

PLANNING BOARD MINUTES

July 11, 2012

APPROVED as amended & clarified:

8/8/12_jrl_____

AGENDA: SUBDIVISION: NORM E. HEBERT, Hemphill Rd., #215-003
PCC: MID-STATE HEALTH

ATTEND: Denice DeStefano (Chairman), Dan Paradis (Vice Chair), Murray Campbell, Janice DellaCroce, Clay Dingman, Elizabeth Seeler

ABSENT: Phil Dion (Selectmen's Rep., conflict), Steve Favorite (alternate)

OTHER: Michael Capone (Town Administrator), public

The meeting opened at 7:00 p.m. with a quorum.

SUBDIVISION: NORM E. HEBERT, LeeAnn Nystrom for Norm E. Hebert

The secretary read the application, list of abutters, where the case was advertised, and stated that there were no phone calls or written responses and that there were no department head comments. Ms. DeStefano then explained the process for a hearing.

Ms. Nystrom, surveyor and representative for Mr. Hebert, gave a brief account stating that this is a simple subdivision into two lots, one with 1.1 acres and the other with the other of 6.5 acres.

The checklist was then addressed. Soil types were missing and Mr. Dingman asked that the plan also state that the entire lot is wooded.

D. Paradis made a MOTION, second by E. Seeler, to ACCEPT THE APPLICATION AS COMPLETE WITH THE TWO EXCEPTIONS: THAT SOIL TYPE AND THAT THE ENTIRE LOT IS WOODED BE ADDED TO THE PLAN. The motion carried.

Mr. Paradis explained that there is a two-step process: first to accept the application as complete and then to address the actual subdivision. Ms. DellaCroce asked if there is a proposed driveway to the new lot and Ms. Nystrom pointed out where an old skid trail is and felt that this is the probable location. Ms. DellaCroce asked about the septic system and how many bedrooms would be considered for the new lot. Ms. Nystrom stated that the standard is for 3 bedrooms. The 4K area on the plan is the largest that would ever be required, she added. Mr. Paradis asked the intent for water supply and was told it will have a new well.

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HEBERT SUBDIVISION continued:

The public was then asked for comment. Lisa Ford, abutter, asked what will happen to her well as they live downhill from Mr. Hebert. She also asked what the intent for the new lot is. Ms. Nystrom did not feel that it would affect the abutting well and the new lot will eventually be for a residence for himself. Ms. Ford stated that her concern is noise and again for any ground water interruption. Ms. Nystrom again felt that there will be no changes. Mr. Paradis also added that, according to the zoning regulations, only one residence is allowed per lot.

Tom Ford, abutter, thought that Mr. Hebert only bought the place for a hunting camp. Ms. Ford came forward to look closely at the plan. Mr. Ford had a concern that Mr. Hebert might use one for rental. Ms. Nystrom stated that Mr. Hebert has not mentioned doing any rentals. Ms. Ford again stated that her biggest concern is anything affecting ground water. Ms. Nystrom stated that she would doubt that there will be any blasting as wells are usually drilled now.

Carl Carlson, abutter, stated that he is unimpressed with Mr. Hebert for not appearing tonight. Ms. Nystrom stated that he had asked her but she felt that there was no need for him to appear as it is a simple subdivision. Mr. Carlson asked if this will become multiple lots. The Board answered that they are only to address having two lots. It was mentioned that, if Mr. Hebert were to do so, he would need to come back to the Board and would need to build a subdivision road as there is not enough frontage for multiple lots. They assured the abutters that they would be notified again if that were the case. Ms. DeStefano added that it is not unusual for an applicant to send in their representative to handle a hearing. The Board assured everyone that they can only address the subdivision into two lots at this hearing after Ms. Ford mentioned the possibility of Condos, etc.

Roy Ford, abutter, asked if the zoning ordinance requires the lot size to be greater than an acre. Mr. Paradis answered that 40,000 sq. ft. is required in the Rural district. Mr. Ford felt that there are covenants in the deed that require the owner to live on the property for a year before doing any changes. He felt that anything the Board approved tonight could become invalid. Ms. DeStefano stated that the covenants are not under the Board's jurisdiction. Mr. Paradis added that this hearing is not for construction; for that, Mr. Hebert would need a building permit. Mr. Carlson asked if Mr. Ford had exact knowledge of the covenant. Mr. Ford stated that it was in the original agreement. Ms. Nystrom explained that she has the deed and has looked at it and there is no covenant mentioned. Mr. Carlton expressed that he is more suspicious of Mr. Hebert as this hearing progresses. A discussion followed concerning allowing folks to do things to their property should they want. Ms. DellaCroce suggested that the abutters look at the Rural District regulations in the Zoning Ordinance to see what is allowed. Mr. Paradis added that the uses are listed in 3.2E. Mr. Dingman said that the Zoning Ordinance is on line for their convenience. Ms. DellaCroce mentioned that Mr. Hebert refers to a single family residence on the application.

HEBERT SUBDIVISION continued:

E. Seeler made a MOTION, second by C. Dingman, to CONDITIONALLY APPROVE THE TWO LOT SUBDIVISION. THE CONDITIONS: TO ADD THE SOIL TYPES AND A NOTE THAT THE ENTIRE LOT IS WOODED TO THE PLAN. The motion CARRIED. The Notice of Decision was then signed and Ms. Nystrom will bring the corrected plans and mylar in to the secretary for the Board to sign.

PCC: MID-STATE HEALTH: Sharon Beaty & Jennifer McCourt of McCourt Engineering

Ms. McCourt explained that they have received their approved Variance for the use and have made plans for town water and sewer. The lot consists of 5.2 acres and they are thinking of doing a lot line adjustment. They have been waiting for funding. It is to be a 10,000 sq. ft. facility, landscaped and with water drainage addressed.

Mr. Paradis asked how the parking was determined. Ms. Beaty stated that they have allowed for more parking than what the town requires and it was based on history of their facility. Ms. Beaty plans for 5 years after completion of the facility, she stated. She has presented a preliminary application to USDA and they seem to be in favor of the proposal but she has no guarantee that they will accept it. She hopes to go ahead now so as to be heard in September.

Ms. DellaCroce asked about the lot line adjustment and was told that it is in agreement with the owners now. Ms. McCourt added that it is expected to be done at the same meeting as the Site Plan. Mr. Paradis mentioned that the Board prefers parking to be in back of the building. It is, however, at the Board's discretion. Ms. Beaty showed where they are looking to put the entry. She explained that staff parking will be in back. She finds that patients prefer to park in front. They shall have a canopy at the front door; employees will enter from the rear.

A discussion followed as to shielding the parking from view. Mr. Dingman said that it can be offset by screening or trees. Ms. Beaty stated that trees pretty much screen it from Route 104. Ms. DellaCroce asked about the relationship of their drive to the Family Dollar. It was stated that the Family Dollar drive is further in on Robie Rd. It was felt that Mark Bucklin would determine this with driveway permits. Ms. Beaty stated that the building will be similar to the drawing they show tonight. There will be no basement and it will be a one-story.

The ladies were thanked for bringing in their update.

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MINUTES OF JUNE 27, 2012:

The following amendments and clarifications were made: Page 1, PCC:PARKHURST, 2nd line, following “Plan” insert “for a roof addition”. Page 2, 2nd paragraph, 2nd line, following “Variance” insert “regarding parking”. 4th paragraph, 2nd line, replace “Pankhurst’s” with “Parkhurst’s”. MASTER PLAN, 1st paragraph, replace “who is willing to help” with “who may also be willing to help” and following “Board” add “and summarized her meeting with Mr. Izard.” 2nd paragraph, change the first sentence to read “Ms. DellaCroce asked what a pre-test is when conducting a survey and Ms. DeStefano explained that the draft survey is provided to a select group, such as staff, to respond to and determine if the questions being asked are clear, based on the responses generated by the test group.”. 2nd line, before “groups” insert “facilitated”. 3rd line, following “recommended” insert “for a community meeting” and before “4” insert “maybe up to”, deleting the rest of the sentence after “4”. Line 4, after “kids” insert “in the process” and after “Capone” insert “had suggested the inclusion” and delete “spoke”. Last paragraph, delete the last sentence. Page 3, 1st paragraph, correct “Energy” to “Energy – Denice DeStefano with the Energy Committee input” and add “Land Use – Dan Paradis”. 2nd paragraph, 2nd line, following “sections” insert “of the Master Plan”. Page 4, CIP, last line, change “the July” to “a future”.

C. Dingman made a motion, second by D. Paradis, to approve the minutes as amended. The motion carried.

COMMUNICATIONS:

The notice for the LGC Annual Conference was read. Looked at were a merger for the Town of Bristol (Library lots), a Zoning Requirement Request concerning Rite Aid, a DES approval for Michael Hayward, a list of sign. junkyard, and building permits, and a Dam Resurfacing Project booklet for PSNH, Ayers Island Hydro. Station. Ms. DeStefano kept the NLRA letter for Planning Assistance so as to read it and determine what is needed.

REPORTS:

Historic District Commission: Mr. Dingman stated that their last meeting was canceled and that he has resubmitted their grant application.

Selectmen: In Mr. Dion’s absence, Mr. Capone stated that he is to meet with DES tomorrow in regard to the Shoreland permit for the library. Ms. DellaCroce asked about the “Family Dollar” and Mr. Capone thought that there had been an energy compliance issue but learned that this was not needed. He is not sure why they have not picked up yet. Mr. Paradis thought they might have some DOT issue. Mr. Capone continued by saying that the Boat Shoppe had a couple of issues for fire safety but they have been resolved. The Bleiler’s renovation of the Wheelhouse of Gifts was mentioned. Mr. Capone stated that a notice has been sent to Sondra Keene and she wants to be on the August 8th agenda with the Planning Board. LGC says that she will need to go back for a Special Exception again, as well as Site Plan, if she has indeed

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REPORTS: Selectmen, continued:

expanded. Ms. DellaCroce asked for copies of the old minutes so that they can refresh their memory beforehand. Mr. Paradis asked about the Beta program with Cartographics. Mr. Capone stated that a couple of issues had to be corrected and it is now okay. There will also be full blown access to Avatar.

Capital Improvements Plan: Mr. Campbell stated that they are to meet next Tuesday with the Fire Chief and, hopefully, the Police Chief. Mr. Capone said that he will check with the Police Chief.

NEW BUSINESS:

Mr. Dingman mentioned that the 2012/2013 CLG grant money has opened up for a September application. He suggested that, if the town wants to try for something for the Old Town Hall, the time is now. Mr. Capone stated that Susan Duncan , Rick Alpers and he are to meet soon and get going on what needs to be done.

Mr. Capone mentioned the town lot line agreement with Mr. Getty. He feels that Mr. Getty may not want to sign until he is sure that the Shoreland permit is approved. Mr. Capone is trying to get the lot line adjustment done as soon as possible.

NEXT MEETING:

Our next meeting is scheduled for August 8th and we only have a PCC with Sondra Keene on the agenda. However, applicants have until July 13th to apply. As the secretary will be away, Ms. DeStefano thought that she and Ms. DellaCroce could take the minutes.

Ms. DeStefano explained that she will be away on August 22nd (our workshop meeting). As Peter, from Plymouth State is to come to that meeting, it was determined that Mr. Paradis could chair.

With no other business before the Board, C. Dingman made a motion, second by E. Seeler, to adjourn at 9:10 p.m.

Respectfully submitted,
Jan Laferriere, recording secretary