

NOTTINGHAM PLANNING BOARD

February 22, 2012

PUBLIC SESSION

Approved & Amended

Type of Meeting: regularly scheduled meeting

Method of Notification: Posted at the Nottingham Municipal Building & Nottingham Post Office

Meeting Location: Nottingham Municipal Building

PB Members Present: Arthur Stockus, Chair, Susan Mooney, Secretary, Gary Anderson, Selectmen's Rep, Troy Osgood, Peter Gylfphe, Robert "Buzz" Davies, Alt. Member,

PB Members Absent: Rick Bacon, Vice Chair; John Morin, Cheryl Smith, Alt. Member, Traci Chauvey, Alt. Member,

Others Present: Lisa Sears; Land Use Clerk, Gary McGowen, Chief Jaye Vilchuck, Peter Landry, Jim Fernald, Heidi Carlson, Jude & Nelson Thibault, Kevin Bassett

Chair Stockus called the meeting to order at approximately 7:00 pm. Mr. Davies was seated for Mr. Bacon, Mr. Anderson arrived at 7:02pm. This meeting was broadcast on Cable Channel 22. Introductions were made. The review of the minutes was moved to later in the meeting.

Public Hearing

Chair Stockus opened and read the first case:

Case #P11-07-SIT (continued) Application from **James S. & Linda R. Fernald** for acceptance, compliance review, and final approval of site plan review to allow the leasing of .5 acre for commercial propane tank to Rymes Heating. The property in question is located at 240 Stage Road and is identified as **Tax Map 29 Lot 8-1.**

Chair Stockus acknowledged the receipt of a letter dated February 17, 2012 from Rymes Heating Oils, Inc. requesting that this case be continued to any date in April 2012. Mrs. Sears reminded the Board that this case still needs to go before the Zoning Board of Adjustments so perhaps the last meeting in April would be best. Mr. Fernald agreed.

MOTION by Ms. Mooney to continue case #P11-07-SIT to April 25, 2012 at 7:00pm as requested by the applicant.

SECOND by Mr. Davies

VOTE 5-Aye. 0- Opposed 0- Abstained MOTION PASSED

Point of Order: Mr. Anderson stepped out of the room during the vote to turn on the cable access equipment and did not vote on this motion.

Chair Stockus opened and read the next case:

47
48 **Case #P12-01-SUB**-An application from Gary McGowen for a 2-lot subdivision
49 (acceptance, compliance review, and final approval). The properties in question are
50 located on 82 Stage Road and identified as Tax Map 42 Lot 2-1 owner of record:
51 Gary McGowen
52

53 Mr. Landry, representing Mr. McGowen gave a brief history of this property and the
54 general area formally owned by Mr. McGowen. Mr. Landry then reviewed the proposed
55 plan with the Board.
56

57 Mr. Landry noted that as part of his estate planning Mr. McGowen would like to separate
58 his house into a 2 acre parcel. He noted that on the plan the new, remaining 5.9 acre parcel
59 has only the topography/contours for approximately 2 acres in the front to prove that this
60 remaining lot is a buildable one and meets all the town's requirements. Mr. Landry noted
61 that he is asking for a waiver to not have to include the topography in the back 3 acres,
62 mostly wetlands since any structure would most likely have to be built in the area he did
63 show the topography for; including meeting all the setbacks, buildable areas and test pit
64 info.
65

66 Mr. Landry stated that since submitting the application the State Subdivision Approval has
67 been received. He also noted the NH DOT has sent a letter explaining there will be
68 driveway permit on to the State road. He explained that the State no longer issues the
69 driveway permits until plans for construction. Mr. Landry also acknowledged the
70 monument certificate will be issued once approved and set.
71

72 Mr. Colby reviewed his memo dated February 21, 2012. Mr. Colby recommended that the
73 application be accepted as complete.
74

75 **MOTION by Mr. Anderson** to accept the application for case #P12-01-SUB as complete.

76 **SECOND by Ms. Mooney**

77 **VOTE 6-Aye. 0- Opposed 0- Abstained MOTION PASSED**
78

79 Mr. Colby, reviewed the items for compliance from the memo, including the renumbering
80 of the lots from the proposed 21-1A to 21-3, adding a note on the plan to acknowledge that
81 this new lot will be subject to Impact Fees. Mr. Colby recommended approving this
82 application with these and other conditions noted in his memo. He also agreed with
83 granting the applicant's request for the waiver.
84

85 Ms. Mooney asked if the plan was to put the new home, up front and leave the back area
86 alone. Mr. Landry gave a brief description of the back area noting it would not be practical
87 to build back there because you would have to cross wetlands to do so. Mr. Colby
88 suggested making a condition of building the home in the front as part of the acceptance of
89 the waiver. Chair Stockus read the waiver request from the applicant.
90
91

MOTION by Ms. Mooney to approve the waiver with the condition that the home/structure is built on the front 30,000sf buildable area noted on the plan.

SECOND by Mr. Anderson

VOTE 6-Aye. 0- Opposed 0- Abstained MOTION PASSED

MOTION by Mr. Gylfpe to approve with conditions noted in Mr. Colby's Memo from February 21, 2012 for Case #P12-01-SUB, Gary McGowen TM 42 Lot 21-2.

SECOND by Mr. Anderson

VOTE 6-Aye. 0- Opposed 0- Abstained MOTION PASSED

It was noted that the applicant does not have to return to the Board that Mr. Colby will follow up with making sure the conditions are met. Mrs. Sears will then have the final mylar recorded.

Conceptual Review –Kevin Bassett TM 68 Lot 15/TM 70 Lot 25

Mr. Bassett explained his idea to acquire some land that abuts his property at 101 Shore Drive on Pawtuckaway Lake. He explained a brief history of his property and surrounding area. He noted that he is in discussions with the owners of TM 70 Lot 25 to purchase from 2 to as much as 12 acres of land from their approximately 50 acres (currently held in current use status) that abut his property. He noted that he has made a proposal to the owners but has not heard yet how many acres they are willing to sell him.

Mr. Bassett explained that he would like to put a storage shed and garden on this newly aquired property and if there was enough to put back into current use he would do so. The Board and Mr. Colby discussed in detail which process this project would come under. During the discussion, it was noted that Shore Drive is a private road; they noted that they have done lot line adjustments on private roads before. They also discussed that it would be improving a non conforming lot with the additional land which ever amount it eventually sold to Mr. Bassett. They all agreed that it would be a lot line adjustment. Mr. Bassett thanked the Board.

Review of Minutes

February 8, 2012

Line 25 change *grants* to *grant*

Line 42 change *had clear cut it already* to *it had been recently clear cut*

Line 46 change *to to too*

Line 51 change *Ms.* to *Mrs.*

Line 55 insert *not* after *can*

Line 87 change *Grotenhuis he* to *Grotenhuis. He*

Line 97 change *to do* to *to-do*

MOTION by Mr. Davies to approve the amended minutes *for February 8, 2012*

SECOND by Ms. Mooney

VOTE 5-Aye. 0- Opposed 1- Abstained MOTION PASSED

Other Business

Mr. Colby updated the Board on the number of single family homes built in Nottingham since 2000 til 2011; 478. Chair Stockus noted even though the average would be 40 the last few years the average number of new homes built is closer to 12 per year.

Mr. Colby announced that the Food Pantry will have an Open House to show off their recent improvements on Election Day; March 13th.

Mr. Colby also stated that he would like to thank the Board for their support during the past few months while he dealt with his health issues. He noted that he has been given a clean bill of health. Chair Stockus added that it was good to have Mr. Colby back.

Chair Stockus acknowledged that this was the last meeting for Mr. Gylfphe. He thanked Mr. Gylfphe his 17 years of service to the Board and the Town noting that is expertise will be missed, and the amount of time dedicated by Mr. Gylfphe was impressive.

Chair Stockus also acknowledged Mr. Anderson's service to the Board, but noted that he would be with the Board for a few more meetings.

MOTION by Mr. Gylfphe to adjourn at 7:53pm

SECOND by Ms. Mooney

VOTE 6-Aye. 0- Opposed 0- Abstained MOTION PASSED

Respectfully Submitted,

Lisa L. Sears, Land Use Clerk

These minutes are subject to approval at a regularly scheduled Planning Board meeting at which time the above minutes are corrected or accepted.