

Lyndeborough Planning Board Minutes

July 17, 2014

FINAL

Meeting called to order at 7:30pm.

Roll Call: Steve Brown, Mike Decubellis, Larry Larouche, Bob Roger and alternate Julie Zebuhr who will sit on the board tonight.

Paul Best, who applied for the vacant alternate seat, was present.

Town Administrator Russ Boland said the consensus of the Board of Selectmen was they were delighted to have Mr. Best as an alternate. At next Wednesday night's Selectmen's meeting Mr. Best will be officially appointed then will have to be sworn in by Town Clerk Trish Schultz.

Herbert E. Swartz Subdivision, Map 219/Lot 1. Winn Road, Holt Road and Pinnacle Road.

Member Steve Brown did not sit on the Board for this case as he is an abutter.

Earl Sanford from Sanford Engineering was present.

The changes the Board requested at the last meeting were all added to the plan.

Note 5 added the 500 foot frontage and soil based zoning. The conservation easement was added to the plan using a dotted line. They received the driveway permit and a copy in the file.

It is confirmed that Winn Road is 30mph speed limit. Sight distance now reflects the 30mph speed limit.

VOTE: Mike Decubellis made a motion to approve the plan as amended. Larry Larouche seconded the motion. Motion passed.

The chairman and secretary signed the mylar and four plans.

The secretary will check on the recording fees and the process with former secretary Pauline Ball.

New Business

Informal Discussion:

Ed Kutschman, 1204 Center Road

Also present was abutter Rick Roy who has a 1.8 acre easement on 1204 Center Road and real estate agent Kim Marie Feague of Brin Realty.

Mr. Kutschman was before the Board last month and was informed he can't subdivide because the soil does not meet the requirement and needs 5 acre minimum.

They would like to gift the land over to Rick Roy and leave the house 3+ acres.

They had an interested buyer but they had concerns with the easement they didn't want to assume the liability of land they can't control but the easement but have to pay taxes and insurance so they didn't purchase the house.

Rick Roy has exclusive right to use the land so the homeowners can't use the land.

Rick Roy explained he didn't just go and ask for the easement and he paid \$12,000 for the easement process and he has a vested interest.

The Board felt this is something the ZBA might be able to review.

Chairman Rogers printed out the criteria to review for the ZBA and gave a copy to Mr. Kutschman. Some of the criteria reviewed included: The house already has a functioning septic system. The values of surrounding properties are not diminished. It's a lot line adjustment and does not create another dwelling or lot.

Mike Decubellis said with zoning requirement anything below 5 acres would make it a non-conforming substandard lot. He had one concern if this whole area has language of no further subdivision. He also expressed concern if this additional road frontage added to Mr. Roy's existing property will add sufficient road frontage for additional subdivision potential beyond what he would be capable of currently.

The Board discussed Mr. Roy's land and Mr. Rogers joked "Your cup runeth over with road frontage". Mr. Roy has about 19 acres with road frontage on Center Road, Herrick Road and Crooked S Road.

VOTE: Mike Decubellis made a motion that the subdivision request does not meet the subdivision requirement so the Planning Board will reject it. Larry Larouche seconded the motion. Motion passed.

New Town Administrator Russ Boland was present to introduce himself to the Planning Board and they had an informal discussion after the cases were heard.

VOTE: Julie Zebuhr made a motion to adjourn at 8:01pm. Steve Brown seconded the motion. Motion passed.

Meeting adjourned at 8:01pm.

**Respectfully Submitted,
Kathleen Humphreys
Planning Board Secretary**