

**THE PLANNING BOARD**  
**Town of Frankestown**  
**Frankestown, New Hampshire 03043**

July 6, 2010  
**APPROVED MINUTES**

Planning Board Members Present: Bob Lindgren – Chair, Mike Tartalis, Linda Kunhardt, Jennifer Vadney, Ben Watson, Lisa Stewart.

Members of the Public: Polly Freese, Betsy Hardwick, BJ Carbee, Kelly Marshall, Paul Marshall, Jack Curren, Mike Ricci, Chuck Bonsack, Jack Curran, Mike Kohler.

Melissa Stewart is taking the minutes.

Chairman Lindgren brings the Planning board meeting to order at 7:03pm.

**Continuation of Public Hearing on Application for Subdivision Submitted By Jack and Nancy Curren – Two-Lot Subdivision on Perley Road (Case # 10-SD-3)**

The applicant is proposing a two-lot subdivision of a property located on Perley Road (Tax Map 5 Lot 25) consisting of 7.094 acres of land owned by Jack and Nancy Curren.

A Site walk was conducted at 6:30pm at site.

Rick Kohler representative for Jack and Nancy Curren provides the Board with plans for the subdivision. Kohler gives description of the lots and overview of the plan and asks the Board if there are any questions.

Watson questions the driveway curb cut locations and asks if it is in fact due to the natural breaks in the wall. Kohler confirms that is correct.

Lindgren opens the meeting for public comment. Mike Ricci is not opposed to the subdivision and is not opposed to a land owner cutting down trees he is however opposed to the Town requiring an applicant or owner to cut trees. History has proven that there is no need on this road to require a 200' safe site distance, with all the development occurring over the past few years there has not been one accident as a result of development.

Ricci also states that he would like to request a no cut buffer on the Southern boundary to mitigate drainage issues on his property. Currently his property is affected with spring water that passes through the stone wall and ponds on his property, if the site is developed it will only increase his drainage issue and he would request the board consider this in their deliberation.

Kohler states that there is no design for drainage at this time and would expect the developer of the lot to use best management practices. For Kohler to create a drainage plan he would need to have the design of the house and driveway and that is not possible as the lots are being sold as is with no development on them. Kohler states that the future owner could easily have a plan designed and depending on the way it is designed it could decrease the amount of run off that Ricci is currently seeing.

Chuck Bonsack also an abutter to the property does not oppose the subdivision but does oppose the removal of trees that shade the road. Bonsack believes it will diminish the beauty of the road. Bonsack does not want the Board or Town to determine the fate of the trees, He would like it to be left to the future owner of the property.

Betsy Hardwick provides the Board with prior decisions that support waiting until the site is developed to require the safe site distance cut to take place. Hardwick also provides the Board

with a handout from the Office of Energy and Planning which provides new guidelines for Planning Boards as well as discusses site distance.  
Hardwick also references the subdivision regulations in section 1, last sentence as well as RSA236:13 which Mandates safety as a major concern.

Board discusses regulations and clarifies curb cut and safe site distance questions.

Paul Marshall asks for clarification on Bi-laws and Scenic Road hearings. Board states that the Scenic Rd statute is a State law and states if Public Service or the Town wants to cut trees in the right of way they are required to request a Scenic Road Hearing with the Planning Board prior to any cutting. However a land owner has the right to cut down any tree on their property at any time without a Scenic Road Hearing, it is their right as a land owner.

Kelly Marshall would like it to be clear that when vote is taken, trees do not need to be removed prior to subdivision approval; however when a driveway permit is applied for the trees will need to be removed.

Kunhardt moves to close public hearing, Vadney seconds, all in favor.

Kunhardt moves to approve subdivision provided the following:

Final plat as well as 4 copies of the plan

Payment of \$5.00 to Town of Frankestown

Payment of \$25.00 to HCRD/LCHIP

Board takes into consideration the road agents recommendations and that before a driveway permit is granted the 200' all season safe site distance is obtained.

Tartalis seconds.

Vadney, Stewart, Tartalis, Watson, Kunhardt in favor, Lindgren abstains.

### **Review of Minutes**

June 1, 2010 – Vadney moves to accept as written, Stewart seconds all in favor.

June 15, 2010 – Lindgren moves to accept as written, Tartalis seconds all in favor.

### **Announcements and Communications**

Thursday July 8, 2010 Zoning Board will be conducting a meeting for a reconsideration of the Dennison Pond Road Cellular Tower. Lindgren recommends the Board walk the site again since the tower is being moved.

Lindgren reads notice from the Bennington Planning Board regarding possible regional impact for the Joshi Hospitality/Highlander Inn, site walk will be conducted July 12 at 6:30pm at the site, meeting to follow at 7:45pm.

Betsy Hardwick requests to get on agenda to go over driveway regulations and driveway application. Gives brief overview of recommended changes. Board puts request on the agenda for Tuesday, August 3<sup>rd</sup> @ 7pm.

Lindgren states that AT&T submitted a response regarding the Zoning Board hearing just advising the Planning Board of the current state of the application and new maps for review.

Meeting was adjourned at 8:54pm

Respectfully Submitted,  
Melissa J. Stewart  
Minutes Clerk