

Present: Chair Brett Hunter, Vice Chair Jack Karcz, Members Andy Kohlhofer, Tim Lavelle, Paul Powers, and Roger Barham, RPC Senior Planner Jenn Rowden, Building Inspector Greg Arvanitis, and Land Use Administrative Assistant Casey Wolfe

Also Present: Nick Brett, Duane Hyde, Jeremy Danley, Mike Wason, and Chris Hickey

Mr. Hunter opened the meeting at 7:01 pm.

I. MINUTES

Mr. Hunter stated that the minutes of March 21, 2018 will be tabled to the next meeting.

Ms. Wolfe stated that the town now has a new building inspector, Greg Arvanitis. Mr. Arvanitis introduced himself to the Board. He told the Board that he was a building inspector in Lawrence, MA for sixteen years and is now retired and living in Raymond.

II. NEW BUSINESS

Public Hearing for a subdivision review submitted by Eric C. Mitchell & Associates, Inc who seek to adjust the lot line between Map 5 Lot 55-1 and Map 5 Lot 61 at 322 Beede Hill Road. The lots are owned by Daniel Horsburgh and Elizabeth Mari.

Chris Hickey, Eric C. Mitchell & Associates, introduced himself as the engineer for the project. He stated he is representing Daniel Horsburgh, Elizabeth Mari, and the Southeast Land Trust. Mr. Hickey explained that the Horsburgh and Mari property is going into a conversation easement with the US government. Lot 55-1 is currently about 94 acres and lot 61 is about 112 acres. This lot line adjustment is necessary so that Mr. Horsburgh can retain 13.9 acres of his property while the rest is put into conservation. The 13.9 acres has the existing house, the well, septic system, and the driveway. After the lot line adjustment, lot 61 will have frontage both on Beede Hill Road and on Squire Road. Mr. Hickey went through the waiver requests. The first waiver request is from having to show the entire boundary line of both lots. He explained that this will be done for the easement boundary plan in the near future. The second waiver request is from providing a wetland delineation. He felt this is unnecessary for a lot that is going into conservation. The third waiver request is from the requirement of using a smaller scale than what he has provided on the plans. The last waiver request is to allow the existing well radius to encroach over the property line. Mr. Hickey felt this was reasonable because the site will never be developed.

Ms. Rowden stated that she has reviewed the application. She said that she did not see a reason to not grant the waiver requests. Once the waivers are granted, the application is complete. Mr. Barham had a question about having a deadline for when the land needs to go into conservation. Ms. Rowden suggested having a one-year time frame for the easement to be in place. Duane Hyde of the Southeast Land Trust explained that the easement is under a binding agreement and will definitely be done by the end of the year. Mr. Barham asked why the proposed boundary for the existing home needs to go through the well radius. Mr. Hyde explained that they are trying to maximize the protection of the wetlands on this property by providing as big of a buffer as

possible. The conservation easement will provide a buffer for the existing well. Mr. Kohlhofer asked if the easement does not go through, if the applicant would need to come back to the Planning Board. He was concerned about the well radius. Ms. Rowden explained that this would be a difficult thing to enforce, which is why she is not as concerned about putting a time frame on the conservation easement. Mr. Hickey explained that he put a note on the plans that describes an easement for the well radius in the case that the conservation easement falls through. Once this plan is recorded, there is no way for a septic system to be put in this area.

Mr. Kohlhofer made a motion to open the discussion about the waiver request to the public. Mr. Karcz seconded the motion. The motion passed 6-0-0. There were no comments. Mr. Karcz made a motion to close public comment. Mr. Kohlhofer seconded the motion. The motion passed 6-0-0. Mr. Barham asked if a wetland delineation was necessary for the parcel with the existing house. Ms. Rowden did not think so. Mr. Lavelle made a motion to grant waivers one through four. Mr. Karcz seconded the motion. The motion passed 6-0-0. Mr. Kohlhofer made a motion to accept jurisdiction of the application. Mr. Powers seconded the motion. The motion passed 6-0-0. Mr. Lavelle made a motion to open public comment. Mr. Kohlhofer seconded the motion. The motion passed 6-0-0. There were no comments. Mr. Kohlhofer made a motion to close public comment. Mr. Powers seconded the motion. The motion passed 6-0-0. Ms. Rowden read her suggested conditions of approval. She suggested requiring a recordable Mylar for approval and requiring the addition of a note that lists the date when the waiver requests were granted. Mr. Kohlhofer made a motion to approve the lot line adjustment with the two conditions as Ms. Rowden has read and the condition that the conservation easement must be granted within one year of the approval date. Mr. Lavelle seconded the motion. The motion passed 6-0-0.

III. OTHER BUSINESS

Board Reorganization

After some brief discussion, Mr. Kohlhofer made a motion to appoint Mr. Hunter as Chair of the Planning Board. Mr. Karcz seconded the motion. The motion passed 6-0-0. Mr. Barham made a motion to appoint Mr. Karcz as Vice Chair. Mr. Hunter seconded the motion. The motion passed 6-0-0.

Mike Wason – interested in becoming an alternate Planning Board member

Mr. Wason introduced himself to the Board. He explained that he grew up in Raymond and moved to Fremont in 2011. He has been in the construction industry his whole life. He said he watches the public channel all the time and thought he would get involved. The Board asked him to sit through a few Board meetings before they make a determination.

Jeremy Danley, 35 Main Street

Mr. Lavelle recused himself from this conversation. Mr. Danley explained to the Board that he has an old garage on his property that he would like to turn it into a salvage retail store. Ms. Rowden stated that she met with Mr. Danley the previous day. She believed he would need an equitable waiver for the garage because it was built in the side property line setback. This would

basically be a formal process for the Town to acknowledge that the structure was built too close to a property line and to determine that the Town will not take any action against the structure. Mr. Danley stated that he would only store stuff outside when the shop is open and then put it back inside when they close. Mr. Arvanitis had a few comments about providing facilities. There was a discussion about fire separation, parking spaces, and ADA compliance. Ms. Rowden stated that this use does not qualify for a home occupation. She asked if the Board felt this would qualify for a minor site plan. She felt that this one could go either way between major or minor. If the business ever expanded, he would definitely need a major. An equitable waiver for the garage would be a condition of approval. Mr. Danley stated that his girlfriend would like the shop open from 9:00 am to 2:00 pm during the week and on some Saturdays. Mr. Kohlhofer, Mr. Karcz, and Mr. Hunter felt it would qualify as a minor site plan. Ms. Wolfe has a minor site plan application ready for Mr. Danley. Ms. Rowden recommended he met with the building inspector to discuss any code issues that will come up. Mr. Danley left at 7:38 pm.

IV. CIRCUIT RIDER BUSINESS

Ms. Rowden passed out a draft zoning map of the town to the Board. This map has the parcels along the “red roads” in red to illustrate how much of Town is in the Flexible Use Residential District. She stated that after seeing this illustration, the Board may want to consider how this district is impacting the residential areas in town. She proposed changing the district so that it only extends 1000 feet off the red roads. The map showed this buffer as a teal line. If a proposed use extends beyond that, the applicant would need a conditional use permit. This would help prevent certain uses from butting up against residential neighborhoods. There was a discussion about using 500 or 1000 feet. Ms. Rowden also proposed, as an alternative, increasing the setback from residential parcels for adjacent lots that have a non-residential or non-agricultural use. There was some discussion about the conditional use option. There was some more discussion about a 500 or 1000 foot buffer for commercial uses on the red roads. Mr. Barham liked having a 500 foot buffer and anything beyond that requiring a conditional use permit. Ms. Rowden also mentioned that the residential district currently has no definition in the current zoning ordinance. Without a definition, any use in that district (besides agriculture) would not be allowed without a variance from the Zoning Board. Ms. Rowden asked the Board how they would like to further define the district. After some discussion, Ms. Rowden stated that she will contact the subcommittee that will work on zoning definitions.

V. OTHER BUSINESS CONTINUED

Mr. Barham made a motion to approve the nonpublic session minutes of January 17, 2018 and to make them public. Mr. Kohlhofer seconded the motion. The motion passed 5-0-1.

There was a brief discussion about a letter from Mike Rislove dated March 29, 2018. This letter is a response to a recent letter from the Planning Board. In this letter, Mr. Rislove asks for notification before inspections are done at the Altaeros Site (Map 2 Lot 151-2). If it is necessary for inspections to be done unannounced, he asks for them to be during a certain time of the day. Mr. Kohlhofer recommended that Mr. Tatem copies Ms. Wolfe on emails when he notifies Mr. Rislove of upcoming inspections. There was some more discussion about the letter from Mr. Rislove. The Board felt that this was reasonable as long as they are only doing site work during

the hours that they have permitted Mr. Tatem to be on site for inspections. Mr. Barham stated that if Mr. Tatem cannot do the inspections that he needs to do, then he cannot write-off on the construction and they will not get a certificate of occupancy. Mr. Tatem did receive a copy of this letter. Mr. Karcz felt that there has been some failure to communicate on both ends.

Ms. Rowden announced to the Board that another road survey will be done for the Town in June. The results from this survey will be compared to the survey that was done three years ago.

Mr. Karcz made a motion to adjourn the meeting at 8:00 pm. Mr. Kohlhofer seconded the motion. The motion passed 6-0-0.

Respectfully Submitted,

Casey Wolfe
Land Use Administrative Assistant