

MINUTES PLANNING BOARD

8/3/2010

Chair Paul Raslavicus called the meeting to order at 7 PM.

Roll Call: Paul Raslavicus (Chair), Bob Craycraft (Vice-Chair @ 7:50 PM), David Bickford (Selectmen's Representative), Scott Drummey, Dot Veisel, Jeff Kratovil (Alternate).

Others Present: Ken Berry, Chris Berry, Fred Hertel, Bob Benahan, Donna Vello, Bill Vello, Bryan Berling, Arthur Capello, Bob Northridge

Vello: Board members reviewed a summary of the application prepared by staff. Bryan Berling summarized the application and pointed out the additional materials that had been submitted by the applicant including a copy of the ZBA approval of the variance, copies of the conditional use applications for stormwater and for steep slopes, a memo from the Road Agent approving the driveway plan, and DES septic approval. Mr. Berling noted that the septic plan had been revised so the leach field will be 68' from Mr. Northridge's leach field. This was done in response to concerns expressed by Mr. Northridge at the July meeting and DES concerns that it was too close. He also pointed out the notes on the plan showing the amount of the slope.

Dot Veisel moved to accept the application of William and Donna Vello for a Stormwater Management Conditional Use Permit and a Steep Slopes Conditional Use Permit needed for rebuilding a house at 54 South Shore Road (Map 120, Lot 025) as complete with the following conditions:

1. The title block should include the street number with the address;
2. Site plan regulations require the plat to show the class of the road along with the name;
3. The date of the original plan preparation is not evident;
4. Please add a block for Board signature;
5. Please show the Town Shorefront Protection 75' setback;
6. Please add to your note regarding zoning that the property is in the Shore Front Protection Overlay district; and the Steep Slopes Protection Overlay district;
7. The maintenance plan needs to include on-going maintenance of the permanent BMP's which would include the trenches and drywell and the

pervious pavement. The plan should include regular inspection and cleaning of any debris or materials that might impair performance.

David Bickford seconded. Approved unanimously with no abstentions.

Scott Drummey moved to approve the application of William and Donna Vello for a Stormwater Management Conditional Use Permit and a Steep Slopes Conditional Use Permit needed for rebuilding a house at 54 South Shore Road (Map 120, Lot 025) with the condition that all materials required by the conditional acceptance as complete are submitted to the Board no later than August 17, 2010 and the permanent BMP document is recorded at the registry.

Dot Veisel seconded. Approved unanimously with no abstentions.

Laurion: Board members reviewed a summary of the application prepared by staff. Ken Berry summarized the application. He explained the two variances granted by the ZBA related to the width of the access way and the frontage on Birch Hill Road. The Board discussed the issues involved in the variances in order to understand them. There was discussion about the line where the boundary was drawn between the two lots. Mr. Laurion explained that he had drawn so that all of the woodlot would be on high ground, so the line separates the uplands from the wetlands,

Scott Drummey moved to accept the plan as complete with the condition that the applicant provides the following materials:

1. Add a note to the plan that the lot is in the RAR district and in the wetlands, shorefront, and riparian buffer overlay districts;
2. Add the 75' town shorefront setback to the plan;
3. Add a note on the plan that there are no cemeteries on the property; and
4. Add a note to the plan that:
 - the new lot is a designated woodlot,
 - no development of any kind can take place unless the Planning Board lifts the woodlot designation, and
 - The Planning Board can only lift the woodlot designation if the lot meets all requirements of State, Federal, and New Durham regulations and ordinances in place at the time the woodlot designation is lifted.
5. The deed for the new woodlot contains the same language as in #4 above.
- 6.

Dot Veisel seconded. Approved unanimously with no abstentions.

The Board discussed the requirements related to a woodlot. The applicant intends to use the lot only as a woodlot and understands the requirement. Ken Berry, on behalf of Mr. Laurion, emphasized the protection that the woodlot status provides to the south shore of Chalk Pond.

Scott Drummey moved to approve the application of Rita Laurion for a 2-lot subdivision of her property on Birch Hill Road (Tax Map 234, Lot 003) with the condition that the newly created lot on Chalk Pond will be a designated woodlot, and all materials required by the conditional acceptance as complete are submitted to the Board by September 7, 2010
Bob Craycraft seconded. Approved unanimously with no abstentions.

Van Hertel: Chris Berry, speaking on behalf of the applicant gave a detailed explanation of the application by Mr. Van Hertel for a 3-lot Subdivision at 30 Merrymeeting Road (Map 243, Lot 008).

Paul Raslavicus suggested to the applicant that this be designated a Design Review session. The applicant agreed. The Board agreed by consensus.

Mr. Berry pointed out the odd shape of the lot, and the factors considered in drawing the lot lines. He pointed out several areas of steep slope and other areas of wetland. Mr. Berry noted that there is a strip of land between Merrymeeting Road and the Merrymeeting River that is a separate lot and is not included in the subdivision. The lot is owned by the applicant and may at a future point be added to one or more of the subdivision lots. Mr. Berry also walked the board through the materials that had been submitted with the application.

He said he believed the applicant would need to provide applications for Storm water Management and a Steep Slopes Conditional Use Permit.

Board members agreed by consensus not to consider the completeness of the plan until the Conditional Use Permits have been filed. They also agreed by consensus on the need for a site walk, and agreed to schedule the site walk for 6 PM Saturday, August 21.

Scott Drummey moved to end the Design Review phase, notify the applicant in writing of the end of Design Review, and schedule an Acceptance and Public hearing for 7 PM September 7 at the Public Library. David Bickford seconded. Approved unanimously with no abstentions.

Maynard Home Occupation: Chris Maynard explained to the Board his application for a Home Occupation permit in to operate an automobile broker business from his home at 53 Chamberlain Way (Map 244, Lot 028). He said the

home will be for an office only, and no vehicles will be on the property. Board members asked a number of questions in order to understand how the business will operate. Mr. Maynard will primarily use the internet to match car buyers, many of whom will be dealers, with car sellers, who will also include dealers and wholesalers. He will arrange for transportation from the seller to the buyer, so cars for sale will seldom be on his property. He added that he had a 2 car garage plus space on his driveway for 3 vehicles, but will only have one vehicle for sale on his property at any time.

Arthur Capello, Code Enforcement Officer, said he had done a site visit and the house was in good shape and had adequate space for Mr. Maynard's office.

Board members expressed no concerns about the proposed business and referred it on to Mr. Capello for permitting.

Non-Public Session: David Bickford moved that the Board go into non-public session under the terms of RSA 91-A:3 II d for discussion of the status of a potential land acquisition. Scott Drummey seconded. Approved unanimously with no abstentions

The Board returned from non-public session.

Chairman Paul Raslavicus said unfinished business will be continued to the next meeting at 7 pm on August 17, 2010 at Town Hall. He adjourned the meeting at 10:42 PM.

Respectfully submitted,

David Allen Land Use Administrative Assistant

Approved by the Board as amended on 8/17/2010