

Planning Board Meeting Minutes

November 7, 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, Frank Lombardi, John Tholl Jr. – Selectman Rep., Alan Theodor, Tim O’Neil – Alternate and Joyce McGee – Secretary.

Members Absent: None

Public Present: Gardner Kellogg, Richard Harris Sr. and Jr., John Ross Jr. – Fire/EMS Chief, and Mark Lufkin. June & Olin Garneau from Mapping and Planning Solutions arrived at 6:45 PM.

Consultation:

#607 Langell, Farnham & Maria/Olson 2012 Childrens Trust – 21 Fairway Lane, Tax Map 217 Lot 014: Boundary Line Adjustment - Survey is prepared by Kellogg Surveying & Mapping, Inc. Mr. Kellogg was present to show the Board the proposed Boundary Line Adjustment. He stated that the Langells are selling 1.28 acres to the abutter Olson 2012 Childrens Trust. The Board looked at the plan presented and didn’t see any concerns just a few typos that will be fixed. Public Hearing is set for Tuesday, November 14th at 6:30 PM.

#608 Cargill, Robert & Daphne – 995 Jefferson Road, Tax Map 215 Lot 016: 2 – Lot Subdivision. Survey is prepared by Tim Sutherland. Mr. Sutherland called and stated he could not make this meeting.

Lufkin, Mark – 15 Union Street, Tax Map 103 Lot 012: Mr. Lufkin stated that he had gotten another grant from the State to build a cement pad for his auto salvage business. This pad would be located at the pit/junkyard property (51 Twin Mtn. Road). He would like to move the operation to that location but can’t guarantee it’s all going to go out of town. A letter of support from the Planning Board would be nice to give to the State, he is also asking the Board of Selectmen for one. Mr. Lufkin is looking at taking down the garage at 15 Union Street but is not a 100% sure. The Board thought this was a great idea to have everything in one spot. **A motion was made by John Tholl Jr. to write a letter of support to move the Auto Salvage to the 51 Twin Mtn. Road location, seconded by Everett Kennedy. All in favor, motion carries.** Frank Lombardi asked about Best Practice for the State and Mr. Lufkin stated that he complies with the State.

Harris, Richard – Off Hall/Boutwell Road, Tax Map 218 Lot 51: Mr. Harris was in for an informational meeting to discuss the 100+ acres off Hall/Boutwell Road. He is looking to subdivide a section of the land into two lots (see attached). Boutwell Road was thrown up in 1997 by the town per a letter that he handed out from his lawyer (see attached), he is looking to use this road as the frontage and entrance to the two lots. Chairman Burns didn’t know how the school classified this road as their septic goes up the road and Chief Ross spoke that it is a 2nd egress for emergency purposes as well. Frank Lombardi stated that the road would need to meet the town road standards and Mr. Harris replied, “yes, I am aware of that”. Mr. Harris indicated that each lot would be 5 acres plus, would have own well and septic, power



ATTORNEYS AT LAW

• MARK C. RUSSELL
• JODY A. HODGDON
• NIKOLAS K. FRYE
• STEPHEN U. SAMAHA
of Counsel

125 MAIN STREET
PO BOX 70
LITTLETON, NH 03561

T (603) 444-7778
F (603) 444-2552

620 TENNEY MTN HWY
PLYMOUTH, NH 03264

T (603) 238-5192

E info@nnhlaw.com
W nnhlaw.com

November 7, 2017

Richard S. Harris, Sr. and Nancy J. Harris,
Trustees of the Harris Family Trust
123 Old East Road
Whitefield, NH 03598

Re: Rights in former Boutwell Road in Whitefield, New Hampshire

Dear Mr. and Mrs. Harris:

You have requested that I provide you with a legal opinion relative to your rights in the former Boutwell Road located in Whitefield, New Hampshire. I have been provided a copy of the minutes from the 1997 Whitefield Annual Town Meeting which indicate that Boutwell Road was discontinued by vote of the Town. I will assume for purposes of this opinion that this was a valid and binding vote, and that Boutwell Road has been discontinued.

New Hampshire RSA 231:43, I provides that "[a]ny class IV, V or VI highway, or any portion thereof, in a town may be discontinued by vote of a town..." In such cases, New Hampshire RSA 231:43, III provides that "[n]o owner of land shall, without the owner's written consent, be deprived of access over such highway, at such owner's own risk." I have not located any record evidence that any owner of land has consented in writing to releasing rights of access over the former Boutwell road. Accordingly, it is my opinion that you have a private right of way over the former Boutwell Road to access your real estate which has frontage on said right of way. Further, this right of way can be used as the legal access for lots to be subdivided from your real estate abutting the right of way pursuant to the Whitefield Subdivision Regulations.

Sincerely yours,

Jody A. Hodgdon

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would be the only thing that needs to be brought in. Each lot would be for one single family home. Chairman Burns didn't see an issue. Frank Lombardi wanted more information on the road and road standards for the town, single family residence only. Tim O'Neil indicated that this was only a preliminary plan. Frank Lombardi asked if any other access could be used. Mr. Harris – Hall Road but no access to these lots as wetlands. The Board wants more information on the road and abutters rights.

Master Plan Update:

June Garneau – Mapping and Planning Solutions: June and Olin Garneau were present. Ms. Garneau stated that she was hired to put together the Master Plan. She gave each member a packet which included: history of her business, preliminary agenda and a draft survey. She would like the Board to review the survey, mark it up and make comments, it's a start. Two Master Plans from other Towns were handed out for the Boards review. Ms. Garneau would like to pose a kick-off event maybe before the survey goes out, the goal is to send out to all taxpayers. Frank Lombardi thought the day of voting in March would be a good way to distribute the survey. Who does the Board want on the committee? Who will be the lead person, Frank Lombardi volunteered. Secretary McGee will be the contact for any office help. The committee should consist of 8-10 people need to make sure we are all on the same page and thoughts. Meetings to be held at the Town Office, some will be open to the public some will not be. Chairman Burns thought 7-8 members would be good. Ms. Garneau asked for e-mails. Kick-off would be by various means, website, press release, public television, facebook, radio station, Frank Lombardi thought google forms. Opinions from the public on where they want to see the town in the next 10-20 year's, 10-15% is a good response but would like to see more. Frank Lombardi – the survey will help us when looking at projects, a good guide for the Development Code.

The Board members were asked if they would like to be on this committee. Tim O'Neil, Frank Lombardi, Scott Burns – yes, Alan Theodor – not sure, Everett Kennedy and John Tholl Jr. – No. Mr. Tholl would if Selectman Corey could not.

Next Master Plan Update meeting would be Tuesday, December 19, 2017 6:30-8:30 PM. Chairman Burns asked each member to bring names of people that might be good on the committee to the next Planning Board meeting. Ms. Garneau would need a list of e-mails and people for the committee.

The Board thanked Ms. Garneau for coming.

Minutes: A motion was made by John Tholl Jr. to approve the minutes of October 10, 2017 as written, seconded by Everett Kennedy. All in favor, motion carries.

Other Business:

Septic Designs:

Gribbin, Jeffrey – Twin Mtn. Road, Tax Map 232 Lot 009: The Board reviewed the septic plan, questions on where the water source was as not indicated on the plan. Pending until water is shown on plan.

PENDING

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Waystack, Philp & Beverly – 153 Mtn. View Road, Tax Map 217 Lot 013: The Board reviewed the septic plan, no concerns. **A motion was made by Frank Lombardi to approve the septic plan as presented, seconded by John Tholl Jr. All in favor, motion carries.**

Driveway Permits:

Waystack, Philip & Beverly – 153 Mtn. View Road, Tax Map 217 Lot 013: The Board felt the driveway entrance did not meet the 25' setbacks and was too close to the line, would like to see it moved if possible. Not knowing the history of the lot they wanted more information on why the driveway needs to be located there. **PENDING**

Development Permits:

Waystack, Philip & Beverly – 153 Mtn. View Road, Tax Map 217 Lot 013: The Board reviewed the permit as submitted, to construct a 2 bedroom, 2 bath, new 30'x40' home; to construct a 10'x12' shed; to construct a 22'x22' garage. Questions came up regarding the height of the building, other pending questions on the Driveway as well, hooking on to the Town Water line is still pending, needs to be a condition. **PENDING**

Bissonnette, Steve – 246 Parker Road, Tax Map 230 Lot 048: To install a solar ground array, array will be more than 25' away from each property line. **A motion was made by Alan Theodhor to approve the application as submitted, seconded by Frank Lombardi. All in favor, motion carries.**

Dupuis, Kristin & Calvin – 310 Littleton Road, Tax Map 241 Lot 092: To install two run into's for horses, one 10'x24' and one 10'x12'. **A motion was made by Frank Lombardi to approve the application with the following condition, to follow Best Management Practices for Agriculture in NH, seconded by Alan Theodhor. All in favor, motion carries.**

Lufkin, Mark & Beth – 15 Union Street, Tax Map 103 Lot 012: To demo all or part of building due to fire in July. **Approved by Planning Board Administrator Joyce McGee.**

Stiles, Robert & Lois – 595 Kimball Hill Road, Tax Map 253 Lot 001: To demo existing barn. **Approved by Planning Board Administrator Joyce McGee.**

Development Permit Violations: Secretary McGee advised the Board that several property owners are building new structures without obtaining the proper paperwork. Secretary McGee will send out letters.

Correspondence:

- Letter from Community Planning Consultant, Tara Bamford (see attached).

Chairman Burns advised the Board that the CIP Committee would be changing the date from November 16th to the 21st. Secretary McGee will contact the departments that are scheduled for that night.

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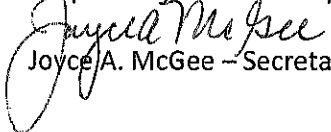
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A motion was made by Everett Kennedy to adjourn the meeting at 8:30 PM, seconded by John Tholl Jr.. All in favor, motion carries.

Respectfully submitted by,


Joyce A. McGee – Secretary

Scott C. Burns - Chairman

