

**THE PLANNING BOARD**  
**TOWN OF FRANCESTOWN, NEW HAMPSHIRE**

*July 19, 2011*  
**MINUTES**

Planning Board Members Present: Henry Camirand, Larry Johnson, Linda Kunhardt, Bob Lindgren (Chair), Bill McNeil, Mike Tartalis, and Prescott Tolman. Lindgren took the minutes. The meeting was brought to order at 7:30 pm.

**Scenic Road Hearing – PSNH Proposed Tree Cutting**

PSNH proposed performing a regular maintenance cut of approximately 50 trees on various town-designated scenic roads. These trees were marked for removal and were available for Public Inspection two months prior to the hearing. A list of these trees and their locations were posted in the Post Office and Town Offices. Adequate public notice was given through publication in the Monadnock Ledger-Transcript on 6/30/11 and 7/7/11, and posting of the notice at the Post Office and Town Offices.

At the previous meeting of the Planning Board on 6/21/11, the list of trees was divided among participating members so that each was responsible for inspecting various trees on the list prior to the hearing.

A site inspection was conducted immediately prior to the Public Hearing starting at 6:15 p.m. Where members of the Board had questions about the appropriateness of cutting certain trees, the PSNH representative led an inspection team (Henry Camirand, Bill McNeil, Mike Tartalis, and Prescott Tolman) to the trees in question for further inspection. At 7:30 the inspectors returned to the Town Offices for the Public Hearing.

The planning board members who had participated in the site inspection reported that all of the trees inspected were dead or dying and were appropriate to be cut. In addition, there were four other trees not on the original list which were identified for cutting.

PSNH arborist Bob Verner explained that this is a routine maintenance cutting and trimming project that is proposed every four years. Asplund is the contractor for this area, and they anticipate starting the cutting and trimming in early fall.

A resident of 498 Birdsall Road addressed the PSNH representative with a complaint about out-of-state crews who had cut various trees on his property without permission during the ice storm of December, 2009. The PSNH representative offered to follow-up on the complaint, but noted that in an emergency situation the crews are authorized to do cutting without a landowner's notification or permission.

Tartalis made a motion to approve the proposed tree cutting with the addition of four other trees. Johnson seconded the motion. All board members and alternates seated voted in favor. The motion passed.

**Public Hearing – Proposed Lot Line Adjustment – Wilson-Bowes & Guill – 1179 and 1203 Pleasant Pond Road**

Applicants Bonnie Wilson-Bowes, Bob Bowes, and Charles Guill, Jr. proposed a lot line adjustment between properties identified as Tax Map 19, Lot 6 and Tax Map 19, Lot 7 located on Pleasant Pond Road in the Rural zoning district, which would reduce the size of the existing Lot 6 and increase the size of Lot 7 by .65 acres.

The Completeness Review Committee reviewed the application on 7/5/11 (Kunhardt, McNeil, and Tartalis attending). CRC Chair Kunhardt reported that deficiencies were found, and that the CRC sent the applicant a letter summarizing them.

Bob Bowes presented the Board with an updated plat. Upon examination, the Board determined that all of the previous deficiencies except for two had been corrected: the A2 requirement for describing the survey type (e.g. what instrumentation was used), and the specified signature block. (In fact, a signature block was added to the plat, but the Board determined that it was a different version than that specified in the regulations).

In addition, CRC Chair Kunhardt noted that the applicants owed an additional \$22.19 fee for three additional mailings that were required (for the two lot owners and the surveyor). The applicant noted that he had asked the Planning Board Chair if those three mailings were necessary (as the two landowners and the surveyor were already notified of the hearing) and was erroneously told that they were not. Kunhardt noted that this is a state requirement. Applicant Bob Bowes then paid the \$22.19 fee in cash.

One waiver was requested for the subdivision regulations requirement that a two-acre “buildable” area be delineated on the plat for each lot. Bowes noted that that requirement was impossible to meet because both lots in question are each significantly smaller than two acres, and in fact both lots have residential dwellings on them, so further building development would be contrary to the zoning ordinance.

Tartalis recused himself from the board, after a review and discussion of the applicable “juror standard” for recusal.

McNeil made a motion to grant the request for a waiver of the two-acre “buildable” delineation. Tolman seconded the motion. All in favor.

McNeil made a motion to accept the application as complete, for the purpose of considering the merits of the case. Kunhardt seconded the motion. All in favor.

Bob Bowes presented a summary of the application to the Board. He noted that both lots are entirely within the 500-foot limit of the Shorelands Protection Act. He stated that the lot line adjustment improves the non-conformity of the lots, and moved the lot line roughly in the middle between the two houses.

After discussion, Johnson made a motion to approve the lot line adjustment, subject to the following conditions: 1) the plat will be changed to include the proper signature block, 2) the type of survey will be indicated on the plat, 3) delivery of a final mylar plat with four paper copies, and 4) delivery of checks for the \$55 recording fee and the \$25 LCHIP fee. Camirand seconded the motion. All in favor: Tolman, Johnson, Kundhardt, McNeil, Camirand and Lindgren. The application is granted.

### **Approval of Minutes – 6/21/11**

Tartalis returned to the Board. The minutes of the June 21, 2011 meeting were approved as proposed. All in favor.

### **DMV Application for Inspection Station – Camirand’s Car Care**

Camirand temporarily recused himself from the Board.

The NH Dept of Safety, Division of Motor Vehicles, Bureau of Registration sent the town a letter dated 7/1/11 giving notice that Camirand’s Car Care had applied to become a NH Inspection Station. The letter asked that “the appropriate individual or Board within your municipality” be notified so that the DMV could “receive your position on this matter.” The letter also states, “In order to process the application, we would appreciate your response as soon as possible. No dealer or inspection station can receive approval from the state until such time as we receive your approval.” The letter was forwarded to the Planning Board on 7/5/11.

The Board discussed the merits of the application. McNeil noted that at each of the preliminary consultations the Board had held with the Camirands (in February, 2010, on May 3, 2011, and on June 21, 2011), the Camirands had discussed their intention to apply to DMV to become a state inspection station, and the Board had already discussed the implications that would have on zoning and site plan requirements, if any. The Board agreed that becoming an inspection station was implicit in its finding on 6/21/11 that Camirand’s Car Care met the criteria for an In-Home Business under Zoning Ordinance Article 3.9.1. Tolman made a motion that the Planning Board send a letter to the DMV stating that the Board approves the application of Camirand’s Car Care to become a state inspection station. Johnson seconded the motion. In Favor: Tartalis, Tolman, Johnson, McNeil, Lindgren. Abstaining: Kunhardt. The motion passes. Chair Lindgren will send the DMV a letter stating the above.

The meeting was adjourned at 9:10 p.m.

Respectfully Submitted,  
Bob Lindgren