

**PLANNING BOARD MEETING
MARCH 27, 2013
DRAFT COPY**

Meeting Location: Nottingham Municipal Building

Members Present: Arthur Stockus, Chair; Dirk Grotenhuis; John Morin; Eduard Viel, Hal Rafter, BOS Rep; Robert “Buzz” Davies, Alt; Gary Anderson, Alt

Members Absent: Troy Osgood, Vice Chair; Susan Mooney, Secretary; Cheryl Smith, Alt; Traci Chauvey, Alt

Others Present: Paul Colby, Build Inspector/Code Administrator; Jo-Ann MacInnis, Land Use Clerk; Glen and Amy Jewell, Applicant; Joseph Falzone, Applicant; Christian Smith, Beals Assoc., PLLC

Chair Stockus called the meeting to order at 7:00 pm. All present introduced themselves. Mr. Davies will be seated and voting for Susan Mooney. Mr. Anderson will be seated and voting for Mr. Osgood.

Case #P13-01-LLA – 77 and 79 Stage Road – Glen and Amy Jewell

Chair Stockus read the public hearing notice:

Case #P13-01-LLA – An application from Glen Jewell for a lot line adjustment acceptance, compliance review, and final approval. The property in question is located at 77 and 79 Stage Road and identified as Tax Map 42, Lots 6 and 7, owner of record: Glenn “Biff” Jewell.

Mr. Colby gave a brief description of the applicant’s proposal explaining that Lot 6 will have current use status and Lot 7 will become a two (2) acre parcel. The application is complete.

Motion was made by Dirk Grotenhuis to accept the application as submitted.

Second: John Morin

Vote: 7 – 0

Mr. Jewell advised the Board his intention is to have the property approved for current use.

Chair Stockus opened the public hearing for any present to speak in favor or in opposition. Seeing no one he closed the public hearing.

Mr. Colby apprised the Board that prior to signing the plans they will need to show where the pins are set.

Motion was made by Dirk Grotenhuis to approve **Case #P13-01-LLA** – application from Glen Jewell for a lot line adjustment with the condition that the monuments be set prior to signing said plans.. The property in question is located at 77 and 79 Stage Road and identified as Tax Map 42, Lots 6 and 7, owner of record: Glenn “Biff” Jewell.

Second: John Morin

Vote: 7 – 0

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Case #P12-03 – SUB – Merry Merry Hill Subdivision Continuance

Chair Stockus read the public hearing notice:

Case #P12-03-SUB – Continuance of an application from Beals Associates, PLCC 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.

Christian Smith, Beals Associates, spoke regarding the revised subdivision plans submitted to the Planning Board office March 26, 2013.

Mr. Colby reviewed his memo dated March 27, 2013 regarding his concerns with the new plans and documents submitted. Although the application has already been accepted by the Planning Board there continues to be outstanding items the applicant has not yet addressed.

- State of NH subdivision approval – approval was granted for the original four (4) lot subdivision on April 3, 2012. New approval needed.
- The cistern plans need to be on the sheet of plans that are to be filed with the Registry.
- Formal request from the applicant to the Board of Selectmen for the street name.
- Curb cuts for all lots need to be shown on the sheet filed with the Registry.
- All easements for the proposed subdivision have not been received and should be reviewed by Town Counsel.
- The method of oversight for the easement(s) has not been received. The Planning Board should accept oversight methods before approval of the overall plan.
- The applicant has indicated that the NH Historical Resource Review found no evidence of any historical items; the Board requires a written statement of the report.
- No deeded right of way – need the deed with the Book and Page number from the Registry.

Mr. Colby advised the Planning Board the original land that is now in the right of way has not yet been legally deeded to the new owner. The correct deed can not be found at the registry.

Mr. Falzone stated that he will take care of this.

Chair Stockus questioned what the applicant's goal is for this evening seeing that there are so many outstanding items and RCCD has not completed its review process.

Mr. Smith stated they were looking for conditional approval and thought it would be appropriate.

Chair Stockus advised the Board he was uncomfortable with granting a conditional approval at this time as there is a long list of items to be completed. He would recommend continuance to another meeting.

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Merry Hill Subdivision Continued

Mr. Davies questioned how long it would take RCCD to complete their review and Mr. Colby replied he did not think it would take very long once the Planning Board signed the authorization for RCCD to continue.

Motion was made by Edvard Viel to table this discussion until the Planning Board's April 10, 2013 meeting at 7:00 p.m.

Second: John Morin

Vote: 7 – 0 **Motion Passes**

Motion was made by Dirk Grotenhuis to approve payment for RCCD invoice #82293 in the amount of \$1,470.00 and estimate #9287 in the amount of \$2,080.00.

Second: John Morin

Vote: 7 – 0 **Motion Passes**

Mr. Smith asked the Board if it would be possible to discuss the proposed Oak Ridge subdivision and Chair Stockus advised him it would be inappropriate as it had not been posted. Oak Ridge will be placed on the April 10, 2013 agenda.

Minutes – February 27, 2013

Motion was made by John Morin to accept the minutes of February 27, 2013 as submitted.

Second: Edvard Viel

Vote: 4 – 0 – 3 Hal Rafter, Dirk Grotenhuis and Gary Anderson abstained **Motion Passes**

Alternate Member Discussion

At present the following is the alternate Planning Board member schedule:

- Robert "Buzz" Davies term expires – September 2013
- Cheryl Smith term expires – March 2014
- Traci Chauvey term expires – March 2014
- Gary Anderson term expires – March 2014

Mr. Colby suggested the Board reappoint Mr. Davies in September until March 2014 and to reappoint him at that time.

Proposed Planning Board By-Law Changes

Mr. Colby advised the Board that due to their concerns regarding RSA language he conducted additional research and found under Conflict of Interest seven (7) items he believes will clear this section up. He looked over different by-laws from different towns and he believes the language presented this evening appears to be very good.

Proposed Planning Board By-Law Changes Continued

Mr. Colby stated that if the Board is comfortable the staff will make the changes proposed this evening and present them to the Board at their April 10, 2013 meeting.

Mr. Davies questioned why the RSA was not referred to and Mr. Colby replied that he had reviewed this with an attorney who felt it was in the town's interest not to. This would allow the language to be part of Nottingham's by-laws alone.

Mr. Colby apprised the Board the proposed language would all be placed under Section X – Conduct of Business – Section 2 – Conflict of Interest, items A. through G.

The Board was in agreement with this.

Correspondence – Superintendent of Schools

Chair Stockus read correspondence from Superintendent of Schools Michael Ludwell, Ph.D. voicing his concerns regarding 240 Stage Road and the proposed lease of one half acre to Rymes Heating for a commercial propane tank. It was noted that the appeal window for this project has expired.

Adjournment

Motion was made by Dirk Grotenhuis to adjourn the meeting at 8:15 pm.

Second: Hal Rafter

Vote: 7 - 0