

**TOWN OF LYNDEBOROUGH
PLANNING BOARD MEETING MINUTES
August 15, 2013**

MEMBERS PRESENT: Chairman Bill Ball, Vice Chair Larry Larouche, Bob Rogers, Tom Christenton and Bret Mader and Alternates Julie Zebuhr and Steve Brown

Bill Ball began the meeting at 7:30 p.m and announced that he had received a phone call from Scott Snow's abutting neighbor, Tim Zalenski, who voiced his concern over the boundary line issue stating that he was a disapproving abutter. During their conversation, B. Ball suggested that he come to the August meeting and voice his concern in person, but noted that Mr. Zalenski was not present for this meeting. B. Ball continued that the zoning regulations require a 50 ft. setback from an abutting property when a neighbor is a disapproving landowner.

OLD BUSINESS:

Scott & Kimberly Snow; 233 Old Temple Road; Map 230-016; Excavation Permit – boundary line issue

Present: Scott and Kimberly Snow

Mr. Snow presented a site plan and a letter from his surveyor, Michael Ploof of Fieldstone Land Consultants, to the Board. Mr. Snow said that the boundary line between his property and Mr. Zalenski's property was reviewed by the surveyor shortly after the July 18th Planning Board meeting. In the letter, Mr. Ploof stated that a Fieldstone crew, under his supervision, performed the field work on July 22, 2013. They were able to locate three (3) existing pin monuments along the northern line of Map 230-016. The field crew was able to "tie-into" the existing boundary through coordinate resection. At the southerly end of the common line in question, an existing 4"x 4"x 6" high granite bound was found within 0.20 ft of the reference plan location; the field crew set tall stakes along the common line with a label "Approximate Lot Line." This is standard operating procedure unless contracted to set wood hubs with cup tacks (a more costly and time consuming procedure). The letter concluded that the stakes were set along a common line of lots 230-16 & 230-15 and are within tolerances and can be relied upon for field depiction of the line in question. The letter also stated that a boundary survey was not performed by Fieldstone Land Consultants nor was it implied. **(copy of the letter is in the town office file)**

Mr. Snow told the Board that **the field crew rediscovered the granite bound that was in question and already noted on his reference plan on July 22, 2013. He also stated his intention** to stay further away than the required 50 ft setback from Tim Zalenski's property line. After reviewing his site plan and letter, the Board was satisfied with the boundary line issue.

VOTE: B. Rogers made a **motion to approve the one year excavation permit with a zoning requirement for a 50 ft. setback from a disapproving abutter's property line as well as the conditions of approval mentioned at the July 18th meeting.**

L. Larouche seconded the motion and the VOTE in favor of the approval was unanimous. Mr. Snow's excavation permit will expire on August 15, 2014. A renewal of the permit will require a public hearing review prior to the expiration date.

Small Wind Turbine Ordinance

B. Ball distributed drafts of the proposed small wind turbine ordinance for the Board's review. He noted the following changes:

D. Standards:

1(a) Setbacks.....The setbacks shall be calculated by *adding twice the minimum setback requirement number to the system height....*

1 (i) Approved Wind Generators:...manufacture and model of the wind generator to be used in the proposed small wind energy system must *be approved by the state of New Hampshire*

E: Abandonment:

1. *The owner, as part of the approval process, will be required to post a \$10,000 surety bond with the Town of Lyndeborough, to be used to off-set any town expenses in the case of abandonment where the tower owner cannot be located, or is incapable and/or unwilling to remove the structure. Furthermore, the tower owner is required to submit proof of adequate insurance covering accident or damage. In case of the sale of the tower, the new owner is held to the same conditions spelled out in this ordinance.*

B. Ball suggested changing the proposed \$5000 surety bond discussed at the last meeting to a \$10,000 bond because he did not think the amount was sufficient. After a brief discussion, the Board agreed.

VOTE: B. Rogers made a **motion to accept the changes made to the draft.**

L. Larouche seconded the motion and the **VOTE** in favor of acceptance was unanimous.

B. Ball will make the changes and present it for a final review at the September meeting.

MINUTES:

Review of minutes for July 18, 2013

Planning Board Meeting Minutes

8-15-13

B. Rogers made a **motion to accept the minutes of July 18, 2013, as written.**

T. Chrisenton seconded the motion. The vote in favor of acceptance was unanimous.

ADJOURNMENT:

B. Rogers made a **motion to adjourn the meeting at 7:45 p.m.** T. Chrisenton seconded the motion and the vote in favor of adjournment was unanimous.

The next meeting will be held on Thursday, September 19th at 7:30 p.m.

Pauline Ball
Clerk

Approved by the Planning Board on September 19th, 2013