

Moultonborough Planning Board
P.O. Box 139
Moultonborough, NH 03254

Regular Meeting

April 28, 2010

Minutes

Present: Members: Joanne Coppinger, Natt King, Ed Charest (Selectmen's Representative);
Alternates: Keith Nelson, Peter Jensen; Town Planner: Dan Merhalski
Excused: Members: Judy Ryerson, Jane Fairchild, Jim Bakas, Chris Maroun

Mrs. Coppinger called the regular meeting to order at 7:00 P.M. and appointed Peter Jensen and Keith Nelson to sit on the board with full voting privileges in place of Judy Ryerson and Jane Fairchild.

I. Pledge of Allegiance

II. Approval of Minutes

Mrs. Coppinger requested two minor changes to the minutes. The first on page 3, moving the first sentence from before the heading for Hearing number 2, to under the heading for Hearing number 2. The second also on page 3, striking the third sentence from paragraph four "Many members were pleased...."

Motion: Mr. Jensen moved to approve the Planning Board Minutes of April 14, 2010 as amended, seconded by Mr. Charest, carried unanimously.

Mr. Charest noted that he attended the on-site visit and was not listed as being present.

Motion: Mr. Jensen moved to approve the Planning Board On-site Minutes of April 14, 2010 as amended, seconded by Mr. Charest, carried unanimously.

III. New Submissions

1. John & Carol Cosio (39-1)(828 Bean Road)
Minor Two-lot Subdivision

This was a request for a two-lot subdivision of a 5.34 acre lot, into 1.92 acres and 3.42 acres.

Motion: Mr. Jensen moved to accept the application of **John & Carol Cosio (39-1)** and to schedule a hearing for this evening to be Hearing #1, seconded by Mr. Charest, carried unanimously.

IV. Boundary Line Adjustments

V. Hearings

1. John & Carol Cosio (39-1)(828 Bean Road)
Minor Two-lot Subdivision

Dan Ellis of Ames Associates presented the application for subdivision. Mr. & Mrs. Cosio were present in the audience for the hearing. The proposal is to subdivide the 5.34 acre lot creating one new lot of 3.42 acres with a residual lot of 1.92 acres. Mr. Ellis stated there is an existing house on the lot. Mr. Ellis stated they have received an approved driveway permit from NH DOT and State of NH subdivision approval. Mr. Ellis noted the topography of the site is steep and that they have completed a Site Specific Soil Survey on the lot. Mr. Ellis referred to the Town Planners memo of April 21st, addressing each of the Issues/Deficiencies.

The Board discussed at length the first issue which related to the required 4:1 ratio of length to width (Art. IV (J) and Subdivision Regs. Section 7.1 (B)). Questions were raised regarding the interpretation and intent of this requirement. Mr. Ellis explained his methodology and reasoning as to why he felt the lot meet the 4:1 ratio. Mr. Merhalski explained his methodology and reasoning as to why he felt that it did not meet the 4:1 ratio. After a lengthy discussion it was the decision of the board that the proposal met the ordinance and that they could waive the requirement of the regulation.

The Board discussed at length the proposed utility easement, noting that it was not depicted on the plan. Mr. Ellis stated the centerline of the easement is shown on the plan and that the width is variable, depending on the voltage of the line, it may be 5' each side or 15' each side. Mr. Ellis provided the Board with a copy of an easement deed they have obtained from the NH Electric Coop.

The Board discussed the "Manmade Ditches" on the site, and if there was any impact on the drainage of the site. Nicol Roseberry, Certified Wetland Scientist addressed the questions relating to the ditches and the effect on abutting landowners. Mrs. Roseberry stated the lot is steep and that the ditches are to prevent sheet flow from the proposed developed area of the site. Mrs. Coppinger commented that the limit of clearing was not shown on the plan, and asked if they were going to be doing additional stabilization of the ditches, such as grading and grass. Mr. Cosio stated they had not removed the roots from the ditches as they would better stabilize the bank and that the ditches have been seeded.

Mr. Ellis provided the Board with several photos of the site showing the existing home, ditches, site distances from the existing drive and new drive and wetlands on the site.

Mr. Charest noted the Heritage Commission had commented that there are old stonewalls on the property and asked that the Board encourage land owners to keep and preserve them. The Cosio's stated that they have no intention of removing the stonewalls.

There were no further questions from the Board at this time. Mrs. Coppinger asked if any Board Member felt that a site walk was warranted. Mr. King stated yes, that this was a tight lot and that he would like to look at the "Manmade Ditches". Other Board members were in agreement with the request.

Motion: Mr. Nelson moved to continue the hearing for **John & Carol Cosio (39-1)** to May 12, 2010 and to schedule an on-site visit for Wednesday, May 12, 2010 at 6:00 PM, seconded by Mr. Charest, carried unanimously.

VI. Informal Discussions

VII. Unfinished Business

VIII. Other Business/Correspondence

1) Maine PCS (203-7) Structural Engineering Report. Mr. Merhalski updated the Board regarding the structural engineering report submitted by Maine PCS at their site plan review hearing. The report was to be reviewed by the Planner prior to the signing of the Notice of Decision. Upon review, it was determined that the report does not satisfy the concern of the Town in ensuring the structural integrity of the tower. It was the decision of the Board to direct the Planner to send a letter to Maine PCS requiring them to submit a proper structural engineering report, prepared by a structural engineer, and require that this be submitted in a timely manner, prior to the signing of the Notice of Decision.

2) Mr. Merhalski provided the Board with a copy of the Planning Board 2010 Work Plan as approved by the Board at their meeting on April 14, 2010.

3) Mr. Merhalski provided the Board with a Proposed Planning Board Work Plan Schedule for 2010. The Board reviewed and discussed the proposed plan with the Planner.

Motion: Mr. Jensen moved to approve the Planning Board 2010 Work Plan Schedule as presented. Seconded by Mr. King, carried unanimously.

4) Zoning Board of Adjustment Draft Minutes of April 21, 2010 were noted.

5) Selectmen's Draft Minutes of April 15, 2010 were noted.

IX. Committee Reports

X. Adjournment: Mr. Nelson made the motion to adjourn at 9:20 PM, seconded by Mr. Charest, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant