

TOWN OF LYNDEBOROUGH PLANNING BOARD MINUTES

December 21, 2017

FINAL-APPROVED

7:30 PM Call to Order & Roll Call

Chairman Tom Chrisenton, Larry Larouche, Mike Decubellis, Bob Rogers, Bret Mader, Alternate Julie Zebuhr and Selectmen Mark Chamberlain were present.

Julie Zebuhr will sit on the Board.

Guests: Bob Bell, Larry Boisvert, Sharon Boisvert and their attorney James Lombardi

NEW BUSINESS:

Chairman Chrisenton opened the Public Hearings at 7:34pm.

PUBLIC HEARING

Accessory Apartments

The Public Hearing is to revise the ordinance relative to the State statute which the State amended. The proposed language changes will bring the ordinance in-line with the State statute.

Section VI in the proposal was intentionally left blank relative to a maximum square foot requirement. It was agreed that there will not be a maximum footage for an accessory apartment. This section will be stricken and subsequent bullet points renumbered.

The Chairman asked the audience if anyone had comments, no comments were made.

VOTE: Mr. Rogers moved, Mr. Larouche seconded to accept the proposed accessory apartment warrant for Town Meeting which changes Section 200. Line VI will be removed and it was noted there is a numbering error to correct. The last item will be VII. Motion passed 7-0.

PUBLIC HEARING

HOME OCCUPATION AND HOME BUSINESS

The Board discussed the proposed to be Home Occupation and Home Business revisions.

Selectman Chamberlain asked if there should be a signage setback from the abutter property. Mr. Rogers felt that generally signs would be put on the road and home occupations typically are low profile and do not have signs.

Home Occupation should be invisible and will continue under current ordinance.

Homes Businesses will require Planning Board Review. They can have up to two non-residential employees and may have exterior storage of materials but it has to be screened from abutting roads

Chairman Chrisenton opened to floor to audience members.

Attorney James Lombardi asked, besides the distinction of home business and home occupation are there any other reason for this change.

Mr. Rogers replied the old ordinance has been amended more than once and the amendments didn't always work necessarily with each other. It was not clear. In fact, some contradictions in there needed to corrected. This proposal is more thorough.

Attorney Lombardi asked the process for getting this approved. Chairman Chrisenton stated it was noticed tonight and reviewed at the Public Hearing tonight and no changes were made. No more hearings are required but it can go to the warrant and be voted on at Town Meeting in March 2018

VOTE: Mr. Mader made a motion, Mr. Rogers seconded, to accept the Home Business and Home Occupation warrant. Motion passed 7-0.

The Public Hearing concluded at 7:45pm.

The Bosiverts and their attorney left the meeting.

Granite State Concrete – Bob Bell buffer on Tarn Road

Tarn Road resident Bob Bell was present. He hand-delivered a letter on Nov. 16, 2017 to Chairman Chrisenton, prior to the November meeting that was cancelled, in response to letters Granite State Concrete submitted where vendors outlined the work that was done on the buffer between Mr. Bell's property and Granite State Concrete's gravel pit. Letters from

Mr. Bell has concerns with the quality of the work done between the buffer zone of his property and the gravel operation. He describes that the retaining wall was not installed property especially on the end where it was supposed to curve. Most of the original trees died and the second set of trees were planted in November 2017 which was very late in the planting season. A large area of vegetation was removed prior to the work and now, without the new vegetation, the area is very barren.

At the November 2016 meeting, the Board made the decision as part of the approval that Granite State Concrete will submit an update in November 2017 on the buffer. Steve McClellan emailed letters to the Planning Board Secretary but it was noted that none of the letters were written by the company and were from the vendors Northern Lights Landscape Contractors and Lee Gilman Associates.

The landscaper will not work directly with Mr. Bell because the business contract is with Granite State Concrete. The trees were guaranteed. Mr. Bell reached out to Peter McClellan from Granite State Concrete.

Mr. Bell stated he has been dealing with this for 18-years and it has been too long and expressed frustration.

Mr. Rogers read the correspondences. The Planning Board didn't know the extent of the buffer failure before the renewal process last November (2016). The agreement was the buffer would be remedied in the spring of 2016. Except for the letter in November 2017, the Board has not received any other letters from Granite State Concrete regarding this matter.

The Board felt that Granite State Concrete should re-do the work this spring because the work failed. They previously agreed complete the work at the Nov. 2016 meeting.

VOTE: Mr. Rogers made a motion, Mr. Larouche seconded to request the following actions;

1. The secretary will draft a letter to Granite State Concrete to say no successful action has taken by them and no successful action last year and
2. To plant during the growing season.
3. Expect to hear by June 1, 2018 what has been done to address the vegetation and select vegetation that will survive and grow. *(Include the minutes from Nov. 2016).*
4. The documentation was sent to the Board prior to the Nov. 2017 meeting as requested but the letter from Granite State Concrete was not included. A company representative was expected at the Dec. 2017 meeting.
Motion passed 7-0.

CONTINUED BUSINESS:

Wetland will be tabled until spring.

MINUTES & OTHER PERMITS TO REVIEW:

The Board did not meet in November therefore there are no minutes to approve.

No Driveway permits or Intent to Cut Permits to review.

ANNOUNCEMENTS:

None

CORROSPONDENCES:

Letter from Granite State Concrete

ADJOURNMENT:

VOTE: Mr. Rogers made a motion, Larry Larouche seconded to adjourn at 8:36pm. Motion passed unanimously.

Respectfully submitted,

Kathleen Humphreys
Planning Board Secretary