

**PLANNING BOARD MEETING
JANUARY 23, 2013**

Meeting Location: Nottingham Municipal Building
Members Present: Arthurs Stockus, Chair; Susan Mooney, Secretary; Eduard Viel;
Hal Raftner, Board of Selectmen Rep; John Morin; Robert Davies,
Alt; Cheryl Smith, Alt
Members Absent: Troy Osgood, Vice Chair; Traci Chauvey, Alt
Others Present: Jo-Ann MacInnis, Land Use Clerk; Celia Abrams, Conservation
Commission

Chair Stockus called the meeting to order at 7:00 p.m. All present introduced themselves. Mr. Davies was seated and voting for Mr. Osgood. Ms Smith will be seated but not voting.

Public Hearing Continuance – Case #P12-03-SUB Merry Hill/Route 4

Chair Stockus read the first case of the evening:

Case #P12-03-SUB – Continuance of an application from Beals Associates, PLLC for acceptance, compliance review, and final approval of a subdivision. The property in question is located on Merry Hill Road and Route 4 and identified as Tax Map 4 and Lot 5. Owner(s) of Record: Pogo Realty Trust and Merry Merry Hill, LLC.

Chair Stockus read the email from Mr. Falzone requesting a continuance until February 27, 2013.

Mr. Davies questioned what the reason was for this request and reminded the Board the last time Mr. Falzone met with the Board he had also requested a continuance with regards to this subdivision.

Chair Stockus advised the Planning Board to read their November 28, 2012 meeting minutes. The minutes reflected that Mr. Colby had recommended to postpone any decision at that time until the applicant had made all changes necessary to the proposed plans and a motion was passed to do so until January 23, 2013.

Motion was made by Susan Mooney to continue the Merry Hill subdivision until February 27, 2013 at 7:00 pm. as requested by the applicant, Joseph Falzone, in an email dated January 8, 2013.

Second: John Morin

Vote: 6 – 0

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Oak Ridge Design Review – Harbor Street Limited Partnership

Chair Stockus reminded the Planning Board regarding the history of the Oak Ridge Design Review which began in May 2011. The original plan submitted by the applicant, Joe Falzone, showed forty-three (43) lots to be built on this 121.2 acre wooded parcel. A second plan was submitted in July 2011 showing forty-three (43) lots to be built in three phases, the difference being that the revised plan would leave an abundance of open space.

At present, Mr. Falzone is requesting the Planning Board grant an extension for the Oak Ridge Design Review to May 22, 2013.

Ms. Mooney read to the Board a copy of a memo from Susan Knight, NRCS regarding the status of making an application to the Town of Nottingham WRP program. Ms Knight advised Mr. Falzone that although NRCS is continuing to accept new applications, NRCS has not received an allocation to process them. The 2013 WRP funds received to date are to be used solely for the restoration of parcels already closed, or to complete closings on parcels whose easement acquisition funds were obligated in 2012. The office of Management and Budget (OMG) has not released an apportionment for new enrollment, and Ms. Knight did not know as yet whether or not any funds will be forthcoming. (Please see attached.)

Chair Stockus read a letter received from John Terninko, 62 Case Road, regarding his support of Mr. Falzone's extension request. (See attached.)

Chair Stockus advised that from his point of view any extension will be futile and the Design Review should end.

Susan Mooney stated that the Conservation Commission would like to have some control over the design of this subdivision and the WRP program.

John Morin agreed with Ms. Mooney stating that if giving Mr. Falzone an additional 120 days allows for the Conservation Commission to have more control and input designing a subdivision that uses less land and may have less homes built it would be worth granting the extension. He felt it will work best for the town this way and, hopefully, preserve more land.

Robert Davies questioned what the applicant actually gains by granting this extension.

Chair Stockus replied that it doesn't preclude applicant and gives the applicant some leeway in case there is no WRP funding.

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Oakridge Design Review Extension Request Continued

Mr. Davies asked what harm there was in closing the design review now and requiring the applicant to start over.

Chair Stockus advised that the applicant would have to then proceed with the subdivision time line.

Motion was made by Susan Mooney to grant an extension to the Oak Ridge Design Review to May 22, 2013, as requested by the applicant, Joseph Falzone.

Second: John Morin

Vote: 6 – 0 – 1 **Motion Passed** Chair Stockus abstained

Minutes – January 9, 2013

Changes to be made as per Susan Mooney:

- Line 10 – Add Alt. following Robert Davies
- Line 11 – Include Cheryl Smith, Alt. and Traci Chauvey, Alt. under Absent
- Line 13 – Include Tom Sweeney, Resident under Others Present and change spelling of Sweeney throughout minutes
- Line 34 – Change “principal” to “principle” (Also check Warrant Article for correct spelling.)
- Line 62 – Change “Sweeny” to “Sweeney”
- Line 66 – Change “the” to “to”
- Line 66 - Delete “of”
- Line 66 - Period (.) following d)
- Line 67 – Delete “was to be utilized.”
- Line 69 – Insert “after” between following the word “hearing”
- Line 69 – Insert period (.) following the word “questions”
- Line 79 - Delete “and”
- Line 70 – Capitalize “See”
- Line 165 – Insert “was” following the word “two”
- Line 167 – Change Sweeny to Sweeney
- Line 237 – Delete “:.” and add “a” in its place

Changes to be made as per Chair Stockus:

- Line 77 – Change “Troy Grotenhuis” to “Dirk Grotenhuis”
- Line 215 - Change “4 – 2 – 0” to “4 – 0 -2”

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140 Planning Board January 28, 2013 Meeting

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142 **Minutes – January 23, 2013 Continued**

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144 **Motion** was made by Eduard Viel to accept the January 9, 2013 minutes as amended.

145 **Second:** Susan Mooney

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147 **Vote:** 5 – 0 – 1 **Motion Passed** Susan Mooney abstained

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150 **Motion** was made by John Morin to adjourn the meeting at 7:38 p.m.

151 **Second:** Susan Mooney

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153 **Vote:** 6 – 0

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157 Respectfully submitted,

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161 Jo-Ann MacInnis
162 Land Use Clerk

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