

NOTTINGHAM PLANNING BOARD
September 26, 2012
PUBLIC SESSION

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, Troy Osgood, Vice Chair; Dirk Grotenhuis; Hal Rafter, Selectmen's Rep.; Other members: John Morin, Ed Viel, and Robert "Buzz" Davies, Alt. Member (not seated)

PB Members Absent: Traci Chauvey, Alt. Member, Cheryl Smith, Alt. Member

Others Present: Lisa Sears, Land Use Clerk, Paul Colby, Building Inspector/Code Administrator, Eric Jennings

Chair Stockus called the meeting to order at 7:00pm. Introductions were made. Mr. Davies was not seated but participated. The Board moved the review of the minutes to after the first agenda item.

TM 68 L82 Conceptual Review- Possible Subdivision/Lot Line Adjustment on Private Road

Eric Jennings introduced himself, noting he and his wife own TM 68 Lot 82. He asked the Board about possibly subdividing his 2.89 acre lot at 42 Seaman's Point Road. He passed out sketches of the property that included the location of the power lines and their 30' setbacks as well as the 59' property setbacks. Mrs. Sears reminded Mr. Jennings that this discussion was not legally binding but the Board could discuss or advise him. Mr. Jennings agreed.

During the discussion Mr. Jennings was told about the "hurdles" he would have to overcome including:

- Each lot needs to be 2 acres on 200' of frontage: he has enough frontage but not enough land to divide in two.
- Dividing the lot in two would make one or two non conforming lot(s) which is not allowed.
- Seaman's Point Road is not a Class V or better road. It is a private road with emergency lane status which is not the same as being a town owned road.
- The "new" lot MAY NOT be able to meet the 30,000 Square foot buildable lot area required for the home and septic system, due to the power lines and property setbacks.
- The Boards are not allowed to create a non buildable lot (non conforming).
- The location of the property falls under the NH DES Shoreline Protection Act's requirements.

Mr. Jennings was told that he could go to the ZBA for relief of all these requirements. He was also advised of a rough cost to go before both Boards. Mr. Grotenhuis suggested that

before Mr. Jennings proceed that he should consult with a professional surveyor for the possibilities of this concept including a possible lot line adjustment with the purchase of land from the adjacent lot owned by his in-laws (TM68 L87 with 3.42 acres instead of or in addition to subdividing his lot). Mr. Jennings thanked the Board for their time and acknowledged he needs to do more “homework” on this concept.

Review of the Minutes

Sept 12, 2012

Line 22 delete the third *the*

Line 42 insert *the* before *weather*, insert (*when the ground freezes*) after *weather*

Line 48 delete *it is* before *the BOS*, delete *to* after *BOS*

Line 50 add period after *meeting*, delete *but* and start new sentence, change *heard any more* to *yet received a reply*.

Line 52 add period after *requirements*, delete *so that*, start new sentence with *He*, delete *with*, delete *it be*

Line 53 delete *reviewed, to*

Line 54 change *chose* to *chooses*, delete *to do so*.

Line 58 delete *it is* before *the BOS*, delete *that* after *BOS*

Line 66 change *of* to *that*, add *receive* after *and*, change *of the* to *from*, add *for the* after *DES*

Line 78 change *foot* to *feet*

Line 82 insert comma after *applicant*

Line 102 change *discussion* to *noting*

Line 103 insert *there is* after *and*

Line 104 change *to* to *for*

Line 105 delete *And*, cap *H* in *he*, change *recommendation* to *approval*

Line 200 change *FAILED* to *PASSED*

Line 206 delete period after *\$15,000*

Line 210 delete *possible*

Line 226 add space between *onto*

MOTION by Ms. Mooney to accept the minutes of *September 12, 2012* as amended

SECOND by Mr. Morin

VOTE 5-Aye. 0- Opposed 2-Abstained MOTION PASSED

Review 2013 Proposed Warrant Articles

The Board reviewed the first draft of the warrant articles that the Board has been working on all year with planning consultant Jack Mettee. Mrs. Sears noted that it is basically a copy of the final documents from Mr. Mettee but asked the Board to proof to confirm nothing was missed. They corrected a minor spelling, punctuation and format errors but agreed to send to the town’s attorney for review before setting the required public hearing dates.

93 The Board also agreed to forward to both the Board of Selectmen and Conservation
94 Commission to see if they would officially vote to “Recommend” and have that included
95 on the ballot. Mr. Rafter will represent the PB when this goes before the BOS but added
96 that some of these concepts were completed before he was on the PB so any member that
97 wanted to attend in support of these warrant articles was more than welcome. Ms. Mooney
98 will represent the PB when these are reviewed by the Conservation Commission. The
99 Board would like to have all these reviews held simultaneously so that the review by the
100 attorney doesn’t get held up.

101
102 **MOTION by Mr. Viel** to send the draft warrant articles on the wireless communication
103 ordinance and the home occupation changes to the BOS and the Open Space changes to the
104 Conservation Commission for possible endorsement.

105 **SECOND by Ms. Mooney**

106 **VOTE 7-Aye. 0- Opposed 0- Abstained MOTION PASSED**

107
108 Chair Stockus noted the latest copy of Town & City was available in the office.

109
110 **MOTION by Ms. Mooney** to send the draft warrant articles to Town Counsel.

111 **SECOND by Mr. Morin**

112 **VOTE 7-Aye. 0- Opposed 0- Abstained MOTION PASSED**

113
114 Mrs. Sears confirmed that she will send both Boards the complete document to avoid any
115 confusion later on.

116
117 **Other Business**

118
119 Chair Stockus acknowledged Mrs. Sears last meeting and four and half years of service to
120 the Board. He and members of the Board thanked Mrs. Sears for her service. She said
121 “you’re welcome” and later noted that she was available to answer questions if something
122 should arise after she leaves. She later noted that she was leaving to start her own business
123 but was available if the Board needed any assistance.

124
125 Mr. Grotenhuis updated the Board in regards to his attendance at a recent Seacoast
126 Regional Planning Commission meeting. He noted that the federal funds and grant
127 programs for regional funding have been severely cut back.

128
129 Mr. Grotenhuis asked about the progress of Mrs. Sears’ replacement. It was noted that the
130 town office is still accepting applications at last check. Chair Stockus called for a motion to
131 adjourn. Mrs. Sears noted with a smile that she wished she could make that motion.

132
133 **MOTION by Ms. Mooney** to adjourn the meeting at 7:42pm.

134 **SECOND by Mr. Grotenhuis**

135 **VOTE 7-Aye. 0- Opposed 0- Abstained MOTION PASSED**

136
137 **Respectfully Submitted,**
138 **Lisa L. Sears, Land Use Clerk**

Approved as amended
10/10/12