

**TOWN OF LYNDEBOROUGH
PLANNING BOARD MEETING MINUTES
December 20, 2012**

MEMBERS PRESENT: Chairman Mike Decubellis, Vice Chair Bill Ball, Bob Rogers, Tom Christenton, Larry Larouche, and Alternate Julie Zebuhr

M. Decubellis began the meeting at 7:30 p.m.

CONTINUED PUBLIC HEARING:

Scott & Kimberly Snow; 233 Old Temple Road; Map 230-016; Excavation project; RL 1

No one was present for this meeting. M. Decubellis asked the Board if this hearing should be continued for one more month to give Mr. Snow time to determine if his excavation project would go forward.

B. Ball made a **motion to continue the public hearing until the January 17th meeting.**
B. Rogers seconded the motion and the VOTE in favor of a continuance was unanimous.

INFORMATION:

Duane and Karen Forleo; 74 Baldwin Hill Rd.; Map 247-003; Home Business application for a Bed & Breakfast; RL 1

Present: Duane and Karen Forleo

Mr. Forleo presented a home business application for a proposed bed and breakfast located in the guest house on his 41 acre residential property. Both his residence and guest house has been completely rehabbed and an oversized and updated septic system was installed which includes two 1000 gallon tanks. Presently they are the only two residents and their nearest neighbors are many acres away from the house. The 700 sq. ft guest house includes a small kitchen and a loft/bedroom area. A ¼ mile gravel driveway accesses the residence. It is their intention to give visitors a countryside experience with all the amenities that Lyndeborough and the surrounding towns have to offer, i.e. walking trails, mountain views, shopping, etc.

M. Decubellis stated that the property is located in Rural Lands 1 and a B&B is allowed in that zone but a Special Exception will need to be granted by the Zoning Board of Adjustment (ZBA); then they need to return to the Planning Board for a Site Plan Review.

M. Decubellis reviewed the application and noted the following:

- Business will be operated by the resident/owner
- No more than two non-resident employees will be allowed

- No additional changes to the residence will be made that cannot be returned to its original state.
- Two off-street parking spaces will be available
- Certification that existing septic system can support additional guests will need to be submitted

T. Chrisenton, representing the ZBA, said that a meeting with the ZBA could be scheduled for February but he needed to verify whether or not a public hearing was needed for a special exception. He also suggested that Mr. Forleo review the Special Exception regulations.

Roger C. Williams; Maier & Gulf Roads; Map 218 Lots 003, 005 & 006; continued discussion; RL 1

Mr. Williams sent an e-mail canceling his appointment with the Board and he will reschedule sometime in the future.

Sherylin Jackson for Liesl Clark; 42 Rose Farm Rd.; Map 233-021; discussion on two lot subdivision; RL 1

Present: Sherylin Jackson

Ms. Jackson explained that it was Liesl Clark's intention to subdivide her 20 acre property and build another residence for her sister. Because there's a restriction prohibiting further subdivision on the deed, she asked the Board how to go about changing it.

M. Decubellis said that he had looked into this concern and determined that the restriction was placed on the property by the previous owner during his subdivision process. This is not a concern for the Planning Board, but a private issue between neighbors who are part of that agreement. If they do not have any issues, then Ms. Clark can proceed with the proposed subdivision.

B. Rogers countered that any neighbor objecting to removal of the restrictions would prevent this subdivision from going forward.

T. Chrisenton cited Section 404.00(c) of the Zoning Regulations: **"No further subdivisions will be permitted using road existing as of January 1, 1997 to meet zoning frontage requirements. Further subdivision will require adequate frontage on a Class V or better highway constructed after January 1, 1997, as required by the zoning ordinance in force at the time of any further subdivision."**

He recollected that the soil in that area was listed as severe/moderate which requires that each lot have 500 ft. of road frontage & 5 acres. The road must be built to Class 5 road standards. M. Decubellis noted that that the Board cannot waive this requirement.

The Board suggested that Ms. Clark talk to her neighbors and/or have an attorney review the restrictions; also to consider a duplex or an accessory apartment, as options. T. Chrisenton said that Ms. Clark and Ms. Jackson review the Rural Land I District regulations under Sections 701:00 Permitted Uses and 703:00 Special Exceptions.

Joseph Caulfield; 126 Perham Corner Rd.; Map 250-016; proposed subdivision; RL1

Present: Joseph Caulfield and Richard Maynard of Maynard & Paquette Eng. Assoc.

Mr. Maynard presented a conceptual site plan for the 8.118 acre Caulfield property which he proposes to subdivide into an existing 5.57 acre lot and a new 2.5 acre building lot.

A shared driveway will access both properties because of the wetland areas. Mr. Maynard pointed out the proposed location for the new dwelling, well and septic system. He has received a verbal approval from the State on the septic design. He also pointed out the test pit data and the soil data on the site plan. B. Rogers informed him that test pits must be witnessed by the Planning Board. T. Chrisenton noted, under the town's Soil Based zoning requirements, that the soils on this property are rated severe for a septic system.

Mr. Maynard responded that their soil scientist has mapped out the wetland areas. T. Chrisenton stated that the regulations require 5 acres and 500 feet of road frontage per lot unless his soil scientist can prove with a High Intensity Soil Survey that the property has 2 acres of slight to moderate soils. Mr. Maynard countered that judging from the test pits, the soils for septic were not severe. The Board reminded Mr. Maynard that the Board must witness test pits and presently, that review is not done during the winter season.

After discussing soil types, T. Chrisenton noted that the slope on this property would automatically place it into the severe/moderate category; therefore a slope analysis will need to be completed.

Ending this discussion, Mr. Maynard asked to be placed on the January 17th agenda.

OLD BUSINESS:

Zoning manual

P. Ball asked the Board to review all the changes made to the zoning manual which included reformatting, adding missing dates, fee schedule, new checklist and application forms, etc. This would allow the office to distribute updated information to anyone asking for the zoning manual. If the Board decides to review each section of the manual in the future, all the data will be available.

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The Board also agreed that the new regulations on Driveway Entrance Specifications and Permit application should be included in the Street and Road Design Standard section.

B. Rogers made a **motion to accept the changes to the zoning manual**. B. Ball seconded the motion and the VOTE in favor of acceptance was unanimous.

MINUTES:

Review of minutes for November 15 and December 6, 2012

T. Chrisenton said that he had some changes for the November 15th minutes but they were not available for this meeting; therefore he requested that the minutes for Nov. 15th and Dec. 6th be reviewed at the January 17th meeting. The Board agreed to his request.

ADJOURNMENT:

B. Rogers made a **motion to adjourn the meeting at 8:24 p.m.** B. Ball seconded the motion and the vote in favor of adjournment was unanimous.

The next meeting will be held on Thursday, January 17th at 7:30 p.m.

Pauline Ball
Clerk

Approved by the Planning Board on January 17, 2013