

Planning Board Meeting Minutes

May 9, 2017

6:30 PM

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Chairman Burns called the meeting to order at 6:39 PM.

Roll call was taken:

Members Present: Scott Burns – Chairman, Frank Lombardi, Alan Theodhor, Everett Kennedy, John Tholl Jr., Tim O'Neil – Alternate and Joyce McGee – Secretary.

Public Present: Shawn White – PWD, Richard Harris Sr. & Jr., Donald and Betty Gooden, Robert Stiles, Brian Ross & Victor Manougian from Structure Consulting Group on behalf of Verizon and Peter Duguay.

Robert Stiles re: R.O.W. to Tax Map 219 Lot 060: Robert Stiles stated that he owned the R.O.W. in question. This R.O.W. was due to a court settlement with the prior owner of Lot 60 the new owners would like to build on said lot. Recently, the Board was advised of RSA: 674:41 Erection of Buildings on Street; Appeals. It was asked if the R.O.W. could be classified as a Private Road. The RSA states under certain circumstances it can be a private road. John Tholl Jr. stated that a private road or public way can't be owned by another person. He also felt that where the Town has several R.O.W.'s that he doesn't want to have to tell someone that has owned a parcel for several years that they can't build. Chairman Burns agreed. Everett Kennedy felt a start date to enforce this RSA should be set. Chairman Burns stated that the Board was just informed of this law even though it's been around for quite sometime. The Board talked about bringing the R.O.W. up to Town Road Specifications. The Gooden's asked who would be responsible to do this. John Tholl Jr. said the property owner or the one who travels across it. Chairman Burns felt at this point it should be brought forward to the Town Attorney since it was something that was a court settlement. The question is: Can it be turned into a private road or leave as is?

Mr. White stated that it needs to be designated a private road not a town road. Mr. Stiles stated that maybe in the future he would subdivide the parcel that the R.O.W. goes through and others could access it. Board wondered about other lots that abutted Mr. Stiles property and how access to these lots were given. Mr. Stiles stated that he had given R.O.W.'s to those parcels.

A motion was made by Everett Kennedy to continue discussion at next Tuesday's Planning Board meeting, seconded by John Tholl Jr. Discussion took place John Tholl Jr. stated that the town has the ability to say that it needs to be brought up to town specifications; Shawn White said a Private Road Agreement would need to be signed; John Tholl Jr. wondered about fire insurance; It was asked if the Gooden's planned on selling off any of the property the answer was no; Mr. Stiles stated that he owns property on both sides of the R.O.W. and the Gooden's are responsible in maintaining the R.O.W. No further discussion. All in favor, motion carries.

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Mr. Stiles replied that the deed talks about maintaining the road, he also wondered who pays the taxes on the R.O.W. The Board replied that is an Assessing question. John Tholl Jr. thought maybe the R.O.W. would need to be named. The Gooden's would like DBK Drive. Mr. Tholl also wondered if a Development Permit had been filed. Mr. Gooden presented the Board with the application along with a septic design plan. The Board reviewed both plans but no approval was given until the R.O.W. issue is resolved. The Single Family check list was also reviewed with no issues. A question on Current Use came up on who will be assessed the penalty for the R.O.W., Assessing question.

Minutes: A motion was made by John Tholl Jr. to approve the April 11, 2017 minutes as written, seconded by Alan Theodhor. All in favor, motion carries.

Septic Design: Peter Duguay, West Side Road, Tax Map 243 Lot 040: Mr. Duguay was present and stated that he bought the property over a year ago, the existing septic tank failed so he replaced the steel tank with a plastic one. He then received a letter from NHDES stating that was not the right way to update the septic and he was required to file paperwork showing that he retained a permitted septic system designer. Then he got a letter saying the plan needed to be signed for approval by the Town. The system is grandfathered so he doesn't need to meet the present regulations for being close to a body of water.

John Tholl Jr. advised that the location map on the right hand corner was missed labeled, should read Town of Whitefield not Bethlehem. Mr. Duguay stated that the proposed tank has been existing and the tank will go exactly where it was, he also stated that he brings in a motorhome to the lot.

A motion was made by John Tholl Jr. to approve the septic design with the correction on the small map to read Whitefield not Bethlehem, seconded by Everett Kennedy. All in favor, motion carries.

Development Permit(s):

Structure Consulting Group, 39 Freds Way, Tax Map 101 Lot 017.04 (Cell Tower): Representatives Brian Ross & Victor Manougian were present to advise that they would like to add equipment to the existing cell tower for Verizon Wireless. They have a licensed agreement with Industrial Tower & Wireless who own the tower. Looking to install a 12x26 concrete pad with an 12x14 ice shield protecting a battery cabinet, radio cabinet, Hoffman box, 20kw diesel generator, telco cabinet, load center. At the centerline of the 165' monopole Verizon Wireless will install and mount 12 panel antenna, 12 remote radio head, 3 junction boxes connected to the ground equipment via 3 hybri-flex cables.

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Everett Kennedy is just happy something is going up. It was stated that the battery backup will go on first then the diesel generator backup 24/7 it cycles 5 to 10 minutes, a tech will come once a month to look at equipment.

Mr. Stiles wondered when it would go on line, Mr. Ross stated in early fall. The Board would like the combo lock to the structure to be given to the Fire Department, Mr. Ross said he would provide that. The Board asked if a Development Permit had been filled out, not at this time. Mr. Ross will e-mail permit for approval. The Board didn't see any issues.

Colby, Scott & Karla - Sunrise Drive, Tax Map 217 Lot 19.11: Looking to construct a 28x48 stick frame 1 ½ story home on full foundation with open porch, 8x10 attached mudroom and 24x30 attached 2-bay garage. Since this development is located on a private road a road agreement needs to be signed.

A motion was made by Frank Lombardi to accept the development permit application as complete with the condition that a private road agreement needs to be signed, seconded by Alan Theodhor. All in favor, motion carries.

Norman, Mickey & Lori – 14 Indian Ridge Lane, Tax Map 217 Lot 19.05: Looking to construct a 1468 sq. ft. 3 bedroom 2 bath house, with an attached 576 sq. ft. garage. House will sit on a full foundation and the garage on a slab. Land is in C.U. so a penalty will be assessed. Since this development is located on a private road a road agreement needs to be signed.

A motion was made by Everett Kennedy to accept the development permit application as complete with the condition that a private road agreement needs to be signed, seconded by John Tholl Jr. All in favor, motion carries.

Brodeur, Lisa – 27 Dylan Court, Tax Map 233 Lot 014: To construct a 16x20 shed on stone pad. The application stated on-site water & sewer so the Board questioned it as nothing has been received. No approval was given until verified. **PENDING**

Mook, Stephen – 235 Lancaster Road, Unit 3, Tax Map 219 Lot 035.3: To reconstruct/convert existing porches into additional/alternative spaces. A 24x12 screened in porch with foundation. This would be flush with the sunroom on Unit#2.

A motion was made by Everett Kennedy to accept the development permit application as complete, seconded by John Tholl Jr. All in favor, motion carries.

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Gichuru, Kevin & Kyle – 235 Lancaster Road, Unit 4, Tax Map 219 Lot 035.4: To reconstruct/convert existing porches into additional/alternative spaces. A 12x12 screened in porch and 12 x 12 dining room addition with foundation tearing out 8' of 12' exterior wall. This would be flush with the sunroom on Unit#2.

A motion was made by Everett Kennedy to accept the development permit application as complete, seconded by John Tholl Jr. Frank Lombardi thought in the future a plot plan needs to be with application as so many units on this parcel, so noted. All in favor, motion carries.

-Harley Johnson Plumbing: Wondered if a permit needed to be filed for each unit at the Morrison Retirement Complex. Board stated that the whole project was approved and no additional permits were necessary unless something change from the original proposal.

-Letter to Jill-Anne Boyle Etal re: converting a 16x16 shed into a second dwelling which is in violation of the Development Code. (Property File) 667 West Side Road, Tax Map 243 Lot 011.

Correspondence:

- NHDOT Policies and Procedures were given to each member regarding:
 1. Emergency Road Closures
 2. Town Road Inventory
 3. Driveway Permits
 4. Excavation Permits
 5. Parade Permits
 6. Sponsor-A-Highway
- Copy of Order on Appeal of John Dodge vs. Town of Whitefield & Richard & Nancy Harris: Planning Board's decision was upheld. Mr. Dodge has 30 days to appeal to the Supreme Court.
- Each member received a copy of the definition of what a Recreational Campground & Camping Parks are pursuant to RSA 216-I.
- Letter from NH Division of Historical Resources: Morrison Hospital Assoc. Proposed Retirement Facility; Beaulieu Property – Wetland Permit. (Property File)
- Letter from NHDES re: Annual Drinking Water Source Protection Conference.
- Letter of resignation from Mike Carifio – Alternate. Board accepted and need to look for another alternate.
- Master Plan RFP, Board was not involved with this need to ask Judy Ramsdell about wording.

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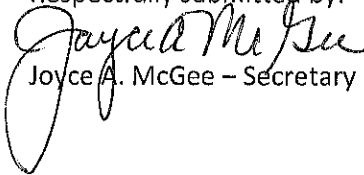
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Revised Merger Forms were handed out. The new forms comply with the change in the law regarding mortgage holders being notified.

A motion was made by John Tholl Jr. to adjourn at 8:42 PM., seconded by Alan Theodor. All in favor, motion carries.

Next meeting is Tuesday May 16, 2017 at 6:30 PM.

Respectfully submitted by:


Joyce A. McGee – Secretary

Scott C. Burns - Chairman

