

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
JULY 12, 2017

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, David Doran, Gregory Mitchell, Selectmen's Representative Fred McGarry. Secretary Jane Boucher.

Chair Peter Schibbelhute called the meeting to order at 7PM.

APPROVAL OF MANIFEST

David Doran moved to approve the manifest in the amount of \$3,082.60 . Gregory Mitchell seconded. (SNHPC \$1,047.95, SNHPC \$2,934.65, Time Sheet for Jane Boucher 19 hours. Voted in favor.

7:15PM Bill von Hassel/David Pelletier Subdivision
Bill von Hassel was present.

Mr. von Hassel asked the Board to re-consider it's position on conditional approvals for subdivisions. He referred to the site on Middle Road which conditional approval was granted to David Pelletier for a subdivision. He felt that these conditional approvals create more of a danger to the Town because no security is required by the applicant. Mr. von Hassel said the developer has very little invested when granted a conditional approval.

Chair Schibbelhute questioned what he meant by "very little".

Mr. von Hassel replied that the property was purchased for \$160,000 over two years ago and has also had the property logged.

Mr. Schibbelhute said that the developer also has invested in engineering fees.

Mr. von Hassel said, at this point, what does the town have as a guarantee should something happen to a developer with a conditional approval that the lot be restored to a decent condition. He noted that the lot currently has cut trees, trash and a muddy area with mud running down Middle Road. Mr. von Hassel also questioned what assurance does he, as a taxpayer have, that the property will be restored to it's original condition .

Chair Schibbelhute said that Mr. Pelletier will be meeting with the Board in August to discuss the conditional approval. Mr. Schibbelhute also added that he is aware and has been contacted by someone who is interested in purchasing the property.

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Peter Schibbelhute said that if the Board does not grant any further extensions, the conditional approval will lapse. However, the land is still owned by Mr. Pelletier.

David Doran said that he would like to propose a time limit be put on conditional approvals. He felt that one year time would be sufficient.

Mr. von Hassel said he is asking the Board to consider putting a requirement in place that a security bond or cash be in place before granting a conditional approval.

It was noted that the only condition remaining is that Mr. Pelletier put up a bond. When that is done, the plan will be signed and recorded.

Mr. von Hassel said the site is a mess with mud running down the road. He questioned again what security does the Town have.

David Doran said that if the property has an issue, it has to be dealt with by proper authorities, whether it is a subdivision or not.

Peter Schibbelhute said that if a citizen sees a problem on a road, they should contact Road Agent Mark Young.

Gregory Mitchell said that Mr. Pelletier has done nothing that would affect the conditional approval granted.

Peter Schibbelhute said that Mr. Pelletier can cut trees on his property whether he has conditional approval or not.

Mr. von Hassel reiterated that the Planning Board require a security deposit before a conditional approval is granted.

David Doran questioned if the Board can legally require a security deposit.

Fred McGarry referred to RSA 674:36 III b, which outlines the requirements for establishing a bond. Mr. McGarry said that the intent of the bond is to make sure that all work is completed.

Peter Schibbelhute said that it was uncertain whether or not the Board can require a security deposit and perhaps we should consult with the Town's attorney.

Fred McGarry asked Mr. von Hassel if he knew of any towns in NH that required security for conditional approvals. Mr. von Hassel will research and advise.

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CAPITAL IMPROVEMENT PLAN(CIP)

Mr. von Hassel commented that the CIP is a very important document and is necessary to have available.

Fred McGarry said that the Planning Board will probably put something in as a warrant article.

EARTH EXCAVATION PERMIT/PARADE ROAD/STEVE ROLLINS
OPERATOR/NELLIE ROLLINS OWNER

Steve Rollins cancelled his appointment for a continuation scheduled for this meeting.

Board members agreed that Mr. Rollins be advised of an appointment for July 26, 2017 and at that time be asked to submit something in writing from Nellie Rollins outlining her issues with the permit, a bond for \$5,000 be submitted and a plan indicating how many acres remain open.

APPROVAL OF MINUTES

Fred McGarry moved and David Doran seconded to approve the minutes of June 28, 2017 with the following corrections:

Page 1 Paragraph 3: Add to paragraph "There were no abutters or general public present."

Page 2 Paragraph 7: Correct to read "...stone walls in NH generally form a permanent boundary."

Page 3 Paragraph 2: Correct to read "...the Town and PLPA.."

Page 3 Paragraph 3: Correct to read "...beyond the lake's spillway."

Page 4 Paragraph 1: Correct to read "...if they are disturbed."

Page 4 Paragraph 3: Correct to read "...request that the Northwood Board of Selectmen contribute to the cost of road work done to Gulf Road.."

Page 4 Paragraph 4: Correct to read: 1. Moving infiltration area: 2. Add four trees to removal count.

Chair Schibbelhute called for a vote on the motion. Voted in favor with Gregory Mitchell abstaining.

David Doran moved to adjourn the meeting at 8:15PM. Gregory Mitchell seconded. Voted in favor.

Recorded and transcribed by Jane Boucher
Pending approval by the Planning Board