

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
JULY 11, 2018

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Kate Hartnett, Selectmen's Representative Fred McGarry, David Doran. Also present Planning Consultant Sylvia von Aulock and secretary Jane Boucher.

7PM Chair Peter Schibbelhute called the meeting to order.

APPROVAL OF MANIFEST

Fred McGarry moved and David Doran seconded to approve the manifest in the amount of \$4, 017.70 and a time sheet for Jane Boucher. (SNHPC Contract \$1,038.50/SNHPC Dues \$3,979.20/ time sheet 16 1/2 hours). Voted in favor.

APPROVAL OF MINUTES

Fred McGarry moved to approve the minutes of June 27, 2018. David Doran seconded. Voted in favor with Kate Hartnett abstaining.

7:05PM WES GOLUMB/ENERGY CHAPTER MASTER PLAN
Wes Golumb was present.

Mr. Golumb said that he has a long time interest in energy efficiency and serves on the local energy steering group for the state. He said that he keeps watching other towns doing energy projects and getting benefits from such projects. Mr. Golumb said that he reviewed the 2009 Master Plan and added that it is one of the best Master Plans for energy he has seen. He said the bottom line, that he is here to ask about, is how can we move forward with these projects. Other towns are doing this , putting solar on roofs of buildings with power purchase agreements at no cost to the taxpayer. He feels that Deerfield should be doing this too. Mr. Golumb said he served on the Town's Energy Committee and started putting all the Town's buildings, including the G.B. White Building into EPA's bench mark software. He would like to see the GB White Building re-bench marked to see what is safest. Mr. Golumb said he would like to look into putting solar on the roof of the G.B. White Building.

Fred McGarry said that in order to move forward , Mr. Golumb would have to go to the Board of Selectmen.

Mr. Golumb said that he would be happy to meet with the selectmen, however, many of the things in the plan site the Planning Board as the responsible party.

David Doran agreed with Fred McGarry noting that the Planning Board is strictly planning but do not have the authority to move forward. Mr. Doran said he certainly has the interest in moving forward and has solar at his home and enjoys the benefits.

Mr. Golumb referred to Sections H 2-1 through H2-6 , NR 2-0 through NR 2-6 and asked the Board to review. He also referred to a survey done by the Forum noting that 63% strongly agree to update land use regulations.

Mr. Golumb said there was nothing in the plan that connects economic development with energy efficiency and sustainable energy and he thinks they are easily connectable. He said there is also nothing in the plan that connects energy efficiency and resiliency and there is nothing in the plan for economic development. He felt there was potential for community energy projects.

Mr. Golumb added that he will be happy to meet with the Board of Selectmen about this and would really appreciate it if the Planning Board re-read the document and think about how we can move forward.

7:45PM CONTINUATION/PUBLIC HEARING SITE PLAN REVIEW/ ROBERT AND MONICA HEON;RITCHIE ROAD
Robert and Monica Heon were present.

Revised plans were provided for the Board's review.

Monica Heon noted that at the last meeting, on June 27, the Board requested several changes to the proposed plan. She said that the proposed revisions have been made including the tree buffer to remain, cross sections of concrete, the rain garden to manage water runoff including input from UNH regarding what plantings are recommended, areas for parking both personnel and customer parking, revised wording for the covered storage area, and cross section of the catch basin, hours of operation and approval signature line.

Sylvia von Aulock questioned the location of personnel parking. Mr. Heon said that after meeting with NH Coop ,they have a written easement in their deed that they are permitted to park 10 feet away from utility poles.

Fred McGarry said that the Heon's have been very understanding of their neighbors and been willing to revise the plans to address abutters concerns.

Sylvia von Aulock noted that the Heons have addressed all of

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the revisions asked by the Board.

Both Peter Schibbelhute and David Doran agreed that the Heons have been very cooperative.

Fred McGarry noted that the plan should show a 6 inch PUC from the catch basin to the driveway. That was added to the plan.

David Doran moved and Fred McGarry seconded to approve a Site Plan Review for Robert and Monica Heon on Ritchie Road. Voted in favor with Kate Hartnett abstaining.

The meeting was adjourned at 8PM.

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

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
AUGUST 22, 2018

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Kate Hartnett, Gregory Mitchell, Selectmen's Representative Fred McGarry. Also present Cameron Prolman representing Town Planner Sylvia von Aulock and secretary Jane Boucher.

7PM Chair Peter Schibbelhute called the meeting to order.

APPROVAL OF MANIFEST

Fred McGarry moved to approve the manifest for two time sheets for Jane Boucher. Gregory Mitchell seconded. Voted in favor.

KEVIN COLE/MCCARRON SUBDIVISION PHASE III

Chair Schibbelhute advised that he has been in contact with Kevin Cole advising him that complaints have been received from residents regarding the site. Chair Schibbelhute and Fred McGarry visited the site on August 22 intending to meet with Mr. Cole, who did not attend due to a family emergency. He did send someone else to represent him and Mr. Schibbelhute and Mr. McGarry conveyed how serious the situation was to her. Mr. Schibbelhute said that erosion control needs to be in place and the site needs a great deal of work.

Chair Schibbelhute said the Fred McGarry has drafted a letter to be sent to DES, pending the Planning Board's approval. Fred McGarry noted that the water going off site obviously carrying large amounts of silt.

Kate Hartnett questioned the location of erosion. Mr. Schibbelhute and Mr. McGarry replied "everywhere". Ms. Hartnett said that she had a great deal of concerns regarding this subdivision.

The Board reviewed the letter drafted by Mr. McGarry to DES requesting that they investigate this apparent violation. A copy of the letter is attached to these minutes.

Fred McGarry said that a letter be sent to Mr. Cole telling him to stop all work associated with the development other than erosion control measures

Kate Hartnett moved to send Mr. Cole a registered letter. Gregory Mitchell seconded. Voted in favor.

Gregory Mitchell moved and Kate Hartnett seconded to send a letter to DES with copies to Steve Keach, James Raymond, Mark Young, Richard Pelletier, DES Wetlands Bureau and Des

Alteration of Terrain Bureau. Voted in favor.

Secretary Jane Boucher was authorized to sign Mr. Schibbelhutes name to the letter.

7:15PM CONCEPTUAL MEETING/SITE PLAN REVIEW/INDOOR RIDING
ARENA/DAVID IRISH,SOUTH ROAD

Jenny Merrin and Brad Guida were present representing Mr. Irish.

Ms. Merrin provided copies of the proposed building noting that it would be 200 feet x 84' riding arena with 10 stalls on one wall of the building.

Ms. Merrin explained that she does not intend on giving lessons but train and sell horses. She said that she may have a couple of boarders.

Fred McGarry said that runoff from the building needs to be addressed.

Ms. Merrin advised that there is currently a six stall barn on the property with a nine car garage. Parking is adequate for trailers is adequate.

There will be no bathrooms inside the building.

Fred McGarry said that they will need a engineered plan showing architectural views of the building.

Ms. Merrin and Mr. Guida were told that once they have an engineered plan they should meet with Town Planner Sylvia von Aulock before submitting an application for a Site Plan Review.

BUDGET

Board members reviewed the Budget to be presented to the Board of Selectmen. It was determined that the line item for the Planner Contract should be changed to \$15,000.00 rather than \$18,000.00. The line item for Annual Dues SNHPC be changed to \$2,800.00 and the line for PB Consultant be set at \$4,000.00.

The Board agreed that the \$3,000.00 from the Planner Contract be used to begin work on the CIP and Sylvia von Aulock be asked for a quotation to update the Master Plan.

The proposed budget will be presented to the Board of Selectmen on September 17, 2018.

APPROVAL OF MINUTES

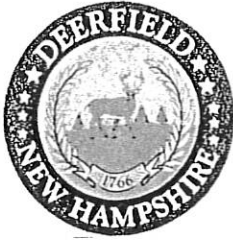
Fred McGarry moved to approve the minutes of May 23, 2018. Kate Hartnett seconded. Voted in favor with Gregory Mitchell

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abstaining.

The meeting was adjourned at 8:05PM.

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



TOWN OF DEERFIELD

Planning Board

August 23, 2018

Mr. Robert Scott
Commissioner
NH Department of Environmental Services
PO Box 95
Concord, NH 03302-0095

Re: McCarron Subdivision, Middle Road, Deerfield
AOT Permit No. 20050201-01
Wetlands Permit No. 2011-02869

Dear Commissioner Scott:

The Deerfield Planning Board has been monitoring the construction activities at the McCarron Subdivision off Middle Road in Deerfield, Map 413-Lot 7. The Board and its engineer have advised the contractor, Cole Excavating, 321 Route 27, in Raymond, several times of the inadequacy of the erosion control measures Mr. Cole has in place. On August 22, members of the Board inspected the site during a morning rainstorm. Significant siltation was taking place with flow in an unnamed stream leaving the site heavily laden with silt. The Board's efforts to work with this contractor have clearly been given little attention by this contractor. Therefore, the Board at its August 22 meeting voted to request the Department of Environmental Services investigate this apparent violation of the two permits in place for this site and take the appropriate enforcement actions against this contractor.

Thank you in advance for your efforts regarding this site.

Should you have any questions regarding this request, please feel free to contact me.

Sincerely yours,

Peter Schibbelhute
Chair

Cc: Kevin Cole, Cole Excavating
Steven Keach, P.E., Keach, Nordstrom Associates
James Raymond, Upton and Hatfield
Mark Young, Deerfield Road Agent
Richard Pelletier, Building Inspector
DES Wetlands Bureau
DES Alteration of Terrain Bureau

PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
JULY 25, 2018

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Kate Hartnett, Selectmen's Representative Fred McGarry. Also present Cameron Prolman, SNHPC, and secretary Jane Boucher.

7PM Chair Peter Schibbelhute called the meeting to order.

APPROVAL OF MANIFEST

Fred McGarry moved to approve the manifest in the amount of \$1,508.40 (SNHPC Contract) and a time sheet for Jane Boucher (19 1/2 hours). Kate Hartnett seconded. Voted in favor.

BUDGET

Board members received copies of the proposed Planning Board budget for review. Several line items were not included on the page received. It was determined that a Page 2 should also be reviewed. (Contract Line Item as well Dues and Subscriptions were not included). Chair Schibbelhute will speak with Town Administrator John Harrington to receive the additional information.

7:15 APPLICATION FOR PUBLIC HEARING; MINOR SUBDIVISION; 68 OAKDALE AVE. REALTY TRUST/ CHURCH STREET
Roscoe Blaisdell was present.

A letter was received from owner Sandra Cross authorizing Mr. Blaisdell to represent her at the hearing.

Chair Schibbelhute read the Notice of Public Hearing by which 68 Oakdale Ave. Realty Trust, 4 Thurston Pond Road, Deerfield, NH will make application for a Public Hearing for approval of a Minor Subdivision for property located on Church Street, Deerfield, NH identified as tax map 414 Lot 105, consisting of 34.8 acres and owned by the applicant. The intent of the application is to create two new lots each consisting of three acres.

Cameron Prolman reviewed his memo regarding the application. (A copy is attached to these minutes). He commented that the original parcel is over 34.8 acres and the new proposed lots have 3 acres in each, Driveways on lots 105, 105.1 and 105.2 are more likely to have a slope of approximately 13-14% .14% and 12.7 % . Lot 105 depicts a culvert adjacent to the road. Although the pipe size is identified, plans do not mention the construction of a headwall.

Roscoe Blaisdell provided plans depicting the wetlands on the

property.

Kate Hartnett provided a copy of the DCC minutes of July 9, 2018, which notes that the Wetlands Permit Application submitted by Mr. Cross was approved by the Conservation Commission.

Fred McGarry said that language for the common driveway easement needs to be submitted for Town Counsel approval.

Kate Hartnett noted that she had asked Mr. Cross if he would be agreeable to adding a note that no further subdivision be permitted. He replied that he would not.

Fred McGarry moved to accept the application for 68 Oakdale Ave. Realty Trust for a minor subdivision. Kate Hartnett seconded. Voted in favor.

Fred McGarry moved to grant conditional approval to 68 Oakdale Ave. Realty Trust for a minor subdivision on Church St., Deerfield, NH. with the following conditions:

- .Receipt of State Subdivision and Wetland Crossing Approvals
- . Monumentation certificate to be provided
- . Language for Common Driveway easement to be approved by Town Counsel

Conditional Approval to lapse in 90 Days (October 25, 2018).
Kate Hartnett seconded. Voted in favor.

APPROVAL OF MINUTES

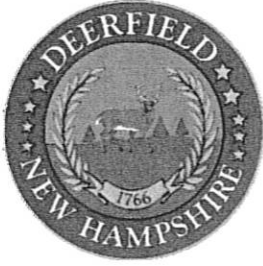
Fred McGarry moved to approve the minutes of July 11, 2018.
Kate Hartnett seconded. Voted in favor.

OTHER BUSINESS

Chair Schibbelhute said that he received information from FEMA regarding a meeting on August 21, 2018 to discuss Flood Risk Management. The meeting will be held at the Elliot Center at UNH.

The meeting was adjourned at 7:55PM.

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



TOWN OF DEERFIELD, NEW HAMPSHIRE

George B. White Building • 8 Raymond Rd., Deerfield, NH • 03037 • (603) 463-8811
•FAX (603) 463-2820 <http://www.townofdeerfieldnh.com>

Memorandum

To: Deerfield Planning Board
From: Cam Prolman, SNHPC Representing Deerfield Town Planner
Re: Planning Board Meeting for July 25, 2018
Date: July 24, 2018

1. **Minor Subdivision Plan Map/Lot 414-105.** Public hearing and application of 68 OakDale Avenue Realty Trust of 4 Thurston Pond Road, Deerfield for the minor subdivision, creating two additional lots, all with frontage along Church Street.

Planning Board Action To Be Considered:

- a. Open case, consider presentation
- b. Open to the public
- c. Review Town Planner comments.

Planners Comments: I have reviewed the plan and application set and note the following:

- The original parcel is over 34.8 acres and the new proposed lots have 3 acres each.
- Driveways on lots 105, 105-1, and 105-2 are likely to have a slope of approximately 13-14%, 14% and 12.7% respectfully. It is recommended that the driveway design reflects the Driveway Design and Construction Standards in the Town's Site and Subdivision regulations.
- Lot 105 depicts a culvert adjacent to the road. Although the pipe size is identified, plans do not mention the construction of a headwall. I would suggest that the road agent review/approve the driveway and culvert design to ensure standards are met and no issues are created.

Recommendations

If the Board considers conditionally approving the plans, the following recommendations are provided for consideration:

1. Monumentation certificate to be provided for the new lot.
2. Appropriate fees to record the plan be provided.
3. All driveways to be approved by the Road Agent prior to building permits being issued.
4. The Applicant provide information on the construction of a headwall for the southernmost driveway to ensure efficient flow while reducing erosion around culvert installation.
5. The Applicant have _____ (period of time) to complete conditions in order to obtain final approval.

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
SEPTEMBER 12, 2018

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Kate Hartnett, Selectmen's Representative Fred McGarry, Gregory Mitchell. Also present Town Planner Sylvia von Aulock and secretary Jane Boucher.

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

7:10PM GLENDA SORAK/BOND REDUCTION
Glenda Sorak was present.

Ms. Sorak explained that the original site plan was approved in 2008 calling for two driveways. She felt that the second driveway on Old Centre Road could be eliminated from the approved plan. Ms. Sorak said that she has not been able to get anyone to give her a price on paving the apron and added that they plan on paving the entire parking area in the future and would like to see the current site plan amended at this time.

Fred McGarry expressed concern regarding sight distance on North Road.

At this time Peter Schibbelhute read the Inspection Report from Jeff Quirk, KNA, dated April 13, 2018.

A copy of the report is attached to these minutes noting the the items to be completed.

- . Rebuild the stone wall at the corner of North Road and Old Centre Road with the opening to the gravel parking area to be +/- 20 feet wide.

- . Install an operable gate or removable chain within the opening at the entrance to the parking area from Old Centre Road. The gate or chain is to have a permanently attached DO NOT ENTER sign.

- . Furnish and install all remaining signs as shown on sheet 1 of the approved plan.

Ms. Sorak did not think a removable chain was necessary nor a Do Not Enter sign or Stop sign.

Fred McGarry noted that the concept of the paved area is to reduce the amount of dirt going onto Route 107.

Ms. Sorak questioned if she converted to a residential use, would she need a site plan. She was advised no, she would have to go to the Building Inspector to convert the usage.

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Ms. Sorak asked that if she decides to keep it as a commercial use would she need to apply for another Site Plan Review. She was advised that a new plan would need to be submitted with a new application if she wished to amend the current approved site plan.

Ms. Sorak was advised that if she wants to revise the current plan , after it is completed, meet with the Town Planner to review it.

Ms. Sorak said that she would like to ask for the reduction of the bond.

Fred McGarry said that according to the existing approved plan another business would be permitted, along with the CPA office.

Sylvia von Aulock will speak with Jeff Quirk, KNA, to discuss the recommendations for the bond reduction.

Glenda Sorak will meet with the Planning Board on September 26, 2018 at 7:45.

7:50PM APPLICATION FOR PUBLIC HEARING/LOT LINE ADJUSTMENT/
FIELDSTONE TRUST, CHURCH STREET

James Franklin and Errol Rhodes were present.

Chair Schibbelhute read the notice of public hearing by which Fieldstone Trust, P O Box 367, Deerfield, NH has applied for a Lot Line Adjustment for property located at 51 Church St, Deerfield, NH identified as Tax Map 414 Lots 150 and 150-1, and owned by the applicants. The intent of the application is to move two acres from Lot 150 to Lot 150-1. Lot 150 would then consist of 3.476 acres.

Fred McGarry recused himself at this time.

Gregory Mitchell moved to accept the application. Kate Hartnett seconded. Voted in favor.

Chair Schibbelhute read the memo submitted by Sylvia von Aulock. A copy is attached to these minutes.

In her memo, Ms. von Aulock noted that having reviewed the plan. She discovered discrepancies between the Town Assessor and the Registry of Deeds. The application follows the Assessor's information, indicating Lot 150 to be the existing 5 acres lot and Lot 150-1 to be the existing 55 acre lot, while the plan submitted has the numbers reversed.

James Franklin said they are proposing to reduce the area around the existing house. The lot numbering is up to the

Planning Board. He noted that the plan on file at the Registry of Deeds identifies the existing house lot as 150-1. He will make the change if the Planning Board wishes.

Fred McGarry advised that the intent is to keep the original lot number with any structures that are involved in the subdivision, so the original house would remain as the parent lot, 150.

Sylvia von Aulock said that a note should be added to the plan explaining the discrepancy.

James Franklin noted that State Subdivision needs to be applied for.

Gregory Mitchell moved and Kate Hartnett seconded to Grant conditional approved to Fieldstone Trust for a Lot Line Adjustment with the following conditions:

1. State Subdivision Approval required.
2. Change of Lot numbers based on Town Assessor's records.
3. Monumentation set

Approval to lapse in 90 days. Voted in favor.

Errol Rhodes questioned if a policy was in place to address cost for applicant regarding Town Planner fees.

Sylvia von Aulock said that , because of the additional research, the cost will be split with the Town.

8:30PM APPLICATION FOR PUBLIC HEARING/MINOR SUBDIVISION/MIDDLE ROAD/JAMES AND SUZANNE SPEAR/ROBERT MENSWAR

At this time Fred McGarry returned as a voting member and Gregory Mitchell recused himself.

Chris Hickey, Eric Mitchell & Assoc, along with Robert Menswar and James and Suzanne Spear were present.

Chair Schibbelhute read the Notice of Public Hearing by which RJM Builders, 212 South Road, Deerfield, NH is making application for a Public hearing for a Minor Subdivision for property located on 107 Middle Road, Deerfield, NH (identified as Tax Map 419 Lot 73) consisting of 18.41 acres and owned by James Spear, Suzanne Spear and Ronald Menswar. The intent of the application is to create two new lots each consisting of 3.02 acres.

Fred McGarry moved to accept the application. Kate Hartnett seconded. Voted in favor.

Chris Hickey explained that they are proposing two new lots.

There are very minor wetlands. They are proposing some grading improvements and have received State Subdivision Approval.

Mr. Hickey said they are requesting a waiver from Site Specific Soil Mapping.

Fred McGarry moved to grant a waiver from Site Specific Soil Mapping. Kate Hartnett seconded. Motion carries

Fred McGarry noted Lot 73-2 and suggested that the proposed driveway be located on the other side of the lot. Mr. Hickey said the did originally consider that but Middle Road bends to the North and sight distance would be affected and an easement would be required.

Sylvia von Aulock suggested that Best Management Practices be in place for erosion control.

Fred McGarry moved and Kate Hartnett seconded. to Grant Conditional Approval for a Minor Subdivision on Middle Road Map 419 Lot 73 with the following conditions:

- . State Subdivision Approval
 - . Upland Soil calculations
 - . Note: Lot 73-2 Proposed driveway in fixed location; Lot 73-1 could be moved at discretion of owner/developer.
 - . Monumentation set
 - . Note: Best Management Practices for erosion
- Conditional approval to lapse in 90 days. (December 12, 2018)
Voted in favor.

Gregory Mitchell returned as a voting member.

APPROVAL OF MANIFEST

Fred McGarry moved and Gregory Mitchell seconded to approve the manifest for Jane Boucher for two time sheets (17 hours and 16 1/2 hours). Vote in favor.

MCCARRON SUBDIVISION/KEVIN COLE

A letter was received from Kevin Cole (a copy is attached to these minutes). The letter was read by Chair Schibbelhute and Mr. Cole indicated that erosion is under control as of August 25, 2018.

Mr. Schibbelhute noted that he and Fred McGarry visited the site on August 22 and Mr. Cole had sent a representative to be there.

Kate Hartnett said that she did have information dating back to 2006 including a memo from Gerald Coogan commenting on the sub division.

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Chair Schibbelhute read a letter from DES advising that they will schedule an inspection of the project and keep the Planning Board informed. (A copy of the letter is attached to these minutes).

It was noted that the Conditional Approval for the Subdivision expired in January of 2018. It was agreed that before the Board responds to Mr. Cole , Town Counsel be contacted for his recommendation as to how to proceed.

Sylvia von Aulock will contact James Raymond.

PLANNING BOARD/RESIGNATIONS

Peter Schibbelhute advised the Board that David Doran had submitted his resignation as a member of the Board effective this date.

Kate Hartnett advised that she will be moving to Lancaster, NH in the near future.

Robert Cote, a resident, was present and Chair Schibbelhute advised that , if he was interested in serving as a member or an alternate, to write to him.

TIERRA DEVELOPMENT/CHURCH STREET

A letter was received from Jeff Quirk, KNA, requesting the Town release the Bond being held in the amount of \$10,096.55 as the project has been completed.

This will be on the agenda for the September 26 meeting. Chair Schibbelhute will visit the site and speak with Jeff Quirk.

The meeting was adjourned at 10:05PM.

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



TOWN OF DEERFIELD, NEW HAMPSHIRE

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Memorandum

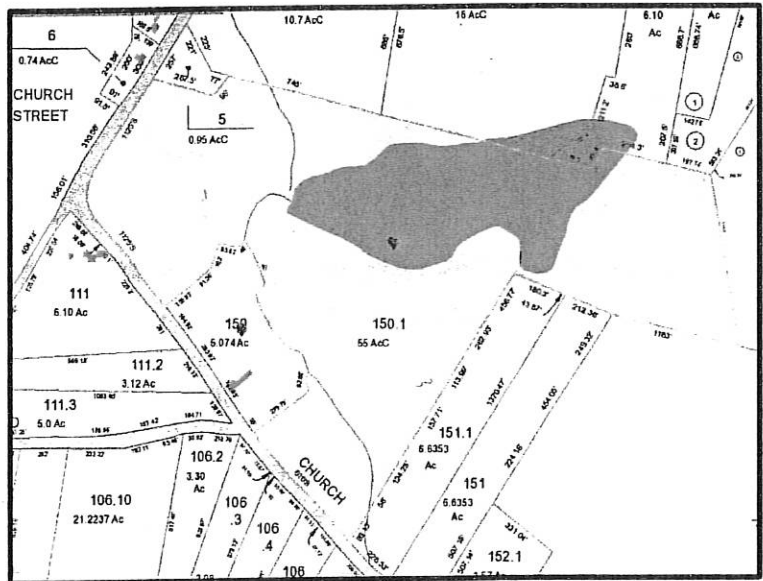
To: Deerfield Planning Board
From: Sylvia von Aulock, SNHPC Representing Deerfield Town Planner
Re: Planning Board Meeting for Sept 12, 2018
Date: Sept 11, 2018

1. **Lot Line Adjustment Map/Lot #s 414 Lots 150 and 150-1.** The application of Fieldstone Trust (Erroll and Martha Rhodes) 51 Church St, Deerfield.

Planning Board Action To Be Considered:

- a. Open case, consider presentation
- b. Open to the public
- c. Review Town Planner comments.
- d. Consider conditionally approving application.

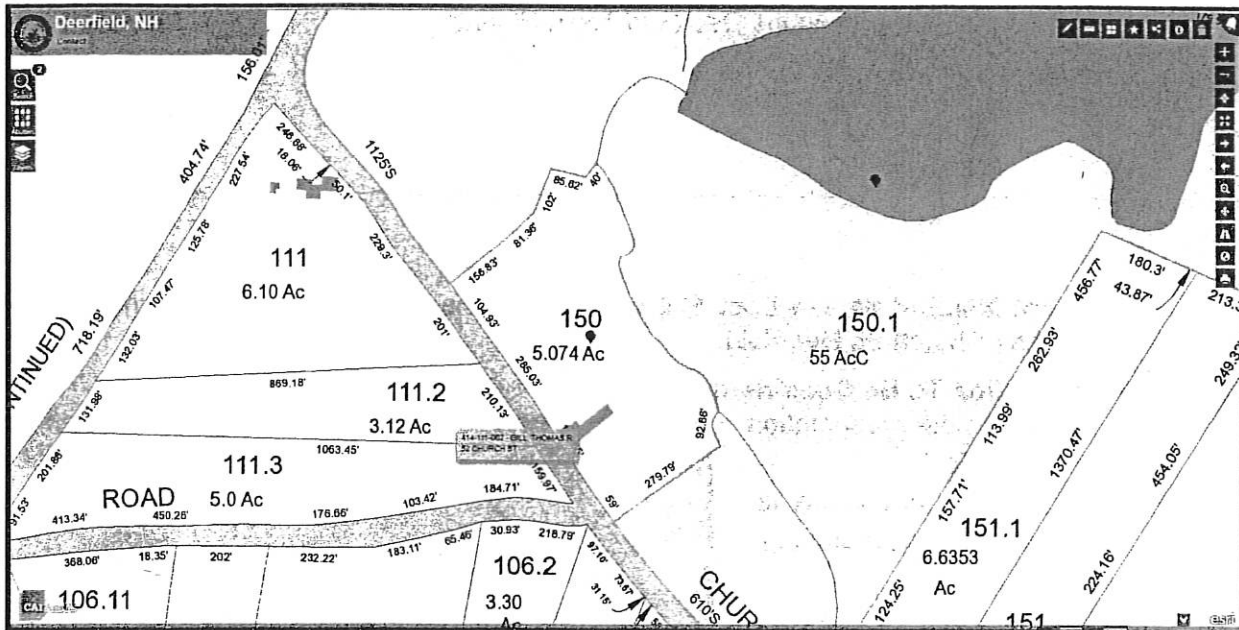
Planners Comments: I have reviewed the LLA. Here is yet another situation in which we discover discrepancies between the Town Assessor and the Registry of Deeds. The application follows the Assessor's information, indicating Lot 150 to be the existing 5 +acre lot and Lot 150-1 to be the existing 55+/- acre lot, while the plan submitted has the numbers reversed. I have put the question to Town Counsel, Jim Raymond and he states:



1. The tax assessor assigns tax lot numbers. If the plan has the wrong tax lot numbers, it is up to the planning board and the owner, through the surveyor, to change the tax lot numbers. The tax assessor has the final word on tax lot numbers.
2. Numbers used to identify lots in a subdivision do not have to be based on the assessor's numbering system. So, if the plan gave a lot a certain number, which may or may not be the correct assessor's lot number, that lot number should be used for reference, until it is changed (see ¶ 3). Which is the correct number? Both. The assessor's number is the correct number for tax purposes; the planning board's number as approved on the plan is the correct number for identifying the lot on deeds or other plans for conveyance purposes, until it is corrected.
3. But the lot number can be changed by a plan amendment or some other recorded document. So, if the board wants to use the correct tax lot number to identify the lots for subdivision purposes, then it should change the number in its records to correct the misstated number. Something, either an amended plan, or a notice of plan amendment, should be recorded so future title searchers and conveyancers will use the correct

number. The amended plan or notice can explain that the lot incorrectly identified the tax lot number in the earlier plan.

4. Does the board need to change the plan number? Yes, it should, as there is a variation between the lot number, for planning purposes, and the tax lot number, for taxation purposes, which will confuse future generations of title searchers and lawyers. But if it wants to confuse those future generations, it can keep the current number. See ¶ 2. I might prefer that it make the correction now.



Possible Conditions of Approval: (provided that each lot contain the min. upland area required)

1. Ensure the plan indicates correct lot information following the Tax Assessor's protocol. Also that a note be put on the plan explaining the discrepancy.
2. That a monumentation certificate be submitted to the Planning Department with the appropriate fees for recording the plan.
3. All conditions to be met within one year.
4. *Option: that a corrective action such as a plan amendment be submitted to the registry.*

2. **Minor Subdivision Plan Map/Lot 419-73.** Public hearing and application for James and Suzanne Spear and Ronald Menswar of 107 Middle Road, Deerfield for the minor subdivision, creating two additional lots, all with frontage along Middle Road.

Planning Board Action To Be Considered:

- e. Open case, consider presentation
- f. Open to the public
- g. Review Town Planner comments.

Planners Comments: I have reviewed the plan and application set and note the following:

- The original parcel is over 18 acres and the new proposed lots have just over 3 acres each.
- Driveway on lot 73-1 is relatively steep, with an approximate 14% slope down into the lot and to the wetland in the center of the lot. It is recommended that the driveway design reflects the

Driveway Design and Construction Standards in the Town's Site and Subdivision regulations and be constructed using best management practices to avoid erosion and safety issues.

Recommendations

If the Board considers conditionally approving the plans, the following recommendations are provided for consideration:

1. Monumentation certificate to be provided for the new lot.
2. Appropriate fees to record the plan be provided.
3. All driveways to be approved by the Road Agent prior to building permits being issued.
4. The Applicant have _____ (period of time) to complete conditions in order to obtain final approval.

Keach-Nordstrom Associates, Inc.
10 Commerce Park North, Suite 3B
Bedford, NH 03110
Phone: (603) 627-2881 Fax: (603) 627-2915

INSPECTION REPORT

Prepared for: Deerfield Planning Board	
Project: 180 North Road (Improvements)	
Location: Route 107 (Map 405, Lot 15)	Owners: David and Glenda Sorak
Date: 3-29-2018	Time: 8:00-8:30
Weather Conditions: Sunny 36deg	
Work in Progress: <div style="text-align: center;">Bond Reduction Inspection</div> <p>The Deerfield Highway Agent (Mark Young) and I conducted an inspection of the above site on March 29, 2018. We inspected the overall condition of the site including the drainage, landscaping and parking area.</p> <p>Drainage: The drainage on this site flows into a detention pond located along the southerly property line. The detention pond and associated inlet swale and emergency overflow are in good stable condition and appear to be working as designed.</p> <p>Landscaping: The landscaping improvements are primarily along the westerly boundary and consist of a vegetated berm and planted buffer. We found the berm to be stable and well established and the planted buffer to be located as designed.</p> <p>Parking Area: We found the gravel parking area to be in relatively good condition with no major ruts or voids. Also, the parking area appeared to drain toward the detention pond (as designed) with no puddling or standing water.</p> <p>Conclusion: Mark and I agreed that most of the work on the above site has been finished however we recommend the following items be completed:</p> <ol style="list-style-type: none">1. Rebuild the stone wall at the corner of North Road and Old Center Road with the opening to the gravel parking area to be +/- 20ft wide2. Install an operable gate or removable chain within the opening at the entrance to the parking area from Old Center Road. The gate or chain is to have a permanently attached DO NOT ENTER sign.3. Furnish and install all remaining signs as shown on sheet 1 of the approved plan.	
On Site Contacts: Mark Young (Deerfield Highway Agent)	
Site Conditions: Well established, stable, some leftover material and lumber stockpiled nearby	
Follow-Up Required:	Change Order Required:
Prepared By: JQ	



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Robert R. Scott, Commissioner



September 7, 2018

Peter Schibbelhute, Chair
Town of Deerfield Planning Board
PO Box 159
Deerfield, NH 03037

RE: NHDES Alteration of Terrain Permit WPS-7153, NHDES Wetlands Permit #2011-02869, McCarron Subdivision, Middle Road, Deerfield

Dear Mr. Schibbelhute:

The NH Department of Environmental Services (NHDES) is in receipt of the Deerfield Planning Board's letter dated August 23, 2018 regarding the inadequate installation and maintenance of erosion and sediment controls at the McCarron Subdivision construction project.

NHDES personnel will schedule an inspection of the project to determine compliance with RSA 485-A:17, Alteration of Terrain, and RSA 482-A, the NH Wetlands Law. NHDES will keep the Town of Deerfield informed of our findings and include you on any future correspondence.

If you have any questions or comments in response to this matter, please contact David Price at (603) 559-1514 or by email at david.price@des.nh.gov.

Sincerely,

Robert R. Scott
Commissioner

cc: Deerfield Conservation Commission
Deerfield Road Agent
Deerfield Building Inspector
James Upton, Upton and Hatfield
Kevin Cole, Cole Excavating
Steven Keach, Keach-Nordstrom Associates, Inc.

DES Web Site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095
Telephone: (603) 271-3449 Fax: (603) 271-2867 TDD Access: Relay NH 1-800-735-2964

Kevin Cole
58 Brown Road
Deerfield, NH 03037

August 27, 2018

Town of Deerfield
Planning Board
PO Box 159
Deerfield, NH 03037

RE: McCarron Subdivision, Middle Road, Deerfield
AOT Permit No. 20050201-01
Wetlands Permit No. 2011-02869

To Whom It May Concern:

I'm writing in regard to a copy of a letter I received dated August 23, 2018. I do realize that I've had some issues with erosion on the site. I received a call from Pete Schibbelhute approximately 2 ½ weeks ago and was told "The Tree Huggers are getting upset with the erosion". I immediately scheduled a machine, an operator and a laborer to go to the site and have diligently been working to correct the issues every day since that phone call.

On August 22, 2018, Pete Schibbelhute and Fred McGarry, the only members of the Planning Board present, came to the site for an inspection. Pete Schibbelhute does state in his letter that it was raining at the time of his inspection, but failed to mention that even during the rainstorm, I had a machine an operator and a laborer working. While Keach-Nordstrom Associates have been to the property on several occasions for inspections, copies of those reports have not ever been sent to me from the Town, with the exception of one report, which I have attached. The only paperwork I have received from the Town are the Invoices from Keach-Nordstrom. If there have been issues all along, I would assume that the Engineer would have alerted me, not the planning board. I am curious as to why I'm paying, in excess of \$3,000 at this point, an Engineering Company to perform inspections if it's now the responsibility of the Planning Board.

At this point, I feel as though I've gotten the erosion under control, as of Friday, August 25, 2018. I'm hopeful that the torrential rains will hold off so that I can continue working and finish the project.

Thank you

Kevin Cole

Cc: Steven Keach, P.E, Keach – Nordstrom Associates
James Raymond, Upton and Hatfield
Richard Pitman, Board of Selectman
Mark Young, Deerfield Road Agent
Richard Pelletier, Building Inspector
DES Wetlands Bureau
DES Alteration of Terrain Bureau
Peter Tamposi, The Tamposi Law Group

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
SEPTEMBER 26, 2018

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Kate Hartnett, Selectmen's Representative Fred McGarry, Gregory Mitchell, Planning Board Alternate Richard Pelletier. Also present Cameron Prolman, SNHPC Planning and Jane Boucher secretary.

Robert Cote was also present.

7PM Chair Schibbelhute called the meeting to order and appointed Richard Pelletier to serve as a voting member.

7PM MCCARRON SUBDIVISION/KEVIN COLE

Chair Schibbelhute read an e-mail from Attorney James Raymond responding to a e-mail from Sylvia von Aulock advising that the conditional approval for the subdivision lapsed in January , 2018. A copy of the e-mail is attached to these minutes.

Board members agreed that Chair Schibbelhute contact Attorney Raymond and request he write a letter to Mr. Cole indicating that the approval has lapsed and suggesting that he meet with the Planning Board to discuss this further.

APPROVAL OF MANIFEST

Fred McGarry moved to approve the manifest in the amount of \$1,570.65 (SNHPC contracts) and a time sheet for Jane Boucher (22 Hours). Voted in favor.

CIP

Fred McGarry advised that there are funds available in the Planning Board budget to contract with SNHPC to update the CIP.

Fred McGarry moved and Kate Hartnett seconded to authorize the chair to sign a contract with SNHPC. Voted in favor.

7:15PM CONCEPTUAL MEETING/SUB DIVISION MOUNT DELIGHT ROAD
Matthew Peterson and Mike Gallo were present.

At this time Gregory Mitchell recused himself as a voting member.

Mr. Peterson provided plans depicting the property located on Tax Map 413 Lot 62.

He noted that the property consists of 41 acres and is bound on the northeast side by the power lines and on the west by Allenstown.

PLANNING BOARD 9/26/18

Mr. Peterson said that Sheets 1 and 2 show a yield plan for the property showing what might be done on the property . He noted that Sheet 2 showed a roadway 1300 feet.

He said that sheets 3 and 4 showing an open space subdivision consolidating the development to one area, leaving the rest of the land open.

Mr. Peterson said that they had met with Steve Keach, KNA, to discuss these and other options for this parcel. He then pointed to Sheet 5 and noted that Deerfield Zoning does allow up to four houses on a Private Way. Mr. Peterson felt that four lot fit better in a an Open Space Plan. The lots shown all have 5 acres or more. He also said that he felt it made sense to put the back land into a conservation easement. He added that this was conceptual and asked the Board for input.

Fred McGarry commented that he did not like Lot 1. He also questioned access to Unit 4.

Kate Hartnett questioned the distance from Lot 4 to the power lines. Mr. Peterson replied it is 300 feet from the end of driveway and 400 feet from the private road.

Fred McGarry said that in order to open up rear section of Lot 1, they will have to extend the road.

Peter Schibbelhute said if the road was moved closer to the boundary line, they may be able to get lots more rectangular.

Mr. Schibbelhute commented that a retention pond could be added to the roadside and drainage be brought in there.

Matthew Peterson will consider the Board's comments and speak further with his client.

Mike Gallo commented that there was a bit of damage done during Allenstown construction and there has been no problems with drainage.

Cameron Prolman submitted a memo and made comments noting discrepancies on the Tax Maps. A copy is attached to these minutes.

Kate Hartnett suggested that Mr. Peterson contact Bear Paw to discuss the proposed Conservation Easement.

Gregory Mitchell returned as a voting member.

8:50 GLENDA SORAK/REDUCTION OF BOND
Glenda Sorak was present.

Cameron Prolman read a memo outlining a discussion between Sylvia von Aulock and Jeff Quirk, KNA. A copy is attached to these minutes.

Glenda Sorak said that plan to use some foundation stones along the east side of the barn. She will consolidate construction materials and put them in the barn. They intend to build a handicap ramp after wood pile is removed. She said that they intend to pave an area but, at this point in time, has not been able to contract with anyone. She felt that the Stop and No Left Turn signs were not necessary and noted several businesses in Town that do not have signs.

Gregory Mitchell noted that the signs were indicated on the approved Site Plan.

Chair Schibbelhute said that he understood that Ms. Sorak was looking for a bond reduction, however, there were several issues that need to be addressed, the most important being the paving. He added that she should get a few more things done before the Board can reduce the bond. Chair Schibbelhute suggested that Ms. Sorak address a few more items on the list and come back to meet with the Board.

Glenda Sorak questioned why the plan could not be changed.

Chair Schibbelhute replied that would be more costly, as she would need to have an engineer re-do the plan.

Gregory Mitchell commented that the Board needs to comply with the approved Site Plan and cannot make any changes to that plan.

THIBEAULT CONSTRUCTION/ RELEASE OF BOND

Jeff Quirk, KNA, had submitted a request that the Board authorize the release of the balance of the bond for Tierra Construction, Church Street, as all work was satisfactorily completed.

Fred McGarry noted that he had visited the site and found that grading on the ditch line and loam and seed and rocks on the bounds need to be addressed. He will contact Steve Keach to discuss these issues.

AMEND APPLICATION FORMS/MAJOR AND MINOR SUBDIVISIONS

The following statement is to be added to both Major and Minor Subdivision Applications. " The original parent lot containing all buildings/structures retains it's original map/lot number. Each time a lot is sub divided the original number is kept by the original parent lot. Each time a subdivision occurs all

PLANNING BOARD 9/26/18

newly created lots in the subdivision received a new number consisting of the original parent lot number with a hyphenated extension for each separate new lot."

Fred McGarry moved and Gregory Mitchell seconded to approve the amendment for applications for Major and Minor Subdivisions. Voted in favor.

Fred McGarry moved to adjourn the meeting at 8:30PM. Gregory Mitchell seconded. Voted in favor.

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

F: 603-224-0320

jraymond@upstonhafield.comwww.upstonhafield.com

STATEMENT OF CONFIDENTIALITY

This e-mail, and any attachments, is intended only for us by the addressee and may contain legally privileged or confidential

information. If you are not the intended recipient of this e-mail, any dissemination, or copying of this e-mail, and any attachments, is prohibited. If you have received this e-mail in error, please immediately notify me by telephone, permanently delete the original and any copy of the e-mail.

From: Sylvia von Aulock [mailto:SvonAulock@snhpc.org]

Sent: Tuesday, September 18, 2018 3:40 PM

To: James F. Raymond

Cc: Peter Schibbelhute; Mcgarry128@myfairpoint.net; Greg Mitchell; Cameron Prolman; Jane Boucher; Rick Pelletier; Kate Hartnett (nhkate98@gmail.com)

Subject: McCarron Subdivision Phase III inquiry

Hi Jim,

So, you don't hear from my in over a year and now it's twice in one month. Let's face it, there will likely be a third time soon.

The above mention project was sold to a Mr Cole in 2017. I believe Mr. Cole's intensions were to complete roadway improvements, then meet the conditions of the approval so the plan could be recorded and lots be sold. I gather what's happened instead is that some "improvements" have happened but some of the work has caused erosion and impact to wetlands. (See inspection reports attached).

As far as the Planning Bd. goes, the last time this was in front of the PB was Jan. 2017, when previous owner, Kathleen Perron requested a one year extension to the conditional approval (which was granted). No one has come back to the PB since then requesting an extension of the approval, therefore, as of Jan. this year, the conditional approval has lapsed. Furthermore, just to be clear, there is no bond for the improvements. See McCarron Conditional approval requests attached for the past 3 requests for extensions.

Recently, it came to the PB's attention that work being done on the property was creating quite a bit of erosion. Pete Schibbelhute and Fred McGarry went to the site and observed for themselves the lack of work being done or adequate best management practices being utilized. Shortly after their inspection they contacted NHDES who will inspect the property for wetland violations sometime in the near future. (see McCarron Erosion correspondence attached).

Now for the inquiry: the PB is unsure how to proceed. Here are some options as discussed by PB.

1. Wait for NHDES response and see if Mr. Cole follows through in an effective and positive way to any required actions.
2. Write Mr. Cole a certified letter stating due to the fact he no longer has a conditional approval, that he needs to provide the PB with an updated set of plans, including a revised construction sequence, erosion control measures, and timeline for further action.
3. Notify Mr. Cole that due to the lapse in the conditional approval that the subdivision is null and void.
4. Require a performance bond for further work.

I'm sure there are more options and we all would love to hear them from you.

I have cc'd the PB not for discussion but instead so they can follow the inquiry.

Thanks, Sylvia

Sylvia von Aulock

Executive Director

Southern NH Planning Commission - Celebrating 50 Years of Planning Services

438 Dubuque St.

Manchester, NH 03102

603-669-4664

From: Sylvia von Aulock <SvonAulock@snhpc.org>

To: Greg Mitchell <stratosticks@gmail.com>; Jane Boucher <f5fy@aol.com>; Kate Hartnett (nhkate98@gmail.com) <nhkate98@gmail.com>; mcgarry128@myfairpoint.net <mcgarry128@myfairpoint.net>; Peter Schibbelhute <PeteSchib@gmail.com>

Cc: Cameron Prolman <CProlman@snhpc.org>; Rick Pelletier <building@townofdeerfieldnh.com>; Jane Boucher <f5fy@aol.com>

Subject: FW: Deerfield - McCarron Subdivision

Date: Fri, Sep 21, 2018 2:19 pm

This just in...

Thanks, Sylvia

Sylvia von Aulock

Executive Director

Southern NH Planning Commission - Celebrating 50 Years of Planning Services

438 Dubuque St.

Manchester, NH 03102

603-669-4661

From: James F. Raymond [mailto:jraymond@uptonhatfield.com]

Sent: Friday, September 21, 2018 11:23 AM

To: Sylvia von Aulock

Subject: RE: Deerfield - McCarron Subdivision

Sylvia,

Let's take the choices in order:

1. Access to Property. The Deerfield subdivision regulations, at § III-1 C, and the subdivision application form contain standard provisions authorizing the Planning Board and its agents to inspect the project. Mr. Cole's denial of consent is a condition to revoke or deny acceptance. That provision, though, is not self-enforcing, so you should not go onto the property if he does not grant consent, without an administrative search warrant.

2. Lapse. If the board's approval has not become final and the plan was not signed and recorded, then the conditional approval lapses in accordance with §III-7 B. I did not find in the regulations a procedure for giving notice of the lapse. You might use the same notice procedures as described in RSA 676:4, sending notice by certified mail to the applicant and the engineer. This action, though, is not a revocation, so abutters do not need to be notified. But see the next paragraph.
3. Revocation. If the plan was signed, then the board should follow the revocation procedures described in RSA 676:4-a. Those procedures require giving notice of the reasons for revocation and more extensive notice, including to abutters, and an opportunity for a hearing. If the board does want to revoke a final approval, you might call us first.
4. Revival of the Project. Applicants frequently come in after a conditional approval has lapsed and request that the approval be retroactively renewed. It's up to board whether it wants to grant those requests. If it does, though, it can add conditions to the renewal, which could include performing remedial work and posting a bond.
5. Work on Project without Final Approval. Section V-1 B. prohibits land clearing for improvements and building construction before receipt of the final approval. The applicant should not have been building the road without the final approval. If the approval has lapsed, though, the property's status is the same as land without an application pending. The landowner could contend, as apparently Mr. Cole has stated, that he can do whatever he wants on his land. The wetland violations give you a hook. But I'm not sure relying on DES inspections will allow you a timely remedy, so you may want to use the code enforcement officer acting under the zoning ordinance, including §210, the Wetlands Conservation District restrictions.

Call if you want to walk through these suggestions.

Jim

JAMES E. RAYMOND

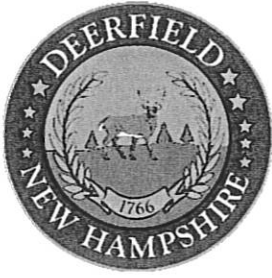
LEWIS & BATHURST LLP

10 Centre Street

P.O. Box 1090

Concord, NH 03302-1090

T: 603-224-7791



TOWN OF DEERFIELD, NEW HAMPSHIRE

George B. White Building • 8 Raymond Rd., Deerfield, NH • 03037 • (603) 463-8811
•FAX (603) 463-2820 <http://www.townofdeerfieldnh.com>

Memorandum

To: Deerfield Planning Board
From: Cam Prolman/Sylvia von Aulock, SNHPC Representing Deerfield Town Planner
Re: Planning Board Meeting for Sept 26, 2018
Date: Sept 26, 2018

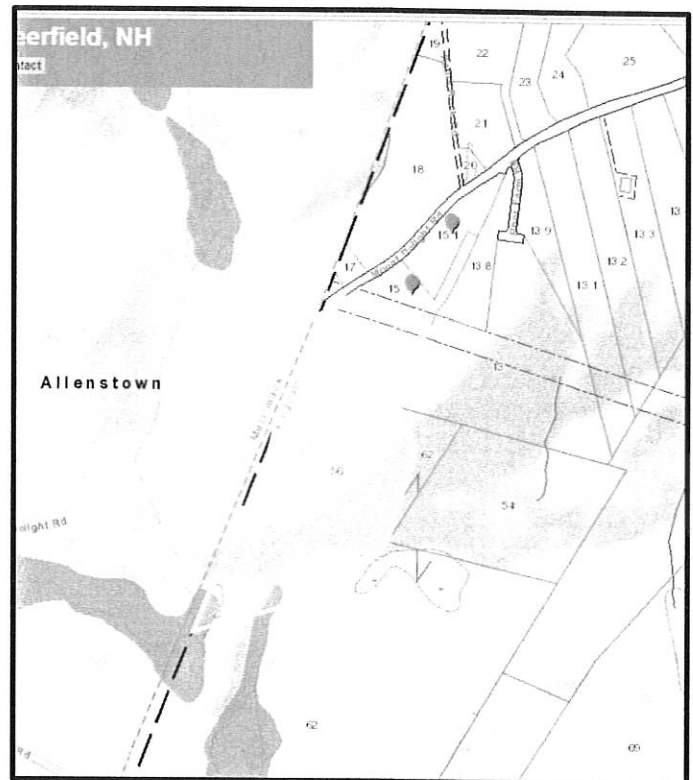
1. **Subdivision Plan Map/Lot 413-62.** Conceptual review for Matthew Peterson for the subdivision, creating four lots off of Mount Delight Road at the Town line with Allenstown.

Planning Board Action To Be Considered:

- Comments from the Board are non-binding.
- The Applicant is looking for feedback to the proposal.

Planners Comments: We have reviewed the plan and note the following:

- According to the tax map, this property is partially Tax Map 411-Lot 56 and Map 413-Lot 62. From an initial review, it is likely that this property is located on Map 411-Lot 56. The Assessing Department will review records and determine the Map and Lot numbers next week. The correct Map and Lot numbers should be corrected before the Plan is recorded.
- Lot 412-62-1 (Lot 1) is a total of 24.35 acres; lot 413-62-2 (Lot 2) is a total of 5.51 acres; lot 413-62-3 (Lot 3) is a total of 5.32 acres; and lot 413-62-4 (Lot 4) is a total of 5.01 acres.
- The conceptual plan follows the dimensional requirements under Section 207.1.B.
- The scale provided on the conceptual plans does not match the plans itself. It is likely that the scale should reflect 1" = 80' instead of 1" = 25'.
- Parts of Lots 1, 2, and 3 (around 24 acres) are proposed to be under a conservation easement.



2. Glenda Sorak and the Reduction request of the bond (from \$5,000 to \$1,000). SvA spoke with Inspector Jeff Quirk about the property and the improvements still needed. According to the Inspection report, the following was recommended:
- a. Rebuild the stone wall at the corner of North Rd. According to JQ the work needed is minimal and would improve the aesthetics. He added that there is construction material in a number of locations on the site and that with a small effort, the site would improve greatly if construction materials were neatly consolidated or moved.
 - b. Install an operable gate or removable chain at the opening from Old Center Road. JQ mentioned that the Road Agent, Mark Young agreed this is preferable so that the access could be readily available if needed.
 - c. Signage: JQ was going to confirm if a STOP sign or NO LEFT TURN sign was required.
 - d. Aprons to be paved: at present the aprons are in good condition and would check back with Mark Young on this issue.
 - e. Handicap ramp: this was not brought up in our conversation.

Reminder: The bond is the only guarantee that the work will be completed.

BOARD OF ADJUSTMENT
DEERFIELD, NEW HAMPSHIRE
OCTOBER 23, 2018

MINUTES OF MEETING

PRESENT: Board members Joshua Freed, Jonathan Leer, Stephen Stephenson, Anthony DiMauro. Alternate member Harry Hotaling. Secretary Jane Boucher.

7:20 Chair Freed called the meeting to order.

APPROVAL OF MINUTES

Anthony DiMauro moved to approve the minutes of August 28, 2018. Stephen Stephenson seconded. Voted in favor with Jonathan Leer abstaining.

Chair Joshua Freed appointed Harry Hotaling a voting member in the absence of George Thompson.

7:26 PM The meeting was recessed at this time.

7:30PM Chair Freed called the meeting back to order.

Clerk Jonathan Leer read the Notice of Public Hearing:
Case #18-14 Map 210 Lot 13/ David Whatmough, applicant, 64 Old Centre Road and owner Jared Maley-Maley Revocable Trust for property at 3 Church St., Deerfield, NH, for the purpose of building a replacement dwelling, are requesting a variance from Articles II and III, sections 204.1, 207.3 for setbacks.

CASE #18-15 Map 495 Lot 27/ Shayna Routhier, applicant and owner, 34 Griffin Road, Deerfield, NH for property at the same address, for the purpose of building a barn, is requesting a variance from Articles II and III, Sections 204.1, 207.3 for setbacks.

CASE # 18-14

David Whatmough and Jeanne Menard were present.

Board members reviewed the plans and noted that a notarized letter signed by Jared Maley authorizing David Whatmough to represent him had been received.

Stephen Stephenson moved and Anthony DiMauro seconded to accept Case # 18-14. Voted in favor.

David Whatmough provided plans depicting the old house, which had been destroyed by fire and plans showing the proposed dwelling with a garage noting the 21 foot setback .

No one spoke in favor or opposition.

BOARD OF ADJUSTMENT 10/23/18

7:45 The Board went into deliberative session and completed work sheets.

7:50 Chair Freed called the meeting back to order and made a motion to Grant a variance with no stipulations for Case #18-14. David Whatmough applicant, Jared Maley, owner. Anthony DiMauro seconded. Voted in favor.

7:50PM CASE # 18-14
Andy Howe was present.

Board members noted that the applicant was listed as Shayna Routhier.

Mr. Howe said that Shayna Routhier was his wife and he did not have written consent to represent her. At this time he telephoned her and told the Board that she would be at the meeting shortly.

The meeting was recessed at this time.

8PM Ms. Routhier arrived.

Anthony DiMauro moved to accept Case # 18-15. Stephen Stephenson seconded. Voted in favor.

Board members reviewed information submitted and agreed that the plan providing information on setbacks was not adequate and the applicant would need to provide a plan depicting more information.

Anthony DiMauro moved to Table Case # 18-15 to November 27, 2018 at 7:30PM. Stephen Stephenson seconded. Voted in favor.

The meeting was adjourned at 8:20PM.

Recorded and transcribed by Jane Boucher
Pending Approval by the Board of Adjustment.

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
OCTOBER 24, 2018

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Kate Hartnett, Gregory Mitchell. Selectmen's Representative Fred McGarry. Also present Cameron Prolman, SNHPC, secretary Jane Boucher and Robert Cote.

7PM Chair Peter Schibbelhute called the meeting to order.

APPROVAL OF MANIFEST

Fred McGarry moved to approve the manifest in the amount of \$1,966.22 and two time sheets for Jane Boucher. (\$1,966.22 SNHPC). Gregory Mitchell seconded. Voted in favor.

RELEASE OF BOND/FOREST GLEN

Chair Schibbelhute read a letter from Jeff Quirk, KNA requesting the release of the remaining \$5,000 for a bond being held for Forest Glen/Hartford Brook Road. A copy of the letter is attached to these minutes.

Fred McGarry moved to authorize the release of \$5,000 for Forest Glen. Gregory Mitchell seconded. Voted in favor.

APPROVAL OF MINUTES

Fred McGarry moved to approve the minutes of September 12, 2018. Gregory Mitchell seconded. The following correction was made to the minutes

. Page 5 Paragraph 5: Correct to read "Kate Hartnett advised that she will be moving in the near future"

Voted in favor.

Fred McGarry moved to approve the minutes of September 26, 2018. Gregory Mitchell seconded. The following corrections were made to the minutes.

.Page 3 Paragraph 9: Correct to read ".....found that five of the stone bounds were loose, the ditch line on the south side of the road just east of the first lot with the house disappears and ends in a depression or pool water when it's raining. The south side of where the ditch is supposed to be will need to be reformed to recreate the ditch line."

Voted in favor.

SCHEDULE MEETINGS FOR DECEMBER, 2018

The secretary advised that the second meeting for the Planning Board in December is December 26. Board members agreed that if necessary they will meeting December 19.

APPOINTMENT

A letter was received from Robert Cote notifying the Board that he was interested in serving as a member, filling the vacancy created by the resignation of David Doran.

Chair Schibbelhute read RSA 673:12 "Filling Vacancies in Membership". A copy is attached to these minutes.

Fred McGarry moved to appoint Robert Cote to fill the vacancy on the Planning Board effective immediately until the March, 2019 election. Gregory Mitchell seconded. Voted in favor.

CIP

Fred McGarry moved and Gregory Mitchell seconded to authorize the chair to sign an agreement with SNHPC to update the Capital Improvement Plan in the amount of \$5,000.00. Voted in favor with Kate Hartnett abstaining.

OTHER BUSINESS

Kate Hartnett offered to donate a file cabinet to the Planning Board. She will speak with Town Administrator John Harrington to make arrangements for it's location. Ms. Hartnett will also speak with Mr. Harrington regarding hiring an individual part time to organize Planning Board files .

Fred McGarry advised that Steve Keach will meet with the Police Department Committee to view the proposed site on Raymond Road.

The meeting was adjourned at 7:50PM.

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



KEACH-NORDSTROM ASSOCIATES, INC.

October 24, 2018

Mr. Peter Schibbelhute, Planning Board Chairman
Town of Deerfield
8 Raymond Road
Deerfield, New Hampshire 03037

**Subject: Forest Glen Subdivision (Phase 5)
Hartford Brook Road (Station 36+50 to Station 44+87)
Deerfield, New Hampshire
KNA Project No. 05-0526-1**

Dear Mr. Schibbelhute:

Mark Young (Deerfield Highway Agent) and I conducted a final inspection of the above section of Hartford Brook Road. All of the houses have been built and the lawns and open spaces are well established and neatly trimmed. The drainage appears to be working as designed and the wearing course of pavement, which was installed last year (10-3-2017) is in very good condition.

It has been over a year since the above section of roadway was substantially completed. Since we found no defects in the work we recommend the town release the remaining \$5000.00 maintenance guarantee at this time.

If you have any questions or concerns regarding this matter, please contact me at your earliest convenience.

Sincerely,

Jeff Quirk

Senior Project Engineer

Cc: Sylvia von Aulock- Deerfield Town Planner
Cc: Mark Young-Deerfield Highway Agent
Cc: Jeff White- Tuckor Real Estate Development

Civil Engineering

Land Planning

Landscape Architecture

10 Commerce Park North, Suite 3B

Bedford, NH 03110

Phone (603) 627-2881

Fax (603) 627-2915

Keach-Nordstrom Associates, Inc.

10 Commerce Park North, Suite 3

Bedford, NH 03110

Phone: (603) 627-2881 Fax: (603) 627-2915

INSPECTION REPORT

Prepared for: Deerfield Planning Board	
Project: Forest Glen Subdivision	Project No: 05-0526-1
General Contractor: Tudor Development Site Contractor: Jeff White	Supervisor: Jeff White
Date: 10-24-2018	Time: 8:00-8:30
Weather Conditions: Cloudy 42deg	
Work in Progress Phase V Final Maintenance Inspection Mark Young (Deerfield Highway Agent) and I conducted a final inspection of Phase V of the above project. (Phase V is the final phase of the Forest Glen project and includes Hartford Brook Road from sta 36+50 to the cul-de-sac at sta 44+87). All of the houses have been built and the lawns and open spaces are well established and neatly trimmed. The drainage appears to be working as designed and the wearing course of pavement, which was installed last year (see report from 10-3-2017) remains in very good condition.	
On Site Contacts: Mark Young (Deerfield Highway Agent), Jeff White (Tucor Development)	
Site Conditions: Stable, very good condition, all houses built and most occupied	
Follow-Up Required:	
Change Order Required:	
Prepared By: JQ	

II. The planning board shall hold at least one regular meeting in each month.

III. A majority of the membership of a local land use board shall constitute the quorum necessary in order to transact business at any meeting of a local land use board.

HISTORY:

1983, 447:1. 1992, 64:8, eff. June 19, 1992. 1996, 42:9, eff. June 23, 1996. 2007, 266:5, eff. August 28, 2007. 2008, 391:5, eff. September 15, 2008.

Amendments

-2008.

The 2008 amendment added "the housing commission" following "agricultural commission" and made a stylistic change in I.

-2007.

Paragraph I: Inserted "the agricultural commission" preceding "the building code".

-1996.

Paragraph I: Substituted "chairperson" for "chairman" following "all of the".

-1992.

Paragraph I: Inserted "heritage commission" preceding "historic".

RESEARCH REFERENCES AND PRACTICE AIDS

Cross References.

Public access to meetings, see RSA 673:17.

673:11. Designation of Alternate Members.

Whenever a regular member of a local land use board is absent or whenever a regular member disqualifies himself or herself, the chairperson shall designate an alternate, if one is present, to act in the absent member's place; except that only the alternate designated for the city or town council, board of selectmen, or village district commission member shall serve in place of that member.

HISTORY:

1983, 447:1, eff. Jan. 1, 1984. 1996, 42:10, eff. June 23, 1996.

Amendments

-1996.

Inserted "or herself" following "himself" and substituted "chairperson" for "chairman" preceding "shall designate".

NOTES TO DECISIONS

Failure to designate alternate members

On appeal of planning board decision approving a subdivision, claim concerning the board's failure to appoint alternates was properly dismissed where it was not raised within the 30-day period after the filing of the decision in the office of the planning board, as required by RSA 677:15. *Frisella v. Farmington*, 131 N.H. 78, 550 A.2d 102, 1988 N.H. LEXIS 94 (N.H. 1988).

RESEARCH REFERENCES AND PRACTICE AIDS

Cross References.

Appointment, number and terms of alternate members, see RSA 673:6.

Multiple memberships, see RSA 673:7.

673:12. Filling Vacancies in Membership.

Vacancies in the membership of a local land use board occurring other than through the expiration of a term of office shall be filled as follows:

I. For an elected member, by appointment by the remaining board members until the next regular municipal election at which time a successor shall be elected to either fill the unexpired term or start a new term, as appropriate.

II. For an appointed, ex officio, or alternate member, by the original appointing or designating authority, for the unexpired term.

III. The chairperson of the local land use board may designate an alternate member of the board to fill the vacancy temporarily until the vacancy is filled in the manner set forth in paragraph I or II. If the vacancy is for an ex officio member, the chairperson may only designate the person who has been appointed to serve as the alternate for the ex officio member.

HISTORY:

1983, 447:1, eff. Jan. 1, 1984. 2009, 114:1, eff. August 21, 2009.

Amendments

-2009.

The 2009 amendment added III.

NOTES TO DECISIONS

Filling of vacancy for elected member

Under the statute, which provided for the filling of a vacancy for an elected member of a planning board by selectmen until the next election, the town's election ballot notified the voters of three openings on the planning board, but did not mention a fourth opening, a vacancy on the board existed and the selectmen properly made an appointment to fill the vacancy. *Derry v. Adams*, 121 N.H. 473, 431 A.2d 766, 1981 N.H. LEXIS 354 (N.H. 1981). (Decided under former RSA 36:7.)

RESEARCH REFERENCES AND PRACTICE AIDS

Cross References.

Removal of members, see RSA 673:13.

Terms of office of members generally, see RSA 673:5.

Terms of officers, see RSA 673:9.

673:13. Removal of Members.

I. After public hearing, appointed members and alternate members of an appointed local land use board may be removed by the appointing authority upon written findings of inefficiency, neglect of duty, or malfeasance in office.

II. The board of selectmen may, for any cause enumerated in paragraph I, remove an elected member or alternate member after a public hearing.

III. The appointing authority or the planning board shall file with the city or town clerk, the village district clerk, or the clerk for the county commissioners, whichever is appropriate, a written statement of reasons for removal under this section.