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**Sandown Planning Board
Minutes
August 19, 2014**

Date: August 19, 2014

Place: Sandown Town Hall

Members Present: Ernie Brown - Chairman, Matt Russell -Vice Chairman, Ed Mencis – Secretary, Steven Meisner, Steve Brown – Ex Officio, Lisa Butler – Alternate

Also Present: Recording Secretary - Andrea Cairns

Absent: Mark Traeger, Doug Martin, Town Engineer - Steve Keach

Opening: Mr. E. Brown opened the meeting at 7:05 p.m.

Mr. E. Brown appointed Ms. Butler for Mark Traeger.

Review of the 7/14/14 Minutes

L51 change “air” to “err”

MOTION: Mr. Russell made a motion to accept the 7/14/14 minutes as amended. Ms. Butler seconded the motion. All members voted in favor. Mr. Mencis abstained.

Correspondence

- The Source Drinking Water Newsletter

- Letter from the Greater Haverhill Chamber of Commerce invitation to a breakfast on September 26, 2014

Public hearing for review of a minor subdivision application submitted by Peter Holmes. The property is shown on Sandown Tax Map 6, Lot 11 and is located at 66 Phillips Pond Drive, Sandown, NH. The application proposes to subdivide the existing 13.72+/- acre lot into two single-family lots.

Mr. Meisner stepped down because he was on the ZBA case.

Peter Holmes and Neil McCarthy from Promised Land Survey presented the application.

Mr. McCarthy gave a brief overview of the project. They are proposing a 2-lot subdivision on Phillips Pond Drive. Map 6, Lot 11 is currently 13.72 acres. They applied for and received a variance from ZBA for the insufficient frontage for the new lot which is 154’. They did soil calculations and the property can sustain the 2-lots.

Mr. Brown reviewed Mr. Keach’s review letter dated August 19, 2014. The August 19th letter addressed the remaining issues from his letter dated August 12, 2014 review letter.

MOTION: Mr. Mencis made a motion to accept the plan for consideration. Mr. Russell seconded the motion. All members voted in favor. The motion passed.

Mr. McCarthy noted the state subdivision approval application has been submitted and is pending.

49 Mr. E. Brown confirmed the driveway permit was not required as part of the approval.
50

51 Mr. Holmes submitted copies of the easement deed to the board for their review. The board
52 ultimately will rely on town council to approve the language.
53

54 Mr. E. Brown reminded Mr. McCarthy that they would need a letter confirming boundaries have
55 been set.
56

57 Mr. McCarthy submitted a waiver request for Subdivision Regulations 9.23 to provide funds in
58 the form of a voluntary contribution of not less than \$1,000 to the Sandown Recreations'
59 Revolving Fund.
60

61 **MOTION:** Mr. Mencis made a motion to accept the waiver request for section 9.23. Mr. Russell
62 seconded the motion.
63

64 Discussion: Mr. E. Brown opened the hearing to the public.
65

66 *Mr. Steve Meisner, 17 Brown Ave.*

67 Mr. Meisner noted that when the Phillips Pond Estates subdivision was approved, the recreation
68 money went to the Phillips Pond Association. He questioned if Mr. Holmes' lot was part of that
69 subdivision approval.
70

71 Mr. Russell questioned if that approval was based on a specific number of lots and noted that it
72 shouldn't apply because they are creating a new lot unrelated to that approval.
73

74 Mr. E. Brown felt he was asking for a waiver for subdivision regulation 9.23 which states
75 "recreation." Mr. Mencis was fine with the donation going to either.
76

77 Mr. Holmes noted that it was the case for the lots in that subdivision to go to the Phillips Pond
78 Association. He noted he would prefer it to go to them if he had the option to do that. He
79 questioned if that decision would be up to the buyer if he were to sell the lot. He feels the pond is
80 under-funded and does have issues with milfoil. He would like to see the donation go to the pond
81 association.
82

83 Mr. Mencis noted it is his donation and he should place it wherever he wants.
84

85 Mr. Meisner noted they are still an active association and they did just help deal with the milfoil
86 issue. He added that they do not maintain the town beach, but they deal with the invasive species
87 and the water quality.
88

89 **MOTION:** Mr. Mencis made a motion to conditionally approve a minor subdivision application
90 submitted by Peter Holmes. The property is shown on Sandown Tax Map 6, Lot 11 and is located
91 at 66 Phillips Pond Drive, Sandown, NH. The application proposes to subdivide the existing
92 13.72+/- acre lot into two single-family lots. Mr. Russell seconded the motion.
93

94 Mr. Brown reminded them they still had a motion on the table for the recreation waiver.
95

96 Mr. Mencis and Mr. Russell withdrew their motions.
97

98 **MOTION:** Mr. Mencis made a motion to allow the recreation contribution to go to the Phillips
99 Pond Association instead of the Recreation Revolving fund. Mr. Russell seconded the motion. All
100 members voted in favor. The motion passed.

101
102 **MOTION:** Mr. Mencis made a motion to conditionally approve a minor subdivision application
103 submitted by Peter Holmes. The property is shown on Sandown Tax Map 6, Lot 11 and is located
104 at 66 Phillips Pond Drive, Sandown, NH. The application proposes to subdivide the existing
105 13.72+/- acre lot into two single-family lots. Mr. Russell seconded the motion. The following
106 conditions apply:

- 107
- 108 • Maintenance of a positive PREA account balance.
 - 109 • Receipt of NHDES Subdivision Approval for platted Lot 6-11-25.
 - 110 • Receipt of an executed easement deed, in a form acceptable to Town Counsel, conveying
111 a permanent right of access over Lot 6-11 to Phillips Lake for the benefit of the Sandown
112 Fire Department.
 - 113 • Receipt of certification from a Licensed Land Surveyor acknowledging all boundary
114 monuments identified as “to be set” on the subdivision plat have in fact been installed.
 - 115 • Addition of a note to the final plat acknowledging the SPB granted a waiver of Section
116 9.23 of the Subdivision Regulations
 - 117 • Receipt of correspondence from the Town Engineer acknowledging all comments and
118 recommendations contained in his letter report of August 19, 2014 have been
119 satisfactorily addressed.
- 120

121 Mr. E. Brown noted that they received a call from Attorney Gorrow stating that Mr. Holmes was
122 requesting a partial release of the court order to allow him to sell the newly created lot. Ms.
123 Gorrow noted that she had no problem with that partial release.

124
125 Members discussed the hydrant to be placed on lot 6-11. Mr. Holmes was unaware of the change
126 that the fire chief wanted to put in a hydrant instead of a landing area. He noted he was agreeable
127 to the hydrant, but wanted to confirm the location. Ms. Cairns noted she would make sure Chief
128 Tapley got in touch with him to confirm the location.

129
130 Mr. E. Brown noted the new lot doesn't have anything to do with the stipulation since the hydrant
131 will be on Mr. Holmes' property, M6, L11.

132
133 **MOTION:** Mr. Russell made a motion to release the court order for lot 6-11-25 the newly
134 created 1.14 acre lot. Mr. Mencis seconded the motion. All members voted in favor. The motion
135 passed.

136
137 Mr. Brown questioned if Mr. Holmes' lot was part of the original 20-lot subdivision. Mr. Holmes
138 confirmed it was. Mr. Brown noted that he received a text from someone on the recreation
139 commission that if the lot is newly created, then the donation should go to the recreation
140 revolving fund.

141
142 Mr. Mencis noted that he initially felt that way, but since it is a donation, it should be Mr. Holmes
143 to determine where it should go.

144
145 Mr. E. Brown noted the town does have a public beach there, so any work done on the beach
146 effects recreation.

147

148 Mr. Meisner stepped back in.

149

150 **Review of the zoning regulations**

151 This discussion will be placed on the agenda for the next work session.

152

153 **Review of planning board budget**

154 Mr. Meisner felt that the budget is good as is based on what has been spent in the past years. He
155 noted that the budget committee will cut a lot so the board should leave some room.

156

157 Mr. S. Brown felt that what they approved is a well-planned budget. He noted there were several
158 line items that he would question because they are only at 50% currently. He felt the payroll line
159 item is too high as well as education and consulting.

160

161 Mr. Meisner noted that most of the seminars are in the fall, so they haven't spent that money yet.

162

163 Mr. S. Brown noted he's not trying to be critical he's just noting that they need to be able to
164 defend what they are asking for.

165

166 Mr. Meisner noted in his experience, the budget committee has always cut something. He would
167 hate to see the board without an assistant or a consultant.

168

169 Ms. Butler felt that the ad line item was reasonable and that it's on the members of the board to
170 attend seminars.

171

172 Mr. Russell noted it is always difficult to forecast how busy things will be. He feels they should
173 move forward with what they have. He agreed they should be taking more seminars.

174

175 Mr. S. Brown noted if you can justify what you are asking for, then leave it; come to the
176 selectman and budget committee with a reason why you need more.

177

178 Ms. Cairns will check on the mileage line item.

179

180 Mr. Russell asked Mr. S. Brown if any consideration was given to boards where their revenue and
181 expenses were equal. Mr. Brown noted they definitely took that into consideration.

182

183 Members reviewed the different line items and agreed they should stay as is.

184

185 **Other Business**

186 Mr. Mencis noted his mylars had a clerical error and the two new lots were given lot numbers that
187 were already taken. He had hoped to have the corrected mylars at that meeting, but they weren't
188 ready. He asked if the board would consider allowing them to be signed outside the meeting.

189

190 Mr. Russell and Mr. Brown agreed to be available to sign them when they are ready.

191

192 **MOTION:** Mr. S. Brown made a motion to allow the Chairman and Vice Chairman to sign the
193 mylars outside of the public meeting. Ms. Butler seconded the motion. Members voted in favor.
194 Mr. Mencis abstained. The motion passed.

195

196 For clerical purposes, Ms. Cairns noted that the board needed to make a motion to approve the
197 subdivision that included the new lot numbers.

198

199 **MOTION:** Mr. Russell made a motion to conditionally approve the application for a minor
200 subdivision submitted by Nordic Lincoln Realty Trust. The property is shown on Sandown Tax
201 Map 22 as Lot 55 and is located at 56 North Road, Sandown, NH. The newly created lots will be
202 M22 L55-3 and M22 L55-4. The application proposes to subdivide the existing 26.8 acre lot into
203 three lots. Mr. S. Brown seconded the motion.
204

205 *The following conditions to apply:*
206

- 207 • Receipt of Chester Planning Board Approval and signature of final plat.
- 208 • Receipt of correspondence from a licensed land surveyor acknowledging all boundary
209 monuments noted as “to be set” on the plan have in fact been set.
- 210 • Receipt of confirmation from town engineer that comments and recommendations
211 contained in his correspondence dated June 16, 2014 have been satisfactorily addressed.
- 212 • Maintenance of positive PREA account balance.
213

214 All members voted in favor. The motion passed.
215

216 -----
217

218 Ms. Cairns noted that the mylars for Chestnut Hill Auto needed to be resigned since the original
219 mylars were rejected by the registry due to some text being unreadable. Members resigned the
220 Chestnut Hill Auto mylars.
221

222 **MOTION:** Mr. Russell made a motion to adjourn. Mr. Mencis seconded the motion. All
223 members voted unanimously in favor. The motion passed. MEETING ADJOURNED at
224 9:02 p.m.
225

226 Respectfully Submitted,



227 Andrea Cairns
228