

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

**Sandown Planning Board  
Minutes  
May 21, 2013**

**Date:** May 21, 2013

**Place:** Sandown Town Hall

**Members Present:** Matthew Russell -Vice Chairman, Ernie Brown, Steve Meisner, Ed Mencis, Hans Nicolaisen – Ex-Officio

**Also Present:** Steve Keach – Town Engineer, Andrea Cairns - Recording Secretary

**Absent:** Mark Traeger – Chairman, Matthew Brown, Jim Carroll

**Opening:** Mr. Russell opened the meeting at 7:06 p.m.

**Approval of the 4/16/13 Minutes**

L10 Change “Selectman’s Liaison” to “Ex-Officio”

**MOTION:** Mr. Mencis made a motion to accept the 4/16/13 minutes as amended. Mr. E. Brown seconded the motion. Members voted in favor. Mr. Nicolaisen abstained. The motion passed.

**Approval of the 5/13/13 Minutes**

L204 Mr. Mencis questioned if the Selectman could remove someone from office if they are elected. Mr. Meisner will do research on that and report back to the Board.

**MOTION:** Mr. Nicolaisen made a motion to approve the 5/13/13 minutes as written. Mr. Mencis seconded the motion. All members voted in favor. The motion passed.

**Correspondence**

Note from RPC regarding the 2013 annual meeting on June 12<sup>th</sup> at the Granite Rose in Hampstead, NH. It is \$30/per person.

Letter to the Board of Selectman from Fitzgerald-Boyd, Attorney, regarding Hillside Estates. The letter questioned Mr. Russell’s integrity, he was not going to reading it into the minutes, but asked if another member of the Board would like to read it aloud. Members agreed it did not need to be read aloud, but the letter was passed around for everyone’s review.

Letter from People’s United Bank regarding JH Chase’s \$5,000 letter of credit for Phillips Pond Estates. They are seeking the Board’s approval to close out the letter of credit for Phillips Pond Estates. Mr. Keach noted that work has not been completed and feels the surety should be retained. The Board agreed.

Two letters from Attorney Gorrow regarding the Town of Sandown vs. Peter Holmes The letters were regarding the scheduling stipulations.

46 *Town & Country Magazine*

47

48 **7:15 – Public hearing for Design Review of an application for a Major Subdivision**  
49 **submitted by Rebecca Janco for a four lot Open Space Development. The subject property**  
50 **is identified on Map 20 as Lot 3 and is located at 218 Fremont Road.**

51

52 Mr. Nicolaisen stepped down from the case because he is an abutter. Mr. Meisner stepped  
53 down because he reviewed the case for ZBA. Mr. Lavelle noted he would still like to  
54 move forward with the design review.

55

56 Mr. Lavelle gave an overview of the project. He noted it was a four-lot Open Space  
57 Development (OSD). He noted the fourth lot will contain the existing home. They are  
58 proposing a private road that will access the four building lots. It is intended for family at  
59 this time. The existing house is far off the road and the three new homes would be behind  
60 it. Each house will have it's own well and septic. They received a letter from Keach-  
61 Nordstrom Associates and there are some talking points that he needs to discuss with the  
62 Board.

63

64 Mr. Lavelle noted they received a variance from the zoning board for the lack of frontage  
65 and the minimum 15 acre requirement for an Open Space Development. He noted they  
66 currently access the property through an easement.

67

68 Mr. Lavelle noted the proposed road is 20' wide and will be gravel. He noted the plans  
69 say "proposed driveway", but it will be a private road. He noted they would like to keep  
70 it gravel.

71

72 Mr. Keach walked the Board through his report dated May 20, 2013. He recommends  
73 that the Board take a vote at some point to say that the subdivision does not constitute a  
74 regional impact. He would like the board to do that for any major subdivision application  
75 moving forward.

76

77 Mr. Lavelle needs to get a local driveway permit. Mr. Russell questioned since it is a road  
78 and not a driveway if that changes the way Mr. Genualdo will review it. Mr. Keach noted  
79 any curb cut would require the same level of review by Mr. Genualdo.

80

81 Mr. Keach reminded the Board that in the case of private roads, the Selectmen have to  
82 authorize that the building inspector grant building permits. The applicant has to provide  
83 the town with a statement, which will be recorded at RCRD with the plans, stating that  
84 they remove any liability from the town for access of emergency vehicles.

85

86 Mr. Keach noted they will need to apply for a CUP through Conservation. Mr. Lavelle  
87 noted he will be filing an application with them, but wanted to wait for the design review.

88

89 Mr. Keach noted that item three under zoning, deals directly with the requirements of an  
90 open space development. They will need to provide the previously submitted plans to  
91 demonstrate an equal or more number of lots could be put on the property in a standard  
92 subdivision in order to comply with OSD. That is a requirement of the application.

93 Mr. Russell questioned if ZBA reviewed the OSD plans. Mr. Lavelle noted they reviewed  
94 the same plans submitted to the Planning Board.

95  
96 Mr. Keach noted that every OSD requires a homeowners association to manage the open  
97 space. He recommended they draft a letter for the Board to make sure it satisfies the  
98 requirements. He noted they should also address future maintenance of the road in that  
99 letter. Mr. Russell questioned if that would need to be reviewed by the town attorney. Mr.  
100 Keach and Mr. Lavelle noted it usually is.

101  
102 Mr. Keach noted the new requirements for utilities are that they be under ground. The  
103 existing home has utilities above ground and noted Ms. Janco would likely ask for a  
104 waiver to keep her utilities above ground. Mr. Mencis questioned if they should add street  
105 lights since they already have poles. Mr. Lavelle noted he would discuss that with his  
106 client. Mr. Keach noted that for Ms. Janco's home, it would be a pre-existing non-  
107 conformity, but to have the utilities for the three other homes above ground in order to  
108 run street lights, they would need to get a variance.

109  
110 Mr. Keach questioned what they had planned to do with the existing barn on the property  
111 He noted that too is a pre-existing non-conforming structure since it will end up in the  
112 open space. Mr. Lavelle noted he needed to check with his client, but thought they would  
113 likely want to keep it. Mr. Keach noted that as long as it is used in harmony with the open  
114 space, they can keep it. Mr. Russell asked if it would also need to be part of the  
115 homeowner's association documentation. Mr. Keach noted it would. He also noted they  
116 will need to present something to the Board indicating that it will be used under the  
117 purposes of open space.

118  
119 Mr. Keach asked if they had a plan for the recreation requirement. Mr. Lavelle noted he  
120 had no proposal at this time, but will have a written proposal soon.

121  
122 Mr. Keach recommended that Mr. Lavelle discuss the plans with Chief Tapley. Mr.  
123 Keach noted that under the regulations, the road has to be built to the same standards as a  
124 road intended to be publicly dedicated and accepted. The road put forward is less than  
125 that. The width is 20' wide with a foot of shoulder. They are proposing that it not be  
126 paved which will require a waiver from the Board.

127  
128 Mr. Russell questioned if there would be a turnaround for emergency vehicles. Mr.  
129 Lavelle noted that was shown on sheets 6 & 7 and it would be a hammerhead style  
130 turnaround.

131  
132 Mr. Russell questioned the steep grade. Mr. Lavelle noted it was designed as a 10%  
133 grade, mostly because of input from Conservation to avoid a larger cut in the hill. Mr.  
134 Russell asked if Conservation had a recommendation for material in terms of water  
135 sheeting. Mr. Lavelle noted that wasn't brought up at all.

136  
137 Mr. Keach noted that a steep gravel road is subject to erosion the way a paved road is not.  
138 He questioned if it could be maintained effectively at that grade. He did review the

139 drainage report and it conforms to all stormwater regulations. He wouldn't want to see a  
140 10% grade on a highly traveled road. He feels Chief Tapley needs to give his opinion.

141  
142 Ms. Cairns noted that she spoke with Chief Tapley and his main concern was the grade  
143 and the material of the road. He also expressed concern over having a turnaround and  
144 wants to make sure the road conforms to the new E911 regulations.

145  
146 Mr. Lavelle asked if the Board would be interested in doing a site walk. Mr. Nicolaisen  
147 felt it would be a great idea for the Board to start doing those again. Mr. Russell  
148 questioned if Mr. Lavelle should have a discussion with Chief Tapley first to work out  
149 the issues with the road. Mr. Lavelle felt it would be nice to have the walk before the next  
150 meeting so they are all on the same page. Members agreed to meet at the property before  
151 their regular meeting on June 18<sup>th</sup> at 6:00.

152  
153 Mr. Russell asked if there was any input from the public.

154  
155 Mr. Nicolaisen feels it's a great thing for the family.

156  
157 Mr. Lavelle noted they would not likely be ready to be on the agenda for the meeting on  
158 the 18<sup>th</sup> since they have issues to work out with Chief Tapley and Conservation.

159  
160 Mr. Keach reminded the Board that they need to decide if they are finished with the  
161 design review phase or if they want to keep it open until another date. Mr. Lavelle noted  
162 he wanted to move forward. The Board and the applicant need to agree on how they  
163 would like to move forward.

164  
165 Mr. Russell noted that typically, if they are going to do a meeting on-site that would be  
166 during design review. Mr. Keach noted that in this instance, it doesn't really matter, but it  
167 needs to be handled for the record.

168  
169 Mr. Keach noted they could conclude design review at the walk-through and then take  
170 the application for jurisdiction at the meeting following. Mr. Russell recommended that  
171 the applicant speak with Chief Tapley before the next meeting. Mr. Lavelle agreed.

172  
173 **8:33 p.m. - Public hearing for Design Review of an application for a Major Subdivision**  
174 **submitted by Virginia Morris for a five lot subdivision. The subject property is identified on**  
175 **Map 5 as Lot 3 and is located at Walnut Hill Road (Route 121) and Chase Road.**

176  
177 *Tim Lavelle from James Lavelle Associates was representing Mrs. Morris.*

178  
179 Mr. Lavelle noted that the property is in Sandown and Hampstead with frontage on Chase  
180 Road and Walnut Hill Road. The proposal is to create four new building lots on Walnut  
181 Hill Road and one with frontage on both Chase and Walnut Hill Roads. The 23.58 acres  
182 will be the remaining lot when they are done. The proposal does propose to cross a  
183 wetland on the two southerly lots. He noted they received a letter from Keach Nordstrom  
184 Associates dated May 20, 2013 and they made all corrections that they could do.

185

186 Mr. Russell noted there were several members of the public present. Since it was a design  
187 review, he hoped to keep the meeting open and casual and allow questions from the  
188 public as they came up.

189

190 Members of the public questioned where the wetlands were and where the proposed  
191 driveways would come out. Mr. Lavelle explained where they would be and explained  
192 why they had the wetlands crossings where they did. He explained where the building  
193 areas would be.

194

195 Mr. Russell noted it was a conceptual design review and the Board hasn't seen the plans  
196 before. He noted the process and that it was the time to get input from the Board and the  
197 public.

198

199 *Vanda Solarz-O'Neal, 67 Chase Road*

200 Ms. O'Neal noted that she has concerns over disturbing the wetlands and the impact that  
201 would have on her property.

202

203 *Joan O'Connell – 29 Walnut Hill Road*

204 Ms. O'Connell noted that she can no longer get mail delivery to her home because of the  
205 proposed subdivision. The road is dangerous. She doesn't understand why that particular  
206 parcel is being developed when it is so wet and doesn't feel there is anything buildable  
207 there. She has already talked to a real estate developer and they indicated the land values,  
208 wells and drainage will be impacted. She noted it wasn't personal, but doesn't understand  
209 why they chose that property.

210

211 Mr. Lavelle noted that he has had the wetlands mapped and the soil is buildable. He  
212 indicated where the driveways would go and explained they chose to place one of the  
213 driveways on Chase Road instead of Walnut Hill Road because of the dangerous access.  
214 He reminded them that he has applied for state driveway permits and they state would  
215 review the driveways and make all efforts to ensure they have the proper 400' site  
216 distances.

217

218 Mr. Lavelle noted that they do have to go to the Hampstead Planning Board. They aren't  
219 altering land in Hampstead, but since the project includes land in Hampstead, they need  
220 to get their approval as well.

221

222 Mr. Keach reviewed his letter to the Board dated. May 20, 2013.

223

224 Mr. Keach noted that the Board needed to send a letter to the Hampstead Planning Board,  
225 attaching a copy of all the materials included in the application. The letter needed to  
226 acknowledge that the Sandown Planning Board received the application and it is under  
227 design review. Once they receive the application for final review they would ask for their  
228 input. He suggested they also include the letter from Mr. Keach's office.

229

230 Mr. Keach noted there are three state permits that need to be obtained: NHDES  
231 Subdivision Approval, NHDES wetlands permit and NHDOT driveway permits.

232

233 Mr. Lavelle noted they have not been to Conservation yet, they were waiting to get input  
234 from the Planning Board before going for the CUP.

235

236 Mr. Keach questioned what they would be doing in terms of recreation. Mr. Lavelle  
237 noted that the Morris family has always been gracious allowing the use of their property  
238 for sledding and hiking and because of that they will likely ask for a waiver for  
239 recreation.

240

241 Mr. Keach noted that with any subdivision, they need to make roadway shoulder  
242 improvements. He noted those shoulder improvements do not need to be made since that  
243 road has already been redone and they don't want to compromise the work they already  
244 did. Mr. Lavelle submitted a waiver request. Mr. Russell asked that he wait and submit it  
245 with the final application.

246

247 Mr. Keach noted that he is familiar with the property because of the road construction he  
248 was involved with. He noted the area along the road is extremely wet and the members of  
249 the public were correct. He noted the land behind the wetlands where the proposed  
250 building sites were supposed to go is good, dry, buildable land. He noted he reviewed the  
251 soil mapping materials submitted with the application. It is entirely true there are  
252 significant wetlands on that property, but the land to the south is high and dry and more  
253 than meets the requirements of the town zoning ordinances and subdivision regulations.

254

255 Mr. Mencis asked for clarification on what the soil types indicated in the report meant.  
256 Mr. Lavelle reviewed the different soil types.

257

258 Ms. Solarz-O'Neal noted that some of her neighbors did some construction on their  
259 property, removed trees and as a result caused her basement to flood which resulted in  
260 her having to spend \$12,000 in repairs. She had no issues with her basement in the 29  
261 years before that work. She had major concerns about disturbing the wetlands and asked  
262 if the town could guarantee that water is not going to get into her basement. She is  
263 concerned, after spending all that money that she is going to have to make more  
264 improvements and would get water in her basement again. She also expressed concern  
265 with the proposed driveways going through the wetlands and that the road would flood.  
266 She noted the culvert in her driveway was replaced with a smaller culvert and it gets  
267 clogged frequently. She also referenced the Little Mill 55+ development as one where  
268 they altered the road and the terrain and they get flooding.

269

270 Mr. Russell noted that he didn't have an answer for her, but part of the requirement is that  
271 they have to get state wetlands permits and the project will be reviewed by DES. He  
272 noted her concerns are valid, and those types of issues are what DES will look at before  
273 they give approval for a subdivision.

274

275 Ms. O'Connell questioned why they had to build on wet land when they have so much  
276 other land to build on.

277

278 Mr. Russell noted the buildings were not going to be in the wetlands.  
279

280 Mr. Keach noted that what happened with the tree clearing was to the north of Ms.  
281 Solarz-O'Neal's property and the water was flowing downhill. He doesn't feel the water  
282 would flow uphill and impact her property. He cannot guarantee anything except for the  
283 fact that he's never seen water flow uphill and that's what it would take for her to be  
284 impacted. He has a good feeling of where the land clearing occurred in relation to her  
285 house. Taking down forest will create additional runoff and it doesn't surprise him that  
286 she got water in her basement as a result of that work. It really would surprise him, even  
287 if something went really astray, that she would get water in her basement from the  
288 proposed subdivision.  
289

290 He is familiar with the culvert that goes under Chase Road. They cleaned out the culvert  
291 to help water move freely. He noted the regulations were just recently updated and they  
292 have an enhanced stormwater management system in place now, that wasn't in place with  
293 the Little Mill development. As long as that culvert is properly maintained, which he  
294 feels it is, water will flow freely. He has a responsibility to the town to make sure  
295 technical matters put before the Board are truthful. He feels that the representations made  
296 regarding this subdivision should not have an impact on her property because she is  
297 uphill and upstream from the wetlands. The Morris' live to the South and if there is any  
298 impact, it will only impact the Morris' property.  
299

300 Ms. Solarz-O'Neal feels he explained it well but is still skeptical. She questioned if there  
301 would be any trees taken down in the wetlands. Mr. Lavelle noted they cannot build  
302 within the wetlands and they can't take any trees down there.  
303

304 Ms. O'Connell is concerned about all the variances that have been granted in town. It is  
305 going to change the water table and change the accessibility to their wells. She's  
306 concerned with egress directly across from her house. The grade is going to be changed  
307 and the land is going to be altered. They can put culverts in but they are still changing the  
308 land, access and water table. She doesn't understand why that is the premium place to  
309 build instead of using land that is much more accessible. She spoke with a real estate  
310 agent and found there will be a significant loss to property value. You can't control where  
311 the water is going to go. She was also told by the post office that she can't get mail  
312 delivered anymore because of the proposed subdivision. Mr. Russell noted that the post  
313 office would have no knowledge of the proposed subdivision and that wouldn't affect her  
314 mail delivery. Members discussed that issue.  
315

316 Mr. Nicolaisen understands where they are coming from, but as a landowner, he would  
317 be upset if he had a lot of opposition to developing his own property. He noted everyone  
318 has to conform to the same rules in terms of wetlands, and the state has to approve what  
319 they are doing. He noted the term "major" subdivision might scare some people, but this  
320 is only three homes.  
321

322 Mr. Meisner suggested that Mr. Lavelle indicate for them where the driveways were  
323 going to go.

324

325 Mr. Lavelle explained the different between a “major” and “minor” subdivision.

326

327 Ms. Solarz-O’Neal questioned the safety of the road and the sharp corner.

328

329 *Bill McCallen, 726 Main Street*

330 He doesn’t think it matters where the driveway is, cars drive too fast along that road.

331

332 Mr. Keach noted that it is a state highway and they have no jurisdiction and the driveway  
333 permits are given by NHDOT. Mr. Lavelle noted they applied for the permits but they are  
334 pending and the state could make changes to what they’ve requested.

335

336 Mr. Russell noted they would also be going to Conservation for review and the town had  
337 an excellent wetland scientist.

338

339 Ms. O’Connell asked if telephone poles would be moved. Members indicated they  
340 wouldn’t.

341

342 Mr. Lavelle noted the placement of the driveways is on the outside of the curve which is  
343 a much safer line site. They are not proposing any driveways on the dangerous part of the  
344 curve.

345

346 Mr. Lavelle noted he was ready to close design review. Mr. Keach felt the project was  
347 ready for them to close design review.

348

349 Mr. Russell questioned if that was appropriate since they haven’t been before  
350 Conservation, the Town of Hampstead and haven’t receive all their state permits.

351

352 Mr. Lavelle noted that there was still a question concerning recreation. He noted the  
353 Morris’ land has been used for recreation purposes for years; people sled and walk the  
354 trails. Since they are only proposing street lots, they would like a waiver for on-site  
355 recreation and asked the Board what their thoughts were on that.

356

357 Mr. Meisner had no issue with it. Mr. Nicolaisen noted that it’s an issue they often have.  
358 He had a recreation obligation to fulfill on his own property and feels other should too.

359

360 Mr. Mencis noted he would be in favor of a donation.

361

362 Mr. Lavelle noted he would discuss it with his client, but they may adjust the donation  
363 amount.

364

365 Mr. Russell suggested they submit a proposal.

366

367 The Board agreed design review was complete.

368

369 **9:30 – Review of Sub Accounting Funds**



370 Ms. Cairns noted that they receive a monthly statement of cash sureties and questioned  
371 what the accounts were for. Mr. Keach did some research and sent a detailed memo to the  
372 Board dated May 7, 2013 which explained what each surety was for. Mr. Keach reviewed  
373 that memo.

374

375 Mr. Keach recommended the release of several of the sureties.

376

377 **Amy L. & Jeffrey Newton** – Mr. Keach noted that the money was retained because the  
378 final monuments weren't set on the property. He contacted Tim Lavelle to see if he  
379 would complete the monuments since the project was theirs originally. He is waiting to  
380 hear from him to see if he is able to complete the work for the amount that remains in the  
381 account.

382

383 Mr. Keach noted that the Jonathan Longley, Ryan Normand and Vincent Celeste  
384 Subdivision funds should be put in the DPW's Capital Reserve Fund since the town  
385 completed the road improvements.

386

387 **Lawrence Road** – He has no record of this project. He thinks it is for a subdivision under  
388 Lawrence Academy, but he cannot confirm that and cannot confirm what the funds were  
389 held for. He feels the town should retain the funds.

390

391 **Recreation/Celeste Subdivision** – Mr. Keach noted the funds were held as a recreation  
392 requirement for the development. Since the subdivision has yet to be built, they should  
393 continue to hold the surety for the intended purpose.

394

395 **Vantage Point Boundaries** – This is for the Vantage Point Subdivision which Mr.  
396 Barnes is currently moving forward with. The intent of the funds was to insure all  
397 boundary monuments were installed. Since Mr. Barnes is moving forward with this  
398 project, he recommended they hold the surety for its original intent.

399

400 **MOTION:** Mr. Mencis made a motion return the residual balances for:

401

402 **Cann's Road Bond - \$6,485.36**

403 Joyce Cann, 2309 Goya Drive, Nokomis, Florida 34275

404

405 **Chestnut Estates - \$1,880.57**

406 Hersey Road Development Group, P.O. Box 113, Sandown, NH 03873

407

408 **Delridge Realty Corp - \$1,597.50**

409 Delridge Realty Corp., 14 Deer Run Circle, Kingston, NH 03848

410

411 **Delridge Realty Corp/Lilac Lane Phase II - \$2,760.28**

412 Delridge Realty Corp., 14 Deer Run Circle, Kingston, NH 03848

413

414 **Fred Blake Road Bond - \$492.29**

415 Frederick Blake, 532 Haverhill Road, Chester, NH 03036

416

417

**Gary Barnes & Sons - \$1,361.72**

418

Gary Barnes & Sons, P.O. Box 527, Sandown, NH 03873

419

420

**Gary Barnes & Sons Rd. Bond - \$542.66**

421

Gary Barnes & Sons, P.O. Box 527, Sandown, NH 03873

422

423

**Little Mill Road - \$5,322.31**

424

Delridge Realty Corp, Deer Run Circle, Kingston, NH 03848

425

426

**Raphael Mullet - \$882.67**

427

Raphael Mullett, Trustee, Jeremy Meadows Trust, Birch Road, Chester, NH

428

429

**Ronald Snow - \$1,258.81**

430

12 Kelleher Ave., Plaistow, NH 03865

431

432

Mr. Nicolaisen seconded the motion. The Board voted unanimously in favor. The motion passed.

433

434

435

**MOTION:** Mr. Mencis made a motion to pay the residual balance for the Amy Newton account to the Town of Sandown to set the remaining boundaries on the property. Mr. Nicolaisen seconded the motion.

436

437

438

439

*Discussion:* Mr. Mencis questioned if they should wait until they received a formal estimate from Mr. Lavelle to complete the work or authorize Ms. Cairns to hire Mr. Lavelle to complete the work if the estimate is equal or less than the amount of the surety. Mr. Keach recommended getting the estimate first and discussing it at the next meeting.

440

441

442

443

444

Mr. Mencis rescinded his motion. Mr. Nicolaisen rescinded his second.

445

446

**MOTION:** Mr. Mencis made a motion to pay the total sum of the Jonathan Longley account to the DPW Capital Reserve Fund. Mr. Nicolaisen seconded the motion.

447

448

449

*Discussion:* Mr. Nicolaisen questioned if the money could be moved into that fund and before they made the motion to move it, he wanted to speak with Ms. Blaisdell to determine if it is possible to put the funds into that account and what the procedure should be.

450

451

452

453

454

Members agreed they should get more information before moving forward.

455

456

Mr. Mencis rescinded his motion. Mr. Nicolaisen rescinded his second.

457

458

**Other Business**

459

Mr. Russell feels the Board should draft a letter to John Tilton of Tiffany Lee Homes advising him that he owns a piece of property that needs to get a wetlands permit. He will work with Ms. Cairns to draft the letter. The Board agreed that would be appropriate.

460

461

462

463 Mr. Russell had a question regarding the article in the *Tri Town Times*; he wanted to  
464 make sure certain members were quoted accurately. Mr. Nicolaisen, Mr. E. Brown and  
465 Mr. M. Brown were quoted as saying they would approve subdivisions with outstanding  
466 conditions on a case-by-case basis. Mr. Russell questioned that because it's his  
467 understanding that mylars couldn't be signed with outstanding conditions and he doesn't  
468 feel it's fair that one plan would be signed prior to the conditions being met, but another  
469 wouldn't be signed. Mr. Nicolaisen agreed there needs to be uniformity with how those  
470 situations are handled.

471

472 Mr. Russell noted that thy approved mylars without conditions being met and he had to  
473 sign them. He doesn't want to be in that position again. He isn't going to sign a mylar if  
474 conditions haven't been met and if the Board has an issue with that, he will step down.

475

476 Mr. Nicolaisen understands how he feels, but feels that if the Board voted on it, as  
477 Chairman, he needs to carry out their wishes.

478

479 Mr. Russell made it clear that from now on, he is not going to sign anything until all  
480 conditions have been met. He is uncomfortable with what the Board asked of him. He is  
481 also uncomfortable when he is accused of having a vendetta against a certain individual.

482

483 Mr. E Brown thought the conditions had been met.

484

485 Mr. Keach feels that the Board approved the plans because they had an agreement with  
486 Mr. Villella that the easement would be obtained and submitted by the following  
487 Thursday. He doesn't feel the Board would have voted the way they did if there was no  
488 agreement on the easement.

489

490 Mr. Russell questioned if the Board would ever sign something without a CUP. He feels  
491 he made a mistake and buckled and they shouldn't have signed the mylars. They now  
492 have no way to ensure those permits are obtained, and they are perpetuating a situation  
493 with the same individual who defies town rules.

494

495 Mr. E. Brown noted he has no history with Mr. Villella and is taking the man at his word  
496 that he would get the proper permits.

497

498 Mr. Meisner felt the Board needed more input from Mr. Keach in regards to those  
499 decisions and didn't feel there was a lot of opportunity for him to speak up and he would  
500 have been interested in his expert opinion.

501

502 Mr. Keach noted he felt the request and the coercion that happened that night was  
503 inappropriate. It may not have been an explicit condition of approval, but it was implied.  
504 He feels Mr. Russell should not have been pressured to sign the mylar that evening and it  
505 was appropriate to wait until the easement was obtained. He wasn't aware of the fire  
506 pond until that evening and would have liked time to review it himself.

507

508 **Administrative Report**

509 Ms. Cairns noted they needed to decide on a prize for photo submissions for the Master  
510 Plan. Mr. Mencis suggested they could receive recognition at Old Home Days or have  
511 their photos displayed.

512

513 The Board agreed to start their summer schedule which would mean only one meeting  
514 per month. Since they scheduled a site walk for June 18<sup>th</sup> that will be their only meeting  
515 for June.

516

517 **MOTION:** Mr. Mencis made a motion to adjourn. Mr. Meisner seconded the motion.  
518 The Board voted unanimously in favor. The motion passed. MEETING ADJOURNED at  
519 10:17 p.m.

520

521 Respectfully submitted,



522

523 Andrea Cairns, Recording Secretary