

TOWN OF LYNDEBOROUGH PLANNING BOARD MINUTES

June 21, 2018

Approved

7:30 PM Call to Order & Roll Call

Chairman Tom Chrisenton, Larry Larouche, Bob Rogers, Bret Mader, Alternate Julie Zebuhr and Selectmen Mark Chamberlain

Julie Zebuhr will sit on the Board and Selectman Chamberlain is filling in for Planning Board Representative Fred Douglas.

Also present are Town Administrator Russ Boland, Road Agent Kent Perry and Selectman Rick McQuade.

REQUEST FOR INFORMATION:

Driveway Permit Discussion for 1204 Center Road, Map 220, Lot 033

Jan Achterhof from 1204 Center Road and her boyfriend Brian Giammarino from 11 Stacey Hill, Antrim, NH were present

History: Jan Achterhof applied for a Driveway Permit on 6/7/18 which Road Agent Kent Perry denied because of insufficient sight distance. (*see attached*) Jan Achterhof sent a letter to the Selectmen on May 26, 2018 appealing the denial. Under RSA 236 the Planning Board shall retain jurisdiction of adequacies and safety of ever existing driveway and they delegated that responsibility to the Road Agent; hence since there is a conflict the Planning Board will consider this appeal tonight. The house at 1204 Center Road is a historic Revolutionary War era house on the corner of Mountain Road and Center Road. The previous owners were Bill and Shirley Stephenson. Bill passed away then years later there was a fire in the barn while Shirley was living in a nursing home. Her son sold the house after the fire to neighbor Ed Kirchman who renovated/restored this historic house. The driveway was not moved during the renovation but the barn was removed and various trees. Mr. Kirchman recently sold his home across the street.

Road Agent Kent Perry said he denied the driveway permit from 1204 Center Road to Mountain Road because he felt it was the poster child for a dangerous accident. The sight distance, location and speed on the road bothered him the most. He mentioned from personal experience that he had a few close calls at the proposed location. Road Agent Perry has concerns about delivery and vendor trucks parking on the road, backing out of the driveway and plowing. Road Agent Perry noted the town spent considerable manpower trying to prevent water from going into Jan Achterhof's yard and felt that water could head down the proposed driveway on Mountain Road onto her property.

Sight distance obstacles include 125 feet sight distance in one direction, Spruce trees that block the other direction and a blind corner on the left side. Highway department employees drove the road while Mr. Perry observed when he could see their vehicles.

The required sight distance for a road posted 30 mph speed limit is 300 feet. Below 30 mph is 150 feet sight distance. There is not 300 feet sight distance in each direction.

Mr. Perry said, "I respectfully don't want to sign for the driveway permit".

T/A Boland noted special conditions pertaining to this driveway application is the owner agreed to permanently close the horseshoe driveway on Center Road; relocate the dry well; grade the property to help correct water going from her property onto Center Road which cause dangerous road conditions as well as cut trees and remove boulders to improve the sight distance. It was noted that last winter the State used a grader to remove the thick ice on Center Road because of the water from the residence flowed to Center Road. There are 300-600 cars per day that travel Center Road.

It's the position of the Selectmen that driving towards Crooked S Road and Mountain Road drivers should be decelerating because of the hill. There is a Yield sign at the bottom of Crooked S Road therefore drivers should be coming from a stop before going up Mountain Road.

In the opinion of T/A Boland and the Selectmen's this proposed driveway relocation is for the greater good to improve the water issues and safety concerns.

Selectman Chamberlain reported there are trees and rocks/boulders that will be required to be removed to improve the sight distance looking towards Crooked S Road. The owner is willing to do this at her expense.

Bob Rogers asked if there will be a turn-around area so there is no possibility of a vehicle backing out onto Mountain Road. A turn-around will be part of the driveway construction. A professional will be constructing the new driveway.

Brian Giammarino felt its dangerous coming out of their current driveway onto Center Road because of the hill and the curved driveway. It's his opinion it's safer to pull out onto Mountain Road. The speed limit is 30 mph. Road Agent Perry has concerns that future owners won't adhere to this agreement or be aware that backing out onto Mountain Road from the proposed driveway is considered dangerous.

Owner Jan Achterhof provided information on their attempts to deal with the water issue by putting fill where water collects in her yard. There is a drywell in front of the house which puts the water down the current driveway onto Center Road. It is believed the water problem started after the renovation and when trees were removed. Part of this plan would include relocating the drywell to help solve the water problems. Jan Achterhof would like to build a garage but does not want to cross the septic lines or have the septic them under her driveway. She noted there is not a lot of traffic that uses her property. She has three grown sons who do not live at the property.

It was noted that Mr. Stephenson did have a work driveway near the proposed location that went to the back of his barn.

Chairman Chrisenton wanted to verify he heard correctly that the two entrances on Center Road will be gone and are more problematic than the new driveway. T/A Boland confirmed yes.

Ideas were tossed around such as a blinking light or reducing the speed limit.

Crooked S Road resident Kathleen Humphreys expressed that she and her husband Ray Humphreys have concerns about this proposed driveway location due to sight distance and the curvature of the road and the speed that some people travel. She has two teenagers who drive and is concerned for their safety. Mr. Humphreys, who is a civil engineer and a former Planning Board member, had a bad accident sliding through the stop sign at the intersection of Mountain/Center Road during a snowstorm which his Ford F150 was broadsided by a state plow resulting in his truck being totaled and pushed into Jan's current driveway. The height of the snowbanks obstructed the sight of both vehicles in the accident. Mrs. Humphreys said she felt there is no good place place for a driveway on this property and has concerns about the safety of the road from Crooked S Road to the stop sign on Mountain Road.

It was noted there is a "Dangerous Curve" sign on Mountain Road just before Crooked S Road due to concerns from residents and the Selectmen about the safety of this curve of cars pass Crooked S Road and turn onto Crooked S Road from Mountain Road coming from Center Road.

Brian Giammarino, who is the Greenfield Chief of Police, expressed it's safer to exit onto Mountain Road because there are less cars per day than Center Road. At times he has to back out of the horseshoe driveway and thinks that is dangerous.

VOTE: Bob Rogers made a motion to approve the driveway permit.

Julie Zebuhr said she would not accept the driveway permit unless the speed limit is lowered. She claims that it's a dangerous location and that people speed. She noted an 18-year old in town that killed a woman with her car not far from this location. (July 16, 2016)

There is a motion on the table. **Bret Mader seconded the motion. Motion passed 5-1-0. Julie Zebuhr voted no.**

Bob Rogers made a point that in some cases unless the resident is a direct abutter the Boards do not have to listen to their testimony.

8:05 p.m.

NEW BUSINESS:

-Review RSA 155E to see if it has changed relative to who reviews applications under the law.

INTENT TO EXCAVATE:

VOTE: Bob Rogers moved, Bret Mader seconded to approve the Intent to Excavate Permit Map 238, Lot 022-00. Motion passed 6-0. (Tom Quinn's company)

VOTE: Bob Rogers moved, Julie Zebuhr seconded to approve the Intent to Excavate Permit for Map 245, Lot 001-00. Motion passed 6-0. (Granite State Concrete Company)

VOTE: Bob Rogers moved, Bret Mader seconded to approve the Intent to Excavate Permit for Map Lot 213-006-000 and 212-001-000 with the attached letter from Granite State regarding the agreement with Granite State Concrete and Bob Bell for his buffer, dated May 9, 2018. Motion passed 6-0. (Granite State Concrete Company)

CONTINUED BUSINESS:

Review Status of Granite State Concrete's re-seeding of Mr. Bell's property

Secretary Kathleen Humphreys read a letter submitted from Granite State Concrete regarding the buffer work to be done this spring. The letter was signed by resident Bob Bell and Peter MacLellan from Granite State Concrete. (see attached)

Chris Brown Subdivision Update

To date, Chris Brown has not submitted the mylar which needs to be signed and registered. He also needs to submit 6 updated maps for the chairman and secretary's signatures and add a block for his signature. He was informed via email by the secretary to supply these items. Selectman Chamberlain reviewed Mr. Brown's subdivision map but did not see a septic on lot 220-17-1. He mentioned recent DES changes which require a 75 foot buffer from the septic and the entire radius needs to be inside the lot.

CORROSPONDENCES:

Bob Rogers presented a letter from Eversouce requesting to cut trees on scenic roads. This will be posted for the July meeting. *Letter dated June 20, 2018. See attached.*

New England Forestry Consultants sent a letter dated May 20, 2018 from Dennis McKenney for Boundary survey for information purpose of land in Lyndeborough and Greenfield *HCRD Plan 39741 Dr 183 5/16/18. Greenfield Map R9 Lots 30 and 36. Lyndeborough Map 217, Lot 2.*

MINUTES & OTHER PERMITS TO REVIEW:

VOTE: Bob Rogers moved, Bret Mader seconded to approve the minutes of May 17, 2018. Julie Zebuhr and Mark Chamberlain Abstained. Motion passed 4-2.

Agenda for next meeting:

Public Hearing for Eversource (*Public notice required in newspaper*)
Verify if Chris Brown submitted his mylar for signature.

ANNOUNCEMENTS:

Mr. Boisvert is expected to file for a home business application to be completed by the September meeting per the ZBA decision.

ADJOURNMENT:

VOTE: Bob Rogers made a motion, Julie Zebuhr seconded to adjourn at 8:35pm. Motion passed unanimously.

Respectfully submitted on 6/26/18,

Kathleen Humphreys

Kathleen Humphreys
Planning Board Secretary

Approved – July 19, 2019