

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

June 18, 2013

Planning Board Members Present: L. Kunhardt, B. Lindgren, H. Camirand, P.Tolman, L.Ames, B. McNeil, A. Arnold, S. Pyle, L. Bourbeau

Larry Ames is taking the minutes.

The meeting was brought to order at 7:00 pm.

**Announcements and Communications**

Kunhardt announces that the Site Development application from G. Cilley, Jr. was deemed complete by the CRC and a site visit is scheduled for 6:15 PM on July 16, 2013

**Review of Minutes**

The minutes of the 5/21/2013 Planning Board meeting were accepted as proposed unanimously, Ames and Arnold abstaining. A discussion of who is sitting ensues as there are 9 members and alternates present.

**Unfinished Business:**

Continuation of 4/16/2013 Compliance Hearing for CMS&R put off to in order to start at noticed time.

Kunhardt announces that there has been no progress on the new Surety Policy draft.

**New Business**

Planning Board members sitting for Public Hearing on amending the Subdivision Regulations are P.Tolman, B.McNeil, L.Ames, H.Camirand, L.Kunhardt, B.Lindgren, & S.Pyle.

Public Hearing on amending the Subdivision Regulations, Section III: Definitions to include the following definition:

*SITE-SPECIFIC SOILS (SSS) MAPS. A soils map of a parcel of land being considered for development, with a base map being a current survey from a Licensed Land Surveyor, map scale of 1 inch = 100 feet, or larger, where soils are mapped and identified in accordance with and adhering to the principles, methods and minimum standards found in the "Site-Specific Soil Mapping Standards for New Hampshire and Vermont", Society of Soil Scientists of Northern New England (SSSNNE) Special Publication No. 3, Version 3.0, Dec. 2006 and as amended as well as the "New Hampshire State Supplement" within the same publication.*

This was a necessary change as the recently edited Site Development Regulations referenced this definition. The new language was adopted by a unanimous vote.

Public Compliance Hearing on the Site Development Application Of Crotched Mountain Ski and Ride continued from 4/16/2013. Planning Board members sitting on this hearing are S.Pyle, B. Lindgren, A.Arnold, L. Kunhardt, H. Camirand, L.Ames, and B.McNeil. Kunhardt recognized the reception of a letter from Bill Raynor of Nelson objecting to Crotched Mtn Ski and Ride's new lighting.

Lindgren raised the issue of whether the compliance hearing was properly noticed, Kunhardt states she had sought opinion from town counsel. Town Counsel's opinion was that the 4/16 meeting had been properly noticed and encouraged the board not to renote. A discussion of noticing future hearings followed.

Kunhardt notes that Crotched Mountain Ski and Ride is unrepresented at the hearing, she then presents a history of the case starting from the April 2012 Notice of Decision and ending with CMS&R's no show for the hearing. Kunhardt asks for input from the board on what action to take.

Lindgren suggests rescinding the conditional approval.

Arnold suggests Find them not in compliance, urge them to go to ZBA for relief from lighting ordinance, have the selectmen get the building inspector involved.

The point is made that CMS&R volunteered to shield the lights when lighting concerns were raised at public hearing. A discussion of ski area lighting, shielding and the town lighting ordinance ensues.

Arnold reads Ted Leach's letter to the editor from the Monadnock Ledger objecting to the ski area lighting.

Larry Laber, a resident presents his history of CMS&R and their promises of compliant lighting. Demonstrates shielding, fixture angle and spilled light with an improvised model of a lighting fixture. He goes on to refute points made by P.Terry in part I of the compliance hearing.

Lindgren brings up action options for non-compliance, a discussion of options including levying of fines, and a possible cease and desist order ensues.

Arnold presents a motion to find Crotched Mountain Ski and Ride in non-compliance with the 4/3/2012 Frankestown Planning Board Notice of Decision and refer the matter to the Board of Selectman for enforcement actions including but not limited to fines provided in the Frankestown Site Development Regulations, Section 8D and RSA 676:17 and a cease and desist order. H.Camirand seconds. Motion is accepted unanimously.

**Other New Business:**

Wind power discussion carried forward to a future meeting.

Kunhardt presents the Town Administrator's suggestion that we start CIP discussions earlier in the year. A discussion of moving strategic and/or budget planning to July/August rather than during the winter months.

Meeting adjourned.