

Planning Board Meeting Minutes

June 15, 2016

6:00 PM

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Chairman Scott Burns called the meeting to order at 6:15 PM.

**Members Present:** Frank Lombardi, Alan Theodhor - Alternate, Scott Burns - Chairman, Everett Kennedy, Mark Lufkin – Selectman Rep and Joyce McGee – Secretary.

**Absent:** John Tholl Jr. and Michael Carifio.

Chairman Burns appointed alternate Alan Theodhor as a voting member in the absence of John Tholl Jr.

**Public Present:** See attached list.

**Minutes:**

A motion was made by Everett Kennedy to defer the minutes of June 7, 2016, seconded by Frank Lombardi. All in favor, motion carries.

**Public Hearing(s):**

**1. Preliminary Master Plan (Continuation)**

**#594 – Owner(s): Harris Family Trust, Richard S. and Nancy J. Harris Sr., Trustees** – who are requesting an expansion of use to their existing Mobile Home Park, Tax Map 218 Lot 050, 051 and 053.

Chairman Burns asked if the two lawyers (Hodgdon and Riff) had met to discuss the concerns that were brought up at the April 12, 2016 meeting. Both Attorney's spoke saying no agreement was made as they only spoke on the phone just recently and Attorney Riff had given the information of his clients concerns to Attorney Hodgdon at that point. Attorney Riff said it's not that he is not willing to participate, that is not the case, it's difficult getting client and abutters together.

Attorney Hodgdon stated he was not given ample time to look over the concerns from Attorney Riff.

All the Board members were disappointed that the Attorneys were not able to get together and come to an agreement since they were given two months

Chairman Burns asked if the Board wanted to proceed. Mark Lufkin asked to see the Master Plan. Mr. Vander-Hayden presented the plan and Mr. Harris stated that the changes that were asked of him over the last several meetings are shown. He stated that he tried to mitigate the concerns the abutters have had. I have changed Phase I to be the (4) four mobile homes, Phase II and III will not take place for several years so that the vegetation can grow as this was requested by the abutters. Changed the

6/15/16  
PB Meeting

<u>Name</u>	<u>Town</u>
Jody Hodgdon	Littleton NH
Richard Harris SR & JR	
Mal DePue	Whitfield NH
Ralph McLean	Whitefield NH
Ursula O'Leary	"
Griffin Lloyd	Whitefield NH
Alaina Richey	Whitefield NH
Carlene Abbott	Whitefield NH
Kevin Caron	Whitefield NH
KATHLEEN KOPP	WHITEFIELD, NH
John Riff	Laconia, NH

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driveways so they sit back 25' from the lines, separated land, everything is labeled as the Board has requested me to do.

Mark Lufkin asked about the (4) four mobile home units. Mr. Harris stated that originally he was approved for 23 units but has only put in 19 units as he needed more land so these 4 units are going to be part of the original permission but I need the lot line adjustment to accommodate them.

Frank Lombardi asked if the 23 were on the original map. Mr. Harris stated yes, but ran into ledge and the engineering of sewer took some of the land.

Attorney Riff stated the problem and concerns are that Mr. Harris is trying to expand the park and the lots for sale what is the use for? Mark Lufkin – If someone wanted to buy those lots and put a mobile home on them they could. Attorney Riff – But over time he could keep adding to the lots, February 8<sup>th</sup> letter stated clear cutting for expansion of park is what he put as the purpose to the state. Mr. Harris, no, that is not what I am doing in its entirety. Attorney Riff – My contention is you can't expand the park, he will keep on moving Phase II & III as they are contiguous and that is expanding one step at a time. I want to see restriction that he can't keep expanding park and along the Hall Road he agrees to residential homes and keeps the mobile homes out of sight in the back.

Mr. Harris – What do you consider a home?

Attorney Hodgdon – The Board needs to come to a decision, expansion is permitted under the guide and in the past the Boards action has been to allow it.

Attorney Riff – Yes, he is grandfathered but doesn't extend to future expansion.

Attorney Hodgdon – Who are your clients?

Attorney Riff – David Dodge and abutters.

Mark Lufkin – We are very disappointed that the clients had two months to get together on this.

**A motion was made by Everett Kennedy to call for a recess, seconded by Mark Lufkin. All in favor motion carries.**

6:50 PM back to order

Chairman Burns stated that the existing 23 lots have nothing to do with the 4 lots now, these are separate.

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Frank Lombardi – You are looking at putting 4 homes on this lot line adjustment, if we agree or disagree and you want to move the homes for any reason then you would have to come back. In the past moving trailers around should have come back to the Board. These 4 lots are not a continuance of the other lots.

Mr. Harris – You are saying, that the 23 lots before they moved are approved as what is stated on the plan. Frank Lombardi – different situation basically approved or disapproved this is just a master plan, Phase II & III need to come in front of the board. Next step is the final plan, but if you move anything it needs to come before the board.

Mr. Harris – Already thought it.

Board - Go through the plan

Attorney Riff – Were you with counsel during recess? Board -yes

Attorney Hodgdon went over his interpretation of the Comprehensive Development Guide regarding Residential Use and if not defined doesn't mean they are not allowed.

Attorney Riff went over that if "such as" was used then the town wanted to limit it to those items, specifically things that are allowed. Manufactured parks are treated differently and this town allows it on single lots.

Chairman Burns – The Board understands the points and we have heard it all. We need to go through the preliminary master plan checklist on page 13 of the CDG.

Questions came up on the following:

Board – Is anything changing with the "For Sale Lots"? Mr. Harris – Those lots are part of the original subdivision that was approved and came before this Board and I am aware they are approved as this.

Height of structures – Board asked about the height of the trailers, approx. 13' 6" Mr. Harris stated.

Acreage – Open space identified on plan as it appears. Mr. Harris - People can walk etc on the property.

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Drainage – Ms. Abbott had concerns with her R.O.W. as the culvert needs to be replaced, it looks like it's been repaired. Board felt that PWD Shawn White should check on this, but it's up to the owner to fix it. Ms. Abbott agreed that the town is not liable for it.

Mr. Harris – Drainage isn't the problem, the culvert needs to be replaced and will be.

Mark Lufkin – As you know the Town has issues with town water in that area, with that being said what are your plans?

Mr. Harris – It's in the application that I submitted yesterday. If I can't get approval to hook onto the Town water, then I will install an artesian well.

Chairman Burns – What direction will you be plowing, toward the road or where? Mr. Harris – Drainage will go downhill to the culverts. Frank Lombardi – Wondered about the topo of the land. Mark Vander-Hayden showed the topo of the area as indicated on the lot line adjustment plans.

Frank Lombardi asked Ms. Abbott to come up to the table to show her the plan with the contour lines and how the buildings and driveway had been moved back 25'. Vegetation is shown as well.

Frank Lombardi – I would like to see the well location and sewer. Mr. Harris – I am not going to do the well if I don't have to, but if the Town doesn't have a solution then I have one. I have paid \$4,000.00 for water hook-ups and knowing what goes on in the Water Department. Chairman Burns spoke up telling Mr. Harris that we don't get into that here.

Chairman Burns asked if the audience had any questions on the preliminary master plan. This is preliminary, final plan will come later.

Mr. Harris – Are you saying that I have to come back again? Board – Yes

Attorney Hodgdon – The process is the master plan, lot line adjustments and then the final plan.

Secretary Joyce McGee stated that she had received a letter (see attached) from abutters, Allison Scobie-Carroll. Alan Theodhor read the letter, dated February 10, 2016.

Attorney Riff – Incomplete master plan, you have a lot of empty space that you haven't stated what the use is, conditions and restrictions need to be put on preliminary plan, it's incomplete and I object.

Allison Scobie-Carroll, LICSW, MBA  
260 Hall Road  
Whitefield NH 03598

The Whitefield Planning Board  
Whitefield, NH 03598  
February 10, 2016

Dear Honorable Selectman Lufkin, Secretary McGee, and Board Members Burns, Kennedy, Lombardi, Theodhor and Tholl:

I regret that my responsibilities at Boston Children's Hospital prevent me from being present at this critically significant public hearing this evening. I appreciate the opportunity to convey my strong opposition to the proposed expansion of the Mobile Home Park "Dick's Country Village" requested by the Harris Family Trust in writing.

It is my belief that the Harris Family Trust's proposed mobile park expansion will have a profoundly negative impact upon the character of Hall Road, its natural beauty, the wild life and the many Whitefield residents and homeowners that currently reside there. As the plot maps illustrate, "Dick's Country Village" sits directly across from our property. I can attest that the park in its current incarnation is pressed closely against the border of the road, that traffic in and out of the park is steady, and that noise often emerges from the park due to the sheer number of residents using lawn equipment and other items in such a concentrated space. It is further down our property line with the park and the route 3 at one's back that the beauty and peace of Hall Road emerges. Along that dirt road, the houses are divided by long beautiful swatches of forest, fields flora and quiet beauty. The modest homes are surrounded by fields, wetlands, birch and pine. It is what drew us to this part of Whitefield and why we stay.

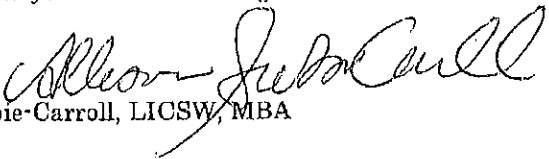
On a recent walk down Hall Road my family observed the Harris Family Trust's large construction equipment at work; tearing through trees and using a controlled burn to flatten the debris. It was a saddening and sickening sight. My family stood and watched as the landscape was altered before our eyes. One could literally feel the beauty of this place being ripped away. I am certain that the increased traffic and noise, the resulting litter and its impact on the eco system, as well as the negative impact on the serenity and beauty of Hall Road are all that we can expect from the Harris Family's proposed expansion.

I realize that the Harris Family seeks simply to profit on their investment by further expanding into other areas. It is my resolute conviction that the immediate and lasting cost of this expansion to the homeowners, residents and wild life, and to the Town of Whitefield as a whole, far exceeds any short term monetary gains potentially, and solely enjoyed by the Harris family.

I urge you to **reject the application** of the Harris Family Trust's proposed lot line adjustment and mobile park expansion to be reviewed at the Planning Board Hearing scheduled for this evening. (February 10, 2016).

Thank you for your time and thoughtful consideration of this request.

Sincerely,

  
Allison Scobie-Carroll, LICSW, MBA

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Attorney Hodgdon – Lot for sale is just that, if the lot is sold then it's up to the new owner on what they want to do with it.

Attorney Riff – You need to plan it out.

Frank Lombardi – My understanding is that these lots are not part of it and are separate from the Phases.

Attorney Riff – What is the purpose. You just don't put it on the plan and say, "For Sale".

Mr. Harris – How do you predict what a developer does.

Mark Lufkin – Since the April 12<sup>th</sup> meeting you had a chance to review, Mr. Harris has done what we asked. You and your clients had time. Attorney Riff – no agreement was made and we didn't have time. Mr. Lufkin – you failed to do it.

**A motion was made by Mark Lufkin to approve the preliminary master plan as it sits.**

Frank Lombardi reviewed the process of lot line adjustment, final plan is covering Phase I and any restrictions, subdivision lots have been approved and any changes would need to be revisited. Open space any areas?

Mr. Harris – People have the option to use my land, they have permission to walk, look at wildlife etc. and the land will be utilized for gravity feed to the septic system.

Chairman Burns stated that he needed the Board to do something. Alan Theodhor asked if it could be tabled.

Frank Lombardi finally seconded the motion, as follows: **A motion was made by Mark Lufkin to approve the preliminary master plan as it sits, seconded by Frank Lombardi. No further discussion. All in favor, motion carries.**

**2. Lot Line Adjustment(s): Continuation**

**#592 – Owner(s): Harris Family Trust, Richard S. and Nancy J. Harris Sr., Trustees –** who are requesting a Lot Line Adjustment between Tax Map 218 Lot 050 and 051. Lot 050 is currently .70 of an acre. 4.8 acres from lot 051 will be added to Lot 50, totaling 5.5 acres. Lot 051 is currently 128.12 acres and will reduce to 123.32 acres.

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Chairman Burns asked for the plan. Mark Vander-Hayden went over the driveway, existing and proposed. Mr. Harris stated that you can't approve the master plan until the lot line adjustments are done, the master plan incorporates the lot line adjustments.

Frank Lombardi – The master plan is complete Phase I will be for the final plan.

**A motion was made by Mark Lufkin to recess and confer with town counsel, seconded by Everett Kennedy. All in favor, motion carries. 7:40 PM**

8:10 PM – Back to order

Mr. Harris asked how can counsel view it – the plan. Board said they had to describe it to her for the first time.

Chairman Burns stated that the lot line needed to be accepted. Frank Lombardi said that the existing driveway can be left but the proposed driveway needed to be shown or you can just show the proposed.

Chairman Burns asked to continue until next Tuesday, June 21<sup>st</sup> so that the Town could have counsel present. Attorney Riff – I have two trials next week. Attorney Hodgdon – I am not sure.

Mr. Harris – What about the driveway permit.

Chairman Burns – Told by counsel not to address.

Attorney Hodgdon – Looks like I am free next Tuesday. Mr. Harris asked if it was a requirement to have counsel.

Chairman Burns asked if Mr. Harris was okay with the continuance. Mr. Harris replied, "Yes, it's okay".

**A motion was made by Everett Kennedy to continue Case #592 – Lot Line Adjustment until Tuesday, June 21<sup>st</sup>, seconded by Alan Theodhor. No further discussion. All in favor, motion carries.**

Mark Lufkin stated that the proposed driveway needs to be on the plan

**#593 – Owner(s): Harris Family Trust, Richard S. and Nancy J. Harris Sr., Trustees –** who are requesting a Lot Line Adjustment between Tax Map 218 Lot 51.1 and 053. Lot 053 is currently 5.2 acres. The entire



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2.15 acres of lot 51.1 will be added to lot 053. Lot 053 will become 7.35 acres. Lot 51.1 will no longer exist.

The Board would like to look at the plan to make any recommendation for next week.

Frank Lombardi stated that the proposed road and vegetation only need to be shown, not the homes.

**A motion was made by Mark Lufkin to continue Case #593 – Lot Line Adjustment until Tuesday, June 21<sup>st</sup>, seconded by Everett Kennedy. No further discussion. All in favor, motion carries.**

Chairman Burns said the continuance would be on Tuesday, June 21<sup>st</sup> at 6:30 PM.

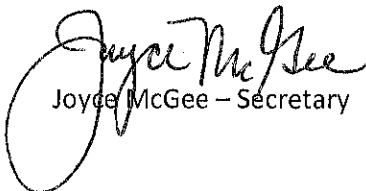
Mr. Harris wondered about the revised cul-de-sac. Mr. Vander-Hayden stated that there are no changes to the lot lines or road. Change is to improve the subdivision.

Frank Lombardi – Where is it on the master plan, is it showing? Chairman Burns stated that it would be discussed next Tuesday. Mark Lufkin – if it's not on the docket it can't be discussed. Everett Kennedy – It's not on the agenda. Frank Lombardi – if it's on the plan then you will be good to go.

Mr. Harris – It wouldn't impact the master plan. Chairman Burns said it doesn't come up now.

**A motion was made by Everett Kennedy to adjourn, seconded by Mark Lufkin. All in favor, motion carries.**

Respectfully submitted by

  
Joyce McGee – Secretary

Scott Burns - Chairman  
