

NOTTINGHAM PLANNING BOARD

July 11, 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, Troy Osgood, Vice Chair, Susan Mooney, Secretary, John Morin, Ed Viel

PB Members Absent: Dirk Grotenhuis, Hal Rafter, Selectmen's Rep., Robert "Buzz" Davies, Alt. Member, Cheryl Smith, Alt. Member, Traci Chauvey, Alt. Member,

Others Present: Lisa Sears, Land Use Clerk, William Netishen, Judy Cole-Baillargeon, Skip Baillargeon, Bob & Marianne Ernst, Kristen Lamb, Robert Berner; PSNH, David Fernald

Chair Stockus called the meeting to order at 7:01pm. The meeting was broadcast on Channel 22. Introductions were made. The Board moved the review of the minutes to after the public hearing. Chair Stockus called the first case.

Public Hearing(s)

Case #P12-04-LLA. (continued) Application from Judith A. Cole for acceptance, compliance review, and final approval of a Lot Line Adjustment between Lots 45 & 46. The property in question is located at 49 Barderry Lane and is identified as Tax Map 63 Lot 45 & 46.

Chair Stockus noted that the Code Enforcement Administrator had recommended changes to the applicant at a previous meeting, that the application was complete and has also recommended granting the applicant's waiver request. The Board agreed.

MOTION by Ms. Mooney to approve the applicant's request for a waiver for the scale of the plan from 1" equals 50' to 1" equals 20'

SECOND by Mr. Osgood

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

MOTION by Ms. Mooney that case #P12-04-LLA is a complete application.

SECOND by Mr. Osgood

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

The Board reviewed the application for compliance, questions and comments. The applicant noted that there would be no new driveway or other improvements to the property beside the proposed garage/barn. Mr. Morin asked about the location of one of the pins

(road side/large pine trees). The applicant stated it was in that location. The applicant confirmed that the surveyor has already set the pins. Mrs. Sears noted that the applicant would need to submit a Certificate of Monument Installation form from their surveyor. She gave the applicant a form to return.

Mr. Netishen stated that this plan does not clearly identify the road. He presented the Board with a history of the location of the pin in the front by the road on 5 other plans. He explained that the road and the “gap” area between the road and this property are clearly defined on the other plans but not on this one. He was concerned that recording this plan would potentially have “unintended consequences” if the now private road was some day going to be come a town road or a 50’ right of way. There was much discussion on this issue. During this discussion with all the various plans it was noted that the North arrow orientation varied and may need to be corrected on the proposed plan.

Mr. Osgood noted that this pin and gap area is not related to the proposed lot line adjustment and any issue would be between the land owners and not this town. Mr. Netishen was concerned that the plan did not have the road detail and was not accurate and would be recorded and referred to in the future. Mr. Netishen also expressed concern for emergency vehicle access as well. Mr. Netishen read the section noted on 26 deeds of his and his neighbors noting the road width of access to his neighborhood.

Mr. Fernald the co applicant and co owner (with his brother) of the road and all the property surrounding it explained that he and his brother have no plans for developing this property and if it ever was developed and needed a 50’ right of way then there would be a few other ways to develop it other than through this access in front of the property. He did not believe future access that Mr. Netishen was concerned about would be an issue.

Mr. Netishen noted an old plan signed by a previous Planning Board Chair to determine the proper distances of that “gap” area and road with. He noted his concern for any potential emergency access again.

Chair Stockus closed the discussion on this issue.

MOTION by Mr. Mooney to approve the application #P12-04-LLA contingent upon receipt of the Certificate of Monument Installation and the confirmation/correction of the North Arrow Orientation on the plan.

SECOND by Mr. Osgood

Mr. Viel noted the need to add the correction of the North Arrow on the plan. Ms. Mooney agreed to make that a condition of her motion.

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

Mrs. Sears will record the final mylar with the correct North Arrow and will need the recording fees and a Certificate of Monument Installation before recording with the county.

93 **Scenic Roads Public Hearing**

94
95 Chair Stockus opened the public hearing in accordance with RSA 231:158 II, to discuss the
96 tree trimming on scenic roads in town. He noted that the hearing had been noticed. He read
97 the notice.

98
99 Robert Berner, Public Service New Hampshire representative noted that there are
100 additional roads not mentioned that need trimming. The roads mentioned are the ones that
101 have removal of trees and some have both. The Board discussed and believes there needs to
102 be an additional notice for the roads not in the first ad. The Board agreed that work can be
103 done on the roads in the first ad. Ms. Lamb asked Mr. Berner if they had to trim during
104 peak nesting season. Mr. Berner noted that they must tree trim all year round. Mrs. Sears
105 will work with Mr. Berner to get the additional notice/fees for the additional streets and
106 schedule another public hearing. Chair Stockus closed the public hearing.

107
108 **Approval of Minutes**

109
110 June 27, 2012

111
112 Line 15 add *Ed Viel*

113 Line 35 remove *to*

114 Line 63 remove *and*

115 Line 66 change *where* to *were*

116 Line 78 change *address* to *addressed*

117 Line 79 change *Town's* to *towns*

118 Line 103 change *address* to *addressed*

119 Line 106 change *there for* to *therefore*

120 Line 119 delete (*later in the meeting*)

121 Line 136 change *was* to *were*

122 Line 174 remove *of*

123 Line 204 change *aide* to *aid*

124 Line 208 delete period after *\$5,000*

125 Line 210-211 change to read *Mr. Sherman's services were no longer needed.*

126 Line 219 change *\$1600* to *\$1,600*

127 Line 220 change period to semicolon after *dime*, lower case *W* on *Which*

128 Line 232 change *\$5000* to *\$5,000*

129 Line 236 change *do not* to *it does not*

130 Line 237 add *a* before *remote*

131
132 **MOTION by Ms. Mooney** to approve the minutes of June 27, 2012 as amended.

133 **SECOND by Mr. Viel**

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

135
136 Definitions for the Subdivision Regulations

The Board reviewed and discussed the document Mrs. Sears provided the Board. There were minor edits to language and formatting. Also discussed; adding Sod to Commercial Soil Stripping, the definition of Open Space and Open Space Subdivision which Mrs. Sears and Ms. Mooney will work on, confirm the definition of Toxic or Hazardous Materials.

The Board will review the changes to this document on July 25, 2012.

Other Business

Conservation Commission

Ms. Mooney updated the Board on a recent *Intent to Cut* for TM 58 Lot 4 for about 30 acres. The Board thanked Ms. Mooney for the update.

Invoice(s)

The Board reviewed the Foster's invoice for recent ads.

MOTION by Mr. Osgood to approve payment for Foster's Invoice for \$241.50

SECOND by Ms. Mooney

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

Ms. Mooney asked Mrs. Sears to ask Mr. Mettee for the status on Chapter 4-Historic chapter of the Master Plan. The Board will meet for a workshop meeting next week to review chapters and work on the wireless communication concepts.

Mrs. Sears asked the Board about the file of items previously discussed that the Board has said they want to work on in the future. Mrs. Sears had previously passed out a copy of all the post it notes with potential items for the to-do list. Chair Stockus noted that they already have many items going and had decided to stick with completing those items first. Mrs. Sears also passed out a list of meetings and rough agenda items for the Board. She noted that Mr. Mettee is still working on changes (non conforming use) to the Zoning Ordinance for 2013.

MOTION by Ms. Mooney to adjourn at 8:45pm

SECOND by Mr. Osgood

VOTE 5-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.