

**TOWN OF LYNDEBOROUGH
PLANNING BOARD MEETING MINUTES
January 21, 2010**

MEMBERS PRESENT: Chairman Bob Rogers, Vice Chair Tom Chrisenton, Mike Decubellis, Bret Mader, Selectmen's Representative Arnie Byam and Alternates Larry Larouche and Julie Zebuhr

B. Rogers began the meeting at 7:30 p.m. with one announcement. He told the Board that there was a NRPC workshop being held in Milford at the Town Hall on January 28th at 7:00 p.m. to discuss Work Force Housing, if anyone was interested in attending.

PUBLIC HEARING:

Article 1: To see if the town will vote to establish a Historic District, to overlay Rural Lands I in Lyndeborough Center. The rules and regulations of the underlying district, plus other applicable ordinances would apply to the district in addition to Historic District regulations.

Article 2: To see if the town will vote to create a Historic District Commission to oversee the Historic District.

Present: Jen Dumont, Jessie Salisbury and Stephanie Roper of the Heritage Commission

B. Rogers told those present that copies of the two warrant articles to be discussed were available. He explained that these articles were being proposed by the Heritage Commission and that the Planning Board was charged with holding the public hearing. He then asked that a representative of the Heritage Commission explain the purpose of the articles.

Prior to this explanation, Rev. Paul Lemire asked at what Heritage Commission meeting were these articles proposed. Jessie Salisbury replied that the final draft was agreed upon at the December meeting. Rev. Lemire said that he had not seen the minutes for that meeting on the website and asked when they would be available. He was told that if they were not on the website, they were available in the town office.

Heritage Commission member Stephanie Roper stated that the purpose of the articles was to create a Historic District so that the designated area could remain within its historic integrity and to overlay whatever is already included in the National Register. She continued that if this Historic District is adopted then they can create a Historic Committee which will be able to apply for federal grants, some of which are only available if you have an official district approved by the town.

Jessie Salisbury added that they would also be able to place the historic buildings in that district into the State Register which was not done in 1984.

B. Rogers noted that the proposed district will not include any residences, at this time. If at a future time, a resident wishes to include their residence, they could apply.

B. Rogers asked for any other comments. Rev. Lemire, referring to Article I Section 1: Purpose (c), asked what was meant by “*supervise the upkeep and repair of the buildings and grounds in the historic district.*” Ms. Roper explained that it was to make sure the area keeps its historic integrity. She said that they would follow the government guidelines which clearly define what is doable and what is not.

Rev. Lemire read the following from Article II Section 1: Membership (b) “*members shall be made up of the following: one from the land use board, one from the Historical Society, one from the United Church of Lyndeborough and an abutter*” and then asked who the member from the church would be. B. Rogers replied that members would be appointed by the Board of Selectmen and if the United Church proposed one of their members, the Selectmen would consider that choice.

M. Decubellis asked if this would create another maintenance problem for the Board of Selectmen in trying to staff another board as well as attending an additional meeting, He asked if it would be easier to roll this committee into an existing board. Ms. Roper responded that the Heritage Commission talked about that issue and found that there was some overlap in the responsibilities of the commission and the Meetinghouse Committee but they serve different purposes. Ms. Salisbury commented that there wasn't any reason why some of those members could not serve on the Historic Commission.

Going back to the Membership issue, T. Chrisenton suggested amending the language; instead of reading “*the Board of Selectmen*” in should state: “*the Board of Selectmen or their designee.*” He then made a **motion that the language in Article II Section 1 (b) be amended to read, “the Board of Selectmen or their designee.”** M. Decubellis seconded the motion. B. Rogers asked for discussion on the motion.

Rev. Lemire asked to modify the amendment by also removing three words “*In so far as possible*”. B. Rogers thought that this might take away some of the flexibility. Rev. Lemire replied that it would add more flexibility so that a member of the Church could be left off the committee. Ms. Roper responded that the commission thought it would be important to have a church member because the church is part of the district. Rev. Lemire tried to clear up some confusion saying that they wanted to be part of the process; he was just thinking more about the future. Ms. Roper said that she had a problem with changing those words because the federal government has very clear guidelines as to who should be appointed to the committee, such as experts in local history, vernacular architecture, etc and who are also residents. She was afraid that without the flexibility, they may not

find members who could fill the criteria. Ms. Salisbury added that they had taken the language from the samples provided to them.

At this point, B. Rogers asked the Board if those words should be removed and to make it mandatory that a member of the historical society, the United Church and an abutter be appointed.

Rev. Lemire, instead, asked to move the words "*in so far as possible*" and place them after "*a member of the United Church of Lyndeborough*"; and before "*an abutter to the Historic District.*"

B. Rogers then read the following modified amendment: **“One member shall be a member of the Board of Selectmen or its designee and one member shall be a member of the Planning Board. Other members, including alternates, shall include: a member of another land use board; a member of the Historical Society; a member of the United Church of Lyndeborough; and in so far as possible, an abutter to the Historic District.”**

T. Chrisenton made a **motion to accept the modified amendment as read by Bob Rogers**. M. Decubellis seconded the motion. B. Rogers again asked for discussion.

J. Zebuhr, saying that she was not an abutter but in close proximity to the proposed district, asked if there could be any leeway in that requirement. M. Decubellis recommended that Ms. Zebuhr be considered as a Planning Board representative. B. Mader asked if there would be less of an impact in taxes for this district and who would be responsible for maintaining the buildings in this district if grant money was not available. Ms. Roper explained that that there wasn't any tax impact because the town owned many of the properties. J. Zebuhr asked if the fields behind the town hall were to be included in the district. B. Rogers replied that the fields were being excluded at this time. J. Salisbury added that the town has proposed a number of potential uses for that property and they did not want to put a burden on those issues.

B. Rogers reminded the Board that a vote was needed on the modified amendment and it was read one more time. The vote in favor of acceptance was unanimous.

After listening to all comments, B. Rogers closed the hearing and said that a second hearing was not needed because only minor changes were made to the warrant articles. J. Salisbury said that she would submit the warrant to the town office after making the necessary changes in the language.

It was also suggested that the recommendation at the end of the articles should be made by the Heritage Commission.

INFORMATION:

Randy Loubier; Pinnacle Road; Map 217-003; to discuss several issues regarding a 140 acre parcel (35 acres in Lyndeborough and 105 acres in Greenfield); R L II

Present: Randy Loubier

Mr. Loubier explained that he was considering the purchase of the 140 acre parcel but did not want to pursue it until he had some questions answered. He said that the property was accessible by a Class VI road. Because he was not familiar with the regulations, he did not know if the road needed to be a Class V road nor what it would cost to upgrade it to that standard. According to two different maps, there's some discrepancy concerning the boundary of the town line which affects the property. One map is a tax map showing the acreage in Lyndeborough and in Greenfield and the other map shows a Noelte survey done some time in the past which shows the boundary line further into the 105 acres.

Mr. Loubier said that it was important to clear up the confusion of the town line because he would prefer to build a house a little further into the 105 acres in Greenfield and not in Lyndeborough. He said that the town of Greenfield has already told him that he cannot build on the Greenfield section of the property. The property must be accessible from a Greenfield town road and right now the road turns into a Lyndeborough road before it enters the property. It was important to find out where the town line crosses over Old Lyndeborough Rd. because according to the map the road in Greenfield turns into a Class VI road at that point.

B. Rogers remembered that, some time in the 1980s, a group had walked the boundary and a marker was found which was suppose to be one of the corners but then another marker was found in a stone wall close by; resulting in the inaccuracy. Mr. Loubier told the Board that presently the entire 140 acres has been harvested and only stumps remain. B. Rogers said that it would be interesting to see if any of the markers were moved during the tree harvesting.

T. Chrisenton said that if the 35 acres in Lyndeborough is a lot of record, a single family dwelling can be built on the property and a survey could determine the boundary line. As for building on a Class VI road, the Board of Selectmen would make the decision on road standards. B. Rogers added that he would have to sign a waiver of limited liability, as well.

T. Chrisenton, referring to Mr. Loubier's e-mail, said that a wind mill for commercial use would need a site plan review by the Planning Board. If a wind mill was for personal use only, it would not require this review. As of this date, the town of Lyndeborough does not have any restrictions on windmills.

Mr. Loubier said that it was his intention to build a “green manor” and utilize the wind power for personal use but any additional power would be sold back to the power company grid.

Arnie Byam suggested that Mr. Loubier discuss the issue of the road with the Board of Selectmen. He was also given the name of a resident in town experienced with the construction of windmills.

Spezzaferri property; 308 Winn Road; Map 227 Lot 25; to discuss subdivision potential; RL I

Present: Sarah and Jonathan Vanderhoof

Sarah Vanderhoof told the Board that she and her husband made an offer to purchase the Spezzaferri property, but in order to get financing they needed to prove that the land, if more than three acres, was not usable or could not be subdivided. She said that after reviewing the zoning requirements, they found out that there wasn't enough road frontage to fulfill the town's subdivision requirements without being granted a variance. They also read in past Planning Board minutes that the previous owner failed to meet the requirements.

Ms. Vanderhoof said that they needed the Planning Board to write a letter stating these facts.

T. Chrisenton made a **motion that Chairman Bob Rogers was to write a letter or statement which states that the Spezzaferri property is not subdividable.**

M. Decubellis seconded the motion and the vote in favor of this action was unanimous.

OLD BUSINESS:

Southwest Regional Planning Commission

M. Decubellis referred to an issue that he brought before the Board in November when he asked whether Lyndeborough could become a member of the Southwest Regional Planning Commission since we have similar interest with such towns as Greenfield and Temple. After a recent Selectmen meeting, he was told that the town is allowed to move to a different regional commission. He asked if the Board thought it would be a good idea to look into the possibility and offered to gather information. A. Byam suggested inviting a representative to come and discuss it with the Board.

T. Chrisenton made a **motion that M. Decubellis contact Southwest Regional Planning Commission to discuss and gather information as well as extent an invitation to speak at a Planning Board meeting.** L. Larouche seconded the motion and the vote in favor was unanimous.

For the record, Bill Ball arrived for the remainder of the meeting after his attendance at a WLC school budget meeting.

MINUTES:

Review of minutes for December 17, 2009

T. Chrisenton made a **motion to accept the minutes of December 17, 2009, as written.**

B. Rogers seconded the motion and the vote in favor of acceptance was unanimous.

ADJOURNMENT:

Before adjourning, Vice Chair Chrisenton said that there wasn't any need for a work session in February. The Board agreed.

T. Chrisenton made a **motion to adjourn the meeting at 8:45 p.m.** M. Decubellis seconded the motion and the vote in favor of adjournment was unanimous.

The next meeting will be held on Thursday, February 18th at 7:30 p.m. **The next work session will not be held in February.**

Pauline Ball
Clerk

Approved by the Planning Board on March 4, 2010