

Planning Board Meeting Minutes

June 21, 2016

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6:30 PM

Chairman Scott Burns called the meeting to order at 6:35 PM.

Roll Call was taken.

Members Present: Frank Lombardi, Everett Kennedy, Scott Burns – Chairman, Alan Theodhor – Alternate, Mark Lufkin – Selectman Rep., Christine Fillmore – Town Counsel 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 accept the minutes of June 7, 2016 as written, seconded by Alan Theodhor. No discussion, all in favor, motion carries.

Mark Lufkin asked to defer the June 15, 2016 minutes to the end of the meeting, Everett Kennedy agreed.

Chairman Burns made it clear that tonight was a public hearing on the 2 (two) Lot Line Adjustments only.

Public Hearing(s):

1. 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.

Mark Vander-Heyden the land surveyor for Mr. Harris was present to provide a copy of the plan. He stated that the only change from last week was the Board asked that the proposed driveway be put on the plan, this driveway meets the 25' setbacks. The plan now shows, the existing driveway and proposed driveway as the Board requested.

Chairman Burns asked if the Board had any questions, seeing none he asked if any abutters had any concerns.

PB Meeting 6/21/16

<u>Name</u>	<u>Address</u>	<u>Town</u>
John Rilt	P.O. Box 229 Lancaster, NH 03584	Lancaster
Jody Hodgdon	P.O. Box 70 Littleton, NH 03561	
RICHARD HARRIS JR + SR	123 OLD EAST RD WHITEFIELD	
Mark David Fryd		Whitefield, NH
Peter Corey	38 S. Whitefield Rd	Whitefield NH
Harriet Kopp	65 Elm	Whitefield, NH 03598

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Attorney Riff – The net effect of what the application is that Mr. Harris is expanding the mobile home park and the abutters have concerns with this, I object to this.

Attorney Hodgdon – Anyone has a right to adjust lines, the development of land is handled under a separate issue.

Attorney Riff – I would like the February 8, 2016 letter to be added to the minutes (letter was provided see attached) from State, it references expansion of park.

Attorney Hodgdon – On behalf of the applicant the state approval was for cutting.

Frank Lombardi – Only lot line tonight.

Mr. Harris – What about the Cul-de-sac and final master plan.

Chairman Burns – We are only doing the lot line adjustments tonight as the other items are not on the agenda and notice has to be given. Mr. Harris wondered why the abutters need to be notified again.

Chairman Burns stated again, just a lot line adjustment tonight. Any new information or concerns.

Attorney Hodgdon – Note, this is a non-conforming lot, now a conforming lot with the acreage.

Chairman Burns asked if any other new questions.

A motion was made by Frank Lombardi to accept the lot line adjustment application as complete, seconded by Mark Lufkin. No further discussion, all in favor, motion carries.

A motion was made by Frank Lombardi to approve the lot line adjustment plan, seconded by Alan Theodhor. No further discussion, all in favor, motion carries.

#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 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.

Mark Vander-Heyden the land surveyor for Mr. Harris was present to provide a copy of the plan. He stated that the only change is the plan now shows the proposed driveways and 25' setbacks that were requested at the last meeting.



STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION of FORESTS and LANDS

172 Pembroke Road Concord, New Hampshire 03302-1856

Jeffrey Rose
Commissioner

603-271-2214
FAX: 603-271-6488

February 8, 2016

Harris Family Trust
Richard Harris, Trustee
123 Old East Rd
Whitefield, NH 03598

Dear Mr. Harris,

This letter is in response to your request for a variance to provisions of RSA 227-J:9, to remove more than 50% of the basal area within 150 feet of Hall Road in Whitefield, NH. You are planning on creating a new mobile home park and in doing so need to bring in power along the road either above or below ground. This is essentially a land conversion and therefore a variance isn't necessary. However, then entire area will not be converted. There was a previous harvest that took place, which left only mature trees in the buffer along the road. Many of these trees are now at risk of blowing down into the road. It is recommended to remove the mature at risk trees, while retaining the thick softwood understory.

In combination with the power lines that will need to be installed, the trees that will need to be eliminated to bring mobile homes in the access points, the hazard trees along the road as well as Hall Road being a scenic road, it seemed appropriate to write a letter describing your unique situation.

As we discussed a variance is not needed in all areas, but there may be a few spots where a variance is needed to safely create this new housing development, therefore a variance is granted in those locations that we discussed along the road while retaining the softwood understory. Please stay out of the wet area along the road that we looked at, with the exception of bringing the power lines through there.

The variance meets the following criteria as described below.

PART Res 5302 REQUIREMENTS FOR HARVESTING OF TIMBER

Res 5302.01 Conditions Required to Exceed 50 Percent Basal Area. One or more of the following conditions shall exist in order to exceed 50 percent basal area:

- (a) *Cutting up to and including 50 percent of the basal area of trees shall lead to substantial windthrow, mortality or other damage in the residual stand due to stand exposure, shallow or wet soils, stand age or species composition or a combination of these factors.*

Please be aware that this variance is for RSA 227-J:9, and the slash must be no closer than 50' of the Hall Road. All other forestry laws are applicable.

Don't hesitate to contact me with any questions regarding this issue or future inquiries, 603-788-4157 ext. 307.

Sincerely,

Margaret Machinist

Margaret Machinist
Regional Forester, Division of Forests and Lands

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Chairman Burns asked if board had any questions. Seeing none he asked if the public had any.

Attorney Riff – This is expanding mobile home park as Mr. Harris is requesting four (4) homes to the existing park. By allowing this you are changing the nature of the Rexford Subdivision and the entire acreage, it does not tell us the future. This is deficient and violates guide, on behalf of abutters I ask for you to deny.

Attorney Hodgdon – This is a Lot Line Adjustment your concerns will be handled as part of the master plan. This result is a conforming lot, no need to deny.

Attorney Riff – You do now what he is doing, adding 4 more homes, should not be allowed.

Attorney Hodgdon – I disagree that the guide doesn't allow for it. It's a Lot Line Adjustment it should be allowed.

Frank Lombardi – When referring to the expansion of the park we are looking at the master plan and absolute criteria.

Attorney Riff – Every little bit is an expansion of the park, he is telling you that and showing it. Please don't ignore it.

Chairman Burns asked if there were any other questions.

A motion was made by Alan Theodhor to accept the application as complete, seconded by Frank Lombardi. No further discussion, all in favor, motion carries.

Chairman Burns asked if any new information or concerns.

Frank Lombardi – You still could put in a single family home if down the road you couldn't put in the 4 homes. Attorney Fillmore stated that could be on the lot configured now and also with the lot line adjustment.

Chairman Burns asked if any new information.

A motion was made by Mark Lufkin to approve the lot line adjustment plan, seconded by Alan Theodhor. No further discussion, all in favor, motion carries.

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Chairman Burns stated that Phase I needs to be submitted for next month's docket. Frank Lombardi advised to look at Page 14 & 15 of the guide as these items will be looked at and each will be gone through, if everything is complete the absolute criteria will be completed.

Attorney Hodgdon – The point chart D, residential doesn't match up with the Activity: Residential Criteria. Thought we could figure it out now. Everyone agreed it was missing Character and Privacy.

Attorney Riff – It would refer to the character and privacy of the area. Frank Lombardi – Like sound buffers, landscape. Attorney Fillmore – Generally comes under Absolute Criteria, not aware of anything else. Frank Lombardi asked if these should be identified, the answer was "No" not at this meeting, no changes.

Mark Vander-Heyden wondered about the cul-de-sac. He was advised to make separate application from Phase I.

Mr. Harris wondered why he wasn't told this before.

Chairman Burns stated that it wasn't part of Phase I. You can submit another application to be brought before the Board. Attorney Fillmore also stated that it can be changed later or sooner it's up to Mr. Harris.

Mark Vander-Heyden said that he would move it down on the master plan so not to deal with it later.

Mr. Harris wanted to know why abutters had to be re-notified when they already have been, just continue it. Chairman Burns stated that was the process and now you are entering into Phase I process. Attorney Hodgdon – Is this the final plan. Attorney Fillmore – New phase, each actual development application needs to be approved separately. Mr. Harris – Same abutters and same subject. Attorney Fillmore – It's the law and they need to be notified.

Mr. Harris wondered if this was the same procedure for everyone. Frank Lombardi – You have never been to the board, your proposal is new but the process is not. The Master Plan is for your benefit, when it comes to the final plan you don't want it to be denied. We all want to help and make sure all are happy.

Attorney Hodgdon – The Preliminary Plan is approved and now the Final Plan. Frank Lombardi advised that after the three-year time frame Mr. Harris would have to come back to the Board for an extension if needed.

Mr. Harris wondered if the other subdivisions in town have been reviewed. The Board stated, "No, we haven't had time".

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Mark Vander-Heyden wanted to make sure he understood what the Board was looking for. He was advised to look at page 14 & 15 for final submission, maps for Master Plan and Phase I need to show everything. Attorney Riff stated that the Preliminary Plan only got approval. The Board stated, "Yes". Mr. Harris – Details for Phase II & III are not now is that correct. The Board stated, "Yes". Mr. Harris – I am looking for guidance. Chairman Burns stated that the Master Plan and Phase I are separate plans. Mr. Harris – when do you accept the final master plan, so you are not voting on the final master plan tonight? Attorney Fillmore – you haven't gotten approval for final.

Attorney Hodgdon wanted to confirm that the Board was going to accept the Master Plan and Phase I as the final plan. Attorney Fillmore – I don't see a problem.

Confirmation of what needed to be in the public ad as well as to the abutters. Master Plan, Phase I and Cul-de-sac.

No other discussion.

Other Business:

Septic Design:

Murphy, Paul & Deborah, Casino Road, Tax Map 244 Lot 034: Amended sewer plan – Mark Vander Heyden was present stating that the original was approved in 2013, septic didn't change it is the house and tank that changed. Converted to a camper pad until development is done, just need approval.

APPROVED

Adjournment:

A motion was made by Mark Lufkin to adjourn at 7:40 PM, seconded by Everett Kennedy. All in favor, motion carries.

Respectfully submitted by:


Joyce McGee – Secretary

Scott Burns - Chairman
