e., a residence becomes a business, a logging driveway becomes access to a home site, etc.).

**Please ensure that anyone appearing before the town/city requesting a subdivision, a business, a residence, intent-to-cut for logging, etc. along a State maintained road has applied for a Driveway Permit and has received a positive response from the NHDOT prior to approving the subdivision, change in use, logging or construction.** This will help maintain safety to the motoring public as well as keeping the integrity of the roadway in relation to the posted speed limit.

A typical Application For Driveway Permit package is enclosed. The package includes the application form and governing State Statute. All sheets are to be completed and submitted for approval with supporting documentation. The supporting documentation **must** include a deed for the parcel dating back to July 1, 1971. If the parcel is part of a larger tract subdivided after July 1, 1971, **then provide** complete subdivision plans and deed history dating back prior to July 1, 1971.

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Secretary McGee wanted to let the Board know that an abutter was in but was advised to leave as Mr. Sutherland was not going to be present. Secretary McGee contacted the abutter via phone and it was suggested to continue the hearing.

**A motion was made by Everett Kennedy to continue the hearing of Case #608 until January 2, 2018 as an updated driveway permit is needed from NHDOT, seconded by Alan Theodhor. All in favor, motion carries.**

**2. Site Plan Review/Change of Use:**

**#609 – Owner(s)/Applicant: Matthews, Christopher B. & Rebecca L. – 30 Union Street, Tax Map 103 Lot 017** - who is/are requesting a Change of Use from a Single Family Home to a Residential Use – Home Occupation. Owner(s) would like to use 288 sq. ft. of their home as a store to sell vinyl records, cassette tapes, 8 track tapes and other nostalgic items.

Mr. & Mrs. Matthews were both present. Becky Matthews spoke that the front two rooms in their home will be used for the home occupation of selling vinyl records, cassette tapes, 8 track tapes and other nostalgic items. Chairman Burns asked about how many people would be coming and going at once. Chris Matthews thought that maybe a couple of people at once would be there and then randomly throughout the day. Becky Matthews felt that during the day they would have 4-5 parking spaces and evenings 3 spaces. It was asked about public bathroom use. Mrs. Matthews stated that there is a bathroom off from the front two rooms.

The driveway entrance is off a state road so Secretary McGee had asked NHDOT if anything needed to be done. NHDOT response was that the change of use for business to sell records should have enough parking and turnaround on site so there isn't any parking within the state highway. The letter from NHDOT was also read again. The Matthews were advised that Secretary McGee will ask the question of whether a permit is needed or not and then advise.

Frank Lombardi went through the Residential Activities List and the Absolute Criteria Chart. Hours of operation will be Wed, Thurs and Fri from 12-7 pm and Sat from 10-4 pm. The Fire Chief meet with the Matthews and all compliance issues have been met. Traffic, Entrance/Exit and Parking needs to be addressed with the State.

No further comments.

**A motion was made by Everett Kennedy to accept the application for a Change of Use as complete, seconded by Tim O'Neil. All in favor, motion carries.**

A motion was made by Everett Kennedy to approve the Change of Use from a Single Family Home to a Residential Use – Home Occupation with a condition that a driveway permit is received from NHDOT if need be, seconded by Alan Theodhor. All in favor, motion carries.

### 3. Minor 2-Lot Subdivision

**#610 – Owner(s)/Applicant: Lois A. Stiles Revocable Trust – 595 Kimball Hill Road, Tax Map 253 Lot 001** – who is/are requesting a 2-Lot Subdivision on said parcel consisting of 95.06 acres, Lot 1 is to become 13.80 acres and Lot 2 is to become 81.26 acres. Survey is prepared by Boulanger Consulting.

Robert Stiles was present. At the December 5, 2017 meeting it was asked to see the deed regarding the two R.O.W.'s. A copy of the abutter (Parks) deed was provided. Mr. Parks had inquired about where the subdivision line was as no delineation was noted along the R.O.W, he would like to see it along the easterly side. The Board agreed that the line needs to be heavier to show the division of lots.

Frank Lombardi asked about the purpose of the subdivision. Mr. Stiles stated that he owns property in Bethlehem that is contiguous with this parcel, he has access from Bethlehem. Mr. Parks has updated the existing power line and road.

A motion was made by Everett Kennedy to accept the application as complete, seconded by Frank Lombardi. All in favor, motion carries.

A motion was made by Alan Theodhor to approve the 2-Lot Subdivision at 595 Kimball Hill Road with the condition that a heavier line delineating where the lots are split, seconded by Everett Kennedy. All in favor, motion carries.

### 4. Minor 2-Lot Subdivision

**#611 – Owner(s)/Applicant: Robert Stiles Sr. Revocable Trust Dated February 4, 1992 – Land Only Off Lancaster Road, Tax Map 219 Lot 059** – who is/are requesting a 2-Lot Subdivision on said parcel consisting of 4.45 acres, Lot 1 is to become 2.50 acres and Lot 2 to become 1.95 acres. Survey is prepared by Donald H. Doolan, Land Surveyor.

Mr. Stiles stated he would like to separate the 4.45 acres into two lots. Frank Lombardi asked about the soil type and went over the calculation. Soil type 470B on both lots, fits within the calculation as it can't be smaller than an acre.

Secretary McGee advised the Board that an abutter, S&S Properties left a letter of concern. Frank Lombardi read the document (see file) pertaining to a Purchase and Sales Agreement dated 7/2016. Mr. Stiles stated that the agreement that was filed was not accurate and was notarized without him being present. The Board felt that this was something that the two parties needed to handle and not the Planning Board and had no barring on the plan.

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Chairman Burns asked about access to each lot as nothing was noted on the plan. Mr. Stiles said he wanted to stay off Harvest Drive as he didn't know how it was built and didn't want to bring it up to Town Road Standards. He stated that he had access to Lot 1 off of Tower Road/R.O.W. and Lot 2 could be accessed through Tax Map 219 Lot 57. The Board wants the access to all the lots be shown on the plan.

**A motion was made by Everett Kennedy to continue the hearing of Case #611 & #612 until January 2, 2018 at 6:30 PM as access to all lots need to be shown, seconded by Alan Theodhor. All in favor, motion carries.**

**Minutes:**

Two changes to the draft minutes were made: Page 6 should read 10 trucks maximum not minimum; Frank Lombardi, thinks it's only fair to make a decision.

**A motion was made by Everett Kennedy to approve the minutes of December 5, 2017 with the changes, seconded by Alan Theodhor. All in favor, motion carries.**

**Other Business:**

**Septic Design(s):** Chairman Burns re-signed and updated design for 62 Newell Lane, Timothy Cayer, Tax Map 244 Lot 021. Tank was being moved to where the pump was located.

**Development Permit(s):**

**Chase, Philip & Agnes – 292 Parker Road, Tax Map 228 Lot 021:** Looking to level building but in the process may have to remove/demo part of the building which connects the other two sections of the building.

**A motion was made by Frank Lombardi to approve the renovation of leveling the building and to demo part of the building if necessary, seconded by Everett Kennedy. All in favor, motion carries.**

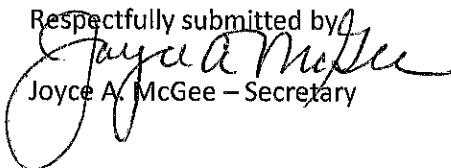
**Correspondence:**

- Reminder the Master Plan Committee will meet on **Tuesday, December 19<sup>th</sup> at 6:30 PM.**
- Secretary McGee went over the 2018 meeting schedule, do to elections in 2018 meetings in March, September and November were moved from the 2<sup>nd</sup> Tuesday to the 3<sup>rd</sup> Tuesday.

**Adjournment:**

**A motion was made by Everett Kennedy to adjourn the meeting at 7:58 PM, seconded by Frank Lombardi. All in favor, motion carries.**

Respectfully submitted by

  
Joyce A. McGee – Secretary

Scott C. Burns - Chairman

