

**TOWN OF LYNDEBOROUGH
PLANNING BOARD MINUTES
July 16, 2015
FINAL**

7:30 pm Call to Order & Roll Call

Chairperson Bob Rogers, Vice Chair Tom Chrisenton, Selectmen's Rep Mark Schultz, members Steve Brown, Larry Larouche, Mike Decubellis, Bret Mader and Alternate Julie Zebuhr. Alternate Paul Best was not present.

Continued Business:

Ray Hutchinson, Two-Lot Subdivision, Lot 250-12

Dawn Tuomala: Presented plans for Mr. Hutchinson

VOTE: Vice Chair Chrisenton made a motion to hold a public hearing in August and vacate the old plan. Mark Schultz seconded the motion. Motion passed unanimously.

The Board has agreed to waive all fees

Tree Trimming on Scenic Roads

David Crane, Eversource Arborist was present

Eversource was asking permission to do tree trimming on four scenic roads in town. The last time these roads were trimmed was 2014. On High Bridge Road, one large hemlock has decay and is recommended to be cut. The remaining work is routine. There is a fair amount of brush on High Bridge Road.

VOTE: Mike Decubellis made a motion to give Eversource the authority to do trimming as described on Gulf Road, High Bridge Road, New Road and Warner Road. Larry Larouche seconded the motion. Motion passed unanimously.

The Cemetery Committee has concerns about a tree on Furnace Brook Road, on the cemetery side, on a steep bank. They fear if it comes down it will take a lot of other trees with it

**Lura Provost, Five-lot subdivision on Cram Road in Lyndeborough and Wilton
Tax Map 238, Lots 19, 19-1, 19-2, 19-3, Tax Map B Lots 14-1 through 14-13**

Chad Brandon from Fieldstone, Attorney Bob McKenney and Lura Provost were present.

The property is situated on south side of Cram Hill Road, west of intersection of Dale Street and Wilton Road. A thirteen-lot subdivision was approved in 2009 for this property which would have had wetland crossings and severe alternation of the land. This new plan proposes to change the plan to five house lots with 2,162 linear road frontage and 70.23 acres, 8.69 acres in Lyndeborough.

Mike Decubellis explained there is a soil overlay which could make the requirement 5 acres, 500 foot road frontage

The proposed plan has five estate lots ranging from 11.2 acres to 19.6 acres with three driveway cuts; two common driveways each for lot 2-3 and 4-5. The configuration of lots provide for adequate frontage and contiguous uplands. The new plan will eliminate the need for wetlands crossing, lower land alteration and retain natural features such as the large field.

Mr. Brandon requested two waivers; test pits and soil mappings. The septic systems will be in Wilton. None of the 4K areas are in Lyndeborough and cisterns are not needed.

VOTE: Tom Chrisenton made a motion to waive the test pits. Mike Decubellis seconded the motion. Motion passed unanimously.

VOTE: Mike Decubellis made a motion to waive the soil mapping. Larry Larouche seconded the motion. Motion passed unanimously.

VOTE: Tom Chrisenton made a motion to accept the plan. Mike Decubellis seconded the motion. Motion passed unanimously.

VOTE: Mike Decubellis made a motion to approve the plan. Mark Schultz seconded the motion. Motion passed unanimously.

The Wilton Planning Board will hear the application on Aug. 19, 2015. The mylar and plans will be signed before that meeting by the Lyndeborough Planning Board chairperson and secretary.

OTHER BUSINESS:

Discussion on special exception for reduced road frontage for soil based zoning.

Because of a recent ZBA hearing the Board will discuss road frontage for soil based zoning.

Bob Rogers felt, under soil-based zoning, although requiring five acres had some logic, requiring 500 feet of frontage had nothing to do with septic capabilities.

Mike Decubellis stated it is a means towards rural life and towards the Lyndeborough character as it stands and it has held up well and served the town well from a conservation perspective and has allowed Lyndeborough to remain less dense than areas such as the Nashua area.

Some Board members had concerns about dropping the frontage requirement that it will increase the lot density and increase subdivisions.

Mr. Decubellis said that this was voted at town meeting and believes that Lyndeborough likes it this way. He had regrets he did not address Attorney Bill Drescher's comments during the last ZBA meeting when Attorney Drescher was speaking about more lots in town.

The Brooks subdivision at Pettingill Hill Road was discussed and how it encroached on the easement.

The Board wondered whether soil based zoning should be dropped.
The Board disagreed on if taking out the road frontage requirements is a good idea.

Julie Zebuhr would like to "maintain the rural character". Mike Decubellis stated, "All around us it's been chipped away. You have to stand your ground or it will be gone. The terrain helps."

Mike Decubellis and Tom Chrisenton brainstorm and submit suggestions at the August meeting.

The Board discussed if Attorney Drescher should review the town's zoning and felt they do not want him to but maybe have NRPC review the zoning.

The Board discussed the July ZBA hearing that dealt with soil based zoning.

Tom Chrisenton cited a U.S. Supreme Court case; Village of Belle Terre vs Boraas (NY) 1974.

"A quiet place where yards are wide, people few and motor vehicles restricted are legitimate guidelines in a land-use project addressed to family needs. This goal is a permissible one within Berman v. Parker, supra. The police power is not confined to elimination of filth, stench and unhealthy places. It is ample to layout zones where family values, youth values and the blessings of quiet seclusion and clean air make the area a sanctuary for people."

Minutes

Review of minutes from previous meeting.

VOTE: Steve Brown made a motion to accept the minutes as amended. Bret Mader seconded the motion. Motion passed unanimously.

VOTE: Tom Chrisenton made a motion to adjourn at 8:32pm. Bret Mader seconded the motion. Motion passed unanimously.

Respectfully Submitted,

Kathleen Humphreys