

Planning Board Meeting Minutes

April 10, 2018

6:30 PM

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Chairman Burns called the meeting to order at 6:32 PM.

**Members Present:** Scott Burns – Chairman, Frank Lombardi, Peter Corey – Selectmen's Rep., Alan Theodhor and Joyce McGee – Secretary. Tim O'Neil – Alternate arrived late.

**Members Absent:** Everett Kennedy.

**Public Present:** Steve LaFrance – Horizons Engineering, Steve Boulanger – Boulanger Consulting, Dan Matthews, Amanda Paul, John Ross Jr. – Fire Chief and Sunil Mahabir.

**Public Hearing(s):**

**1. Lot Line Adjustment**

**#616 – Owner(s)/Applicant: Norvell, Douglas/Stewart, Marsha – 558 Old East Road, Tax Map 204 Lots 006 & 008:** who is/are requesting a Lot Line Adjustment on said parcels, Tax Map 204 Lot 008 consisting of 32.63 acres is to convey .51 of an acre to Tax Map 204 Lot 006 currently 9.07 acres. Said Tax Map 204 Lot 008 to become 32.12 acres and Lot 006 to become 9.58 acres. Survey is prepared by Boulanger Consulting.

Steve Boulanger from Boulanger Consulting was present stating the Douglas Norvell was willing to sell a small parcel to Marsha Stewart as they recognized that she did not want anyone else to build across the road from her and this would protect her from that happening. Alan Theodhor wondered if it was going to be on one deed; Do they get separate tax bills; Are their other similar lots in Town? Chairman Burns thinks that maybe there are some other ones. Peter Corey stated it wasn't nice and clean but doesn't see any problems. Alan Theodhor doesn't want it come back and bite us. Peter Corey wanted to know what Steve LaFrance from Horizons Engineering thoughts were on it and if he would take a look at it since he was present. Mr. LaFrance hadn't dealt with anything like this before but doesn't see a problem with it. The plan states that it's a non-buildable lot and can't be built on or sold separately. Mr. Boulanger said the lot is technically connected under the road and the Town Assessor was willing to make it part of Lot 006. Peter Corey thought it unusual and Alan Theodhor was still concerned with legal issues.

**A motion was made by Frank Lombardi to accept the application as complete, seconded by Peter Corey. No further discussion. All in favor, motion carries.**

**A motion was by Frank Lombardi to approve the Lot Line Adjustment as proposed, seconded by Peter Corey. No further discussion. All in favor, motion carries.**

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Secretary McGee reminded Mr. Boulanger that a Deed needed to be done to make the Lot Line Adjustment final.

### **Minutes:** March 22, 2018 minutes – **TABLED**

Peter Corey had proposed changes for the April 3, 2018 minutes. Page 1 – Under Development Permit(s): to should be two and structures should be dwellings. **A motion was made by Alan Theodhor to approve the April 3, 2018 minutes with the proposed changes, seconded by Peter Corey. No further discussion. All in favor, motion carries.**

### **To hold a meeting to agree/disagree with the proposed purchase of the following land:**

1. A 24+- acre parcel of land shown of a Plan entitled "Boundary Line Adjustment" involving lands of the Town of Whitefield and John B. Dodge Family LLC, off Colby Road, Whitefield, NH. (Tax Map 233 Lot 22 and Tax Map 238 Lot\_1)

Steve LaFrance from Horizons Engineering was present. The proposed purchase of land from the John B. Dodge Family LLC would give the Town additional land for the Dodge well site. The well site needs a 400' protective radius per NHDES the additional land will provide that radius. If all is resolved with the sale and permits then things can proceed and a public hearing for a Lot Line Adjustment and Easement Plan will be needed. Chairman Burns wondered if NHDOT was part of the 400' radius, Steve LaFrance stated that NHDOT Rails were part of it but didn't need any easement from them only the Dodges.

**A motion was made by Frank Lombardi that the Planning Board recommends and agrees with the proposed purchase of land by the Board of Selectmen for 24+- acres, a lot located off Colby Road part of, Tax Map 233 Lot 22 and owned by the John B Dodge Family LLC, seconded by Alan Theodhor. No further discussion. All in favor, motion carries.**

### **Other Business:**

#### **Development Permit(s):**

**Matthews, Daniel – 68 Lancaster Road, Tax Map 101 Lot 026:** Pending from the April 3, 2018 meeting as Mr. Matthews needs to provide a new drawing of the proposed house location.

Mr. Matthews was present and provided a new drawing showing the existing garage being attached to the new house. The garage will need to comply with ADU (Accessory Dwelling Unit) section of the Development Code as it has been converted into a dwelling unit and to make sure an interior door is connecting the dwellings. The new house will be 26'x40' stick built, opposed to looking at a modular as first submitted, it meets the 25' setback requirements, with private septic. Fire Chief Ross wanted to make sure the septic compiles and Mr. Matthews stated it's a 1500 gallon tank that was there when the other house was, no change. Peter Corey stated that now it will be a single family home with an ADU making a non-conforming use into a conforming use.

The Single Family Home Criteria and Absolute Criteria Chart were filled out.

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**A motion was made by Frank Lombardi to approve the application as submitted for a Single Family Home attached to the existing garage with an Accessory Dwelling Unit, seconded by Peter Corey. No further discussion. All in favor, motion carries.**

**Gribbin, Jeffrey – 127 Twin Mountain Road, Tax Map 232 Lot 9:** Pending from the April 3, 2018 meeting as soil type of property is needed. Secretary McGee provided the soil type map showing 558B as skerry fine sandy loam, 3 to 8 percent slopes. The Board had no problems with the lot in question for development.

**A motion was made by Peter Corey to approve the development application as submitted for a Single Family Home with garage, seconded by Alan Theodhor. No further discussion. All in favor, motion carries.**

Secretary McGee advised that the USDA Office doesn't have the capability to do the entire town for soil maps, but could do portions or can show how to use the Web Soil Survey. She will contact them to set up a time to go and sit down with them.

**Mahabir LLC – 6 King Square, Tax Map 103 Lot 008:** Sunny Mahabir was present to advise that he was doing renovations at 6 King Square to expand to the other side of the first floor to have a bar, no major construction just a door way. He would like to sell beer/wine and if all goes well then hard liquor. The Fire Chief has done a walk through and advised of safety items that are needed, exit signs, smoke alarms. It will be one entity, the bar will be named "Jillian's". The Board felt a Site Plan Review/Change of Use was needed. Chief Ross wondered about the 911 address and if another number should be issued. The Assessor will be asked about the numbering. Regular hours for Sunny's House of Pizza and then the Bar side will be Sunday-Thursday from 4pm-12am; Friday-Saturday 4pm - 1am. Peter Corey stated that the Site Plan will give abutters a chance to express concerns. It will be a conversion from an apartment to a restaurant expansion with a full service bar.

The Board went over the Absolute Criteria Chart so that Mr. Mahabir will know what is expected at the public hearing to be held on Tuesday, May 8, 2018.

**S&S Property LLC – 140 Lancaster Road, Tax Map 219 Lot 058:** The application that was presented was to renovate the basement into a two bedroom, one bathroom, apartment. A separate entrance at the rear of the building next to the sunporch, 2 parking spaces for apartment pre-existing on pavement next to dumpster. Would like to add a 7'x 36' overhang. The Board had questions on the application submitted. Where is the 2<sup>nd</sup> egress as not clear; how far should each exit be from each other? The Fire Chief was present and was asked to look at the proposed change. Alan Theodhor doesn't feel its safe based on the layout given. The Board felt a Site Plan/Change of Use was required as it's a mixed use from Commercial to Residential. A map was needed showing the upstairs and the layout of the Salon and how the access to the downstairs was tied in. Life safety issues with the basement and main floor of the Salon; parking area. Secretary McGee will notify the applicant of the items needed.

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Correspondence:

- Chief Ross reported on two issues of waste disposal.
  1. Tax Map 241 Lot 023.2 was removing waste with 5 gallon pail and bringing it to Burns Lake Campground. The occupants on parcel stated that sometime this summer a design for the septic was to be done. Peter Corey wondered if verification from Burns Lake Campground could be done. The Board felt a violation letter needs to be sent via Certified Mail, stating several aspects of the Development Code are in violation along with State regulations. The Board would like the owner to come before the Board and if no response then the Selectmen can enforce.
  2. Tax Map 233 Lot 014 was removing waste with a 5 gallon bucket as well but not sure where that was being disposed of. No one was at this location when visited. The Board will send a 2<sup>nd</sup> violation letter. Fire Chief Ross felt if an Occupancy Permit was required it would help in these situations.

Tim O'Neil arrived at 8:07 PM.

- Peter Corey informed the Board that he is hopeful that the Conservation Commission will be starting back up as a few residents have expressed interest. This will help the Board regarding soil types, wetland issues etc.
- Planning and Zoning Conference – Tim O'Neil and Peter Corey will be attending.
- The Board agreed that they need a section on campers becoming dwelling units and how many days one can reside. Definition of what is a travel trailer etc. Peter Corey will inquire at the Planning Conference.
- Master Plan: Extension until May 1 on survey; Presentation will be Tuesday, May 29, 2018 at 7:00 PM with drawing to follow.

**A motion was made by Peter Corey to adjourn the meeting at 8:30 PM, seconded by Tim O'Neil. All in favor, motion carries.**

Respectfully submitted by:

Joyce A. McGee – Secretary

Scott C. Burns - Chairman

*Scott C Burns*