

1 **TOWN OF SUNAPEE**

2 **PLANNING BOARD**

3 **FEBRUARY 8, 2018**

4 **PRESENT:** Peter White, Chair; Donna Davis Larrow, Vice Chair; Joseph Butler; Randy Clark; Michael  
5 Jewczyn, Alternate; Michael Marquise, Planner

6 **ABSENT:** Richard Osborne; Joseph Furlong; Shane Hastings, Ex-Officio Member; Suzanne Gottling,  
7 Alternative Ex-Officio Member

8 **See attached sign in sheet**

9 Chairman White called the meeting to order at 7:00 pm.

10 **SWEARING IN OF APPOINTMENT – MICHAEL JEW CZYN**

11 Vice Chair Larrow made a motion to appoint Michael Jewczyn as an Alternate. Mr. Butler seconded the  
12 motion. The motion passed unanimously.

13 Betty Ramspott, the Town Clerk / Tax Collector, swore in Michael Jewczyn as an Alternate Member.

14 Chairman White appointed Mr. Jewczyn to sit as a voting member for Mr. Furlong.

15 **PARCEL ID: 0210-0061-0000 & PARCEL ID: 0210-0061-0001: SUBDIVISION / LOT LINE ADJUSTMENT –**  
16 **ANNEXING 1.12 ACRES FROM LOT 61 TO LOT 61-1. TROW HILL RD, LYNNE BELL TRUST.**

17 Mr. Marquise said that the application was filed in advance, the fees were paid, abutters were notified,  
18 and the notices were posted. The application falls under Section 6.04 of the Subdivision Regulations and  
19 is a minor subdivision, so it is eligible for waivers under Section 6.05-b. The potential waivers are:  
20 existing and proposed contours, existing and proposed utilities, plans for storm water drainage, and  
21 water supply facilities. Mr. Marquise said that he thinks that it is appropriate to waive those items and  
22 accept the application as complete.

23 Vice Chair Larrow made a motion to accept the application as complete for Parcel ID: 0210-0061-0000  
24 and Parcel ID: 0210-0061-0001: subdivision / lot like adjustment, annexing 1.05 acres from 61 to 61-1;  
25 Trow Hill Rd, Lynne Bell Trust; with the waivers of contours, utilities, storm water drainage, and water  
26 supply facilities. Mr. Clark seconded the motion. Mr. Marquise said that the acreage should be 1.12  
27 acres, not 1.05 acres. Vice Chair Larrow amended her motion to include annexing 1.12 acres, from 61 to  
28 61-1. Mr. Clark seconded the amendment. The motion passed unanimously.

29 Jason Bell and Clayton Platt presented the merits of the case.

30 Mr. Bell explained that Lot 61-1 had a piece subdivided from it and annexed to a neighboring property.  
31 The person who wants to purchase the lot would like the acreage to be over 10 acres in order for it to  
32 remain in current use, therefore, they want to annex some more land to this lot.

33 Chairman White asked and Mr. Bell confirmed that they will be taking 1.12 acres from Lot 61, which will  
34 then be approximately 183.0 acres, and annexing it to Lot 61.1, which will then be 10.19 acres.

35 Chairman White asked and there was no one on the Board with any questions or comments.

36 Mr. Marquise said that there was one comment that came from the Peer Review Meeting as there was a  
37 discussion about the power cable that goes up to the Town's transponder. Mr. Marquise said that they  
38 could not find an easement on record, there just appears to be an agreement in place. Mr. Bell said that  
39 they have not updated the agreement in many years, however, the agreement can be formalized either  
40 in the deed or in the purchase and sales agreement to protect the line. Mr. Clark asked and Mr. Bell said  
41 that it is currently an agreement that is supposed to be updated annually but has not been done. Mr.  
42 Marquise said that he recommends that they add the words "subject to agreement" next to that line on  
43 the Mylar so that there is an acknowledgement that there is an agreement in place. Chairman White  
44 asked and Mr. Bell explained that this is a power line that lays on the ground that goes up to the Town's  
45 emergency communications tower. There was further discussion regarding the power line, which Mr.  
46 Bell confirmed they have recently flagged.

47 Mr. Jewczyn asked and it was confirmed that the Town does have an attorney. Mr. Jewczyn asked if  
48 anyone has asked about where the liability lies if there is an injury due to the exposed cable. Mr.  
49 Marquise said that is something the Board of Selectmen would need to address. Mr. Marquise said that  
50 the Board is not approving the line on the ground, they are just acknowledging that it is there per the  
51 plan.

52 Chairman White asked and there were no questions or comments from the audience nor the Board.

53 Vice Chair Larrow asked how the motion should be worded. Mr. Platt said that he'd prefer that the  
54 Board does not require the Mylar to be changed as there is no current agreement for the cable line. He  
55 thinks that the Board should require something to be in the deed for the property. He is not sure about  
56 his liability about putting something on the Mylar without an agreement that has been signed. The  
57 Board further discussed the wording of the motion.

58 Vice Chair Larrow made a motion to approve the subdivision / lot line adjustment for Parcel ID: 0210-  
59 0061-0000 and Parcel ID: 0210-0061-0001, annexing 1.12 acres from 61 to 61-1; Trow Hill Rd, Lynne Bell  
60 Trust; subject to the agreement with the Town for the cable going to the transponder. Mr. Butler  
61 seconded the motion. The motion passed unanimously.

62 **PARCEL ID: 0133-0011-0000 & PARCEL ID: 0133-0009-0000: SUBDIVISION / LOT LINE ADJUSTMENT –**  
63 **ANNEXING .21 ACRES FROM LOT 11 TO LOT 09. HIGH ST, FLINT / WILLIS.**

64 Mr. Marquise said that the application was filed in advance, fees were paid, abutters were notified, and  
65 the notices were posted. The application falls under Section 6.04 of the Subdivision Regulations and is a  
66 minor subdivision so it is eligible for waivers under Section 6.05-b. The waivers are: existing and  
67 proposed contours, existing and proposed utilities, plans for storm water drainage, and water supply  
68 facilities. Mr. Marquise said that with those waivers he believes that the application is complete.

69 Vice Chair Larrow made a motion to accept the application as complete for Parcel ID: 0133-0011-0000  
70 and Parcel ID: 0133-0009-0000: subdivision / lot line adjustment; annexing .21 acres from 11 to 9; High  
71 St, Flint / Willis; with the following waivers: contours, utilities, storm water drainage, and water supply  
72 facilities. Mr. Clark seconded the motion. The motion passed unanimously.

73 Cory Flint, Austin Willis, and Clayton Platt presented the merits of the case.

74 Mr. Flint explained that they are looking to sell .21 acres to Mary and Austin Willis. The new property  
75 line will simplify an awkward area that was created with the original lot. This will also square off the  
76 Willis lot and give them a little more room and protection.

77 Chairman White said that this proposal does not seem to create any Zoning issues.

78 Mr. Marquise said that the only thing that came up during the Peer Review meeting was with the stone  
79 wall on High St. This is the first survey for this property and it shows the wall and lot line. Mr. Marquise  
80 asked and Mr. Flint said that he has spoken to the Town Manager about the wall. He believes that  
81 everyone is satisfied with the placement of the line but anything that may have to be done with it will  
82 need to be between Mr. Flint and the Town. Mr. Flint explained that Scott Hazelton, the Highway  
83 Director, would like to make some improvements to the wall and he'd like to have some sense of control  
84 over how the improvements are done in terms of the nature of the scenery and the landscape. Mr. Flint  
85 continued that he is open to donating some materials that the Town can use in order to help facilitate  
86 this. However, he has not been told why the wall needs to be improved other than there are chickens  
87 have been a problem. Chairman White asked if there are issues with the stability of the wall. Mr.  
88 Marquise said that he thinks that Mr. Hazelton wants Mr. Flint to understand that he is able to have  
89 access to the wall as it is in the right of way. Mr. Flint said that it is his understanding that even if it is in  
90 the right of way, he owns the property. However, if the Town needs to make an improvement there  
91 isn't anything that he can do to stop them.

92 Chairman White asked about the line on the west that says "this line believed to be incorrect" and asked  
93 if it is a problem. Mr. Platt said that there was a survey done in the 60s and that reference deed didn't  
94 say the same thing so he showed the line that he thinks is correct. The line that he showed is per the  
95 original deed.

96 Mr. Jewczyn asked and Mr. Flint said that he believes that he owns the land that is in the right of way so  
97 he should be able to work on the wall but the Town could do something to the wall even if he did not  
98 want them to. In that instance, he would want to make sure that the materials used go with the look  
99 and feel of the area / Harbor. Mr. Jewczyn asked if Mr. Flint would assume the responsibility if one of  
100 the stones from the wall shifted and rolled out and crushed a car. Mr. Flint said that he doesn't think  
101 that there are many stones that could do that, though one of the granite pavers could fall off the wall.  
102 As the Town has already made a repair to the wall, he does not think that he can say that he'd take  
103 responsibility for something happening with it. If the Town is working on it, they should have  
104 responsibility for it. There was further discussion regarding this matter as the wall is in the Town's right  
105 of way and the Town does not know if the road is fee simple ownership or a right of way over the land.  
106 The Board said that they are not making any determination regarding that line.

107 Chairman White asked if there are any public comments or questions and there were none.

108 Vice Chair Larrow made a motion to approve the subdivision / lot line adjustment, annexing .21 acres  
109 from 11 to 9; High St, Flint / Willis for Parcel ID: 0133-0011-0000 and Parcel ID: 0133-0009-0000 subject  
110 to the waivers of: contours, utilities, storm water drainage, and water supply facilities. Mr. Butler  
111 seconded the motion. The motion passed unanimously.

112 **CONSULTATION – PARCEL ID: 0211-0006-0000 & PARCEL ID: 0211-0008-0000: BELL PURCHASE OF**  
113 **STATE LAND – ROUTE 11**

114 Mr. Marquise said that this type of consultation is like a lot merger, however, instead of a lot merger  
115 document there are plans for the Board to discuss and then would sign it as “not applicable”.

116 Jason Bell and Clayton Platt discussed the proposal with the Board.

117 Mr. Platt explained that at one point in time this property was on both sides of the road; then the State  
118 put the new Route 11 in and then put in the passing lane and bought more land from the owner.

119 Mr. Platt said that in the process of getting a driveway permit from the State of NH, the State told them  
120 that they needed to purchase this land in order to access Route 11. Mr. Platt explained the process to  
121 the Board as it has been going on for approximately 2 ½ years and has finally been approved. Mr. Platt  
122 said that they are asking for the Board to acknowledge that the State has create these new parcels that  
123 will be merged to the existing parcels. There was further explanation about the proposal.

124 Mr. Marquise asked and Mr. Bell confirmed that once this plan is filed the deeds will be written and  
125 recorded.

126 Mr. Butler asked if there will only be one entrance into both the lots and it was explained that the  
127 driveway crosses into both lots.

128 There was a brief discussion regarding the steepness of Trow Hill and having a curve into part of this  
129 area.

130 The Board asked about the parcel that will still be owned by the State and abuts Trow Hill. Mr. Platt  
131 explained that the State will only deed pieces if they are directly in front of someone’s property.

132 There was a brief discussion about a turn lane for Trow Hill Rd.

133 Chairman White asked and there were no questions or comments from anyone in the audience.

134 Chairman White asked and Mr. Marquise explained that if the Board does not have any problems with  
135 the proposal, they can decide to have Chairman White sign the plan as “not applicable”; there does not  
136 need to be a vote.

137 **OTHER BUSINESS – JOLYON JOHNSON, ZONING IN HARBOR**

138 Jolyon Johnson and Patrick Clapp spoke to the Board regarding Zoning in the Harbor. Mr. Johnson  
139 explained that both he and Mr. Clapp are Board members of the Sunapee Harbor Riverway, however,  
140 they are not representing the Board.

141 Mr. Johnson said that he thinks that the Board should look at Main St and developing it for community  
142 use and public access. The area from Route 11 to Burkehaven Hill Rd, including Town property, consists  
143 of many small parcels in this area. However, it is a natural place to have a community center. Mr.  
144 Johnson continued to explain his thoughts regarding how the Zoning in this area could benefit the  
145 community.

146 Mr. Platt said that the Riverway's goal is to protect the Harbor. Many of their buildings need to be  
147 repaired and they want to be able to enhance and protect the Harbor. They want to make something  
148 year round in the Harbor so it isn't used just 5-6 months per year.

149 Mr. Johnson said that it is important that the Harbor fit the community well and the Town needs to  
150 focus on getting to the next step. Participation from the Town will be a big part and they welcome any  
151 ideas the Board may have. One thing that is difficult is that while something may seem like a good idea,  
152 it might not be economically feasible. They would just like insight and support from the Board.

153 Mr. Marquise asked if Mr. Johnson feels as though there are constraints with the allowed uses or with  
154 the dimensions with the existing Zoning. This area is zoned Village Commercial so it is the broadest  
155 number of uses and Mr. Marquise asked if anything is lacking. Mr. Johnson said that they want to make  
156 sure that there is an open mind as far as uses because if there is a unique opportunity that arises he'd  
157 like the Board to be open to it. There was further discussion regarding this matter as well as about  
158 setbacks.

159 Mr. Jewczyn asked what the Riverway's vision is for the Harbor. Mr. Johnson explained the Riverway's  
160 Mission Statement and said that they would like to have restaurants, some lodging, and other  
161 businesses. The balance of that and who is interested in investing in the area are parts of the problem  
162 that need to be solved. They are investigating various options but they want to make the Board aware  
163 that there may be some dimensional constraints and parking issues. There was further discussion  
164 regarding this matter as Mr. Johnson said that the buildings need to be repaired and are currently  
165 underutilized and the Board feels as though it would be good for the area to be used year-round.

166 Mr. Marquise said that the Riverway will also need to be aware of the Shoreland Protection Act and that  
167 there are waivers where an area can get exempt from the Act. Mr. Johnson said that the Riverway has  
168 investigated this a little bit and has been told that it is not hard to get an exemption from the Act.

169 Vice Chair Larrow asked if Mr. Johnson is suggesting a separate Zone for this area. Mr. Johnson said that  
170 he is suggesting having a separate Zone with different protocols for what is safe and such and not having  
171 dimensional controls. Chairman White asked and Mr. Johnson confirmed that the Board would address  
172 each lot on its own merit. Mr. Marquise said that he thinks that there is a process called Performance  
173 Zoning where there are requirements for building separation and / or greenspace but it looks at how a  
174 District performs.

175 There was further discussion regarding this area and the Zone and parking and how it can be addressed.  
176 Mr. Johnson would like each proposal to be looked at individually.

177 Mr. Platt said that in Peterborough they just passed a new overlay district that essentially suspended  
178 Zoning requirements such as density and allowing someone to bring a proposal to the Board for  
179 approval. They are trying to get more housing in the downtown area. This overlay area goes over the  
180 already existing Zone.

181 There was another discussion regarding the Shoreland District waiver.

182 Mr. Butler asked why the building that houses Fenton's Landing was not torn down and rebuilt per the  
183 approval the Riverway obtained. Mr. Johnson said that the Riverway analyzed the cash flow and  
184 decided not to do this; he was not in favor of it because he thought it was poor utilization of the land.

185 There was a discussion about the future plans for the Harbor.

186 Mr. Clark asked and Chairman White explained that the Town would need to get the exemption from  
187 the Shoreland Protection Act for the area. There was further discussion regarding this matter.

#### 188 **MISCELLANEOUS – DISCUSS GALLUP PROPERTY, YOUNG HILL RD**

189 Mr. Marquise said that there was a complaint letter regarding the subdivision that was approved in  
190 October on Young Hill Rd. The condition of the subdivision was that is supposed to be a discussion with  
191 the Highway Director regarding the driveway access and this was not done as of the Peer Review  
192 Meeting; the Mylar has not been signed yet. The complaint letter is from an abutter and has to do with  
193 drainage questions and some other issues, which probably do not relate to the subdivision.

194 Chairman White said that he does not believe the complaint is from a direct abutter to the property.  
195 There was some concern that the cutting that was done on the subdivision resulted in some drainage  
196 and runoff issues on some adjacent properties. From a Planning standpoint, he is not aware of anything  
197 that was done on the subdivision that was in violation of the regulations.

198 Vice Chair Larrow asked and Chairman White explained the location of the property. Chairman White  
199 said that there was a significant cut done on the property, though it was not clear cut.

200 Chairman White said that there was nothing done that violated the Planning Board regulations. There  
201 was a discussion as to whether there was a violation of the State Regulations and he believes that DES  
202 did look at the property. Chairman White asked and Mr. Marquise explained that the State requires a  
203 permit if 100,000 sq ft of land is disturbed; not just cutting but removing the stumps. Mr. Marquise said  
204 that there a Town Ordinance regarding 50,000 sq ft of continuous area cleared but it does not apply for  
205 a select cut.

206 Chairman White asked and Mr. Marquise explained that it is a public hearing so the public can talk,  
207 however, it was put on the agenda to because there was a complaint letter.

208 Chairman White said that the Planning Board is not a court of law. They held a hearing for a subdivision  
209 which met all the regulations. He thinks that the Town has responded accordingly; he would be willing  
210 to hear concerns but does not want to get into a lengthy dissertation.

211 Stephen Wagner, an attorney with BCM Environmental Land Law, spoke on behalf of Susan Cancio-Bello,  
212 the property owner who wrote the letter of complaint. Attorney Wagner explained that Ms. Cancio-  
213 Bello has experienced a significant water drainage issue that has increased since the selective cutting  
214 occurred. Other neighbors have experienced this same issue and they would like to talk through some  
215 options.

216 Mr. Butler asked and Chairman White explained that letters were sent to the Board and other Town  
217 Officials and it was looked into by Nicole Gage (the Zoning Administrator), Mr. Marquise, and Mr.  
218 Hazelton (the Highway Director). The consensus was that what appears to have been done is not

219 anything that is inappropriate or incorrect for the land owner to do. If it caused issues, it is more of a  
220 “neighbor” problem than a “Town” problem. Mr. Marquise agreed with Chairman White and explained  
221 that the Zoning Administrator has sent a reply letter stating that there were no Zoning violations. He is  
222 not sure about the Intent to Cut and if it has been looked at by the Town Forester. Chairman White said  
223 that he believes that the Zoning Administrator did contact the Town Forester who explained that the  
224 Intent is just there to get the timber tax; she did not feel as though there was anything she needed to  
225 get involved with.

226 Attorney Wagner said that one of the issues is that there was a letter sent by Ms. Gage on January 25<sup>th</sup>  
227 and one of the items in the letter was if this selective cut triggered Section 3.40-n, which would require  
228 an erosion control plan. This could help identify some of the issues and be a process in which the  
229 neighbors could work through and find some solutions. He was hoping to get some clarity in regards to  
230 if Section 3.40-n does not apply because this is not “cutting”. Mr. Marquise said that is up to Ms. Gage  
231 as it is a Zoning matter and her decision can be appealed to the Zoning Board. The Planning Board does  
232 not have the right to determine whether anything was violated in the Zoning Ordinance or not.

233 Chairman White asked if there are any other questions or comments.

234 Preston Santy, one of the abutters across the road from the property, explained that when there was a  
235 rain storm the water went through the culvert and then along the side of the road by his property. Mr.  
236 Santy presented pictures of the water damage to the Board. Mr. Santy continued that he spoke to Mr.  
237 Gallup, the land owner, regarding the damage to his property and was told that he had done everything  
238 the Town asked of him and was not in violation of anything and he did not see it as his responsibility.  
239 Mr. Santy said that he called Mr. Hazelton who said it is up to the property owner. He called the Town  
240 Manager and she said that it is not the Town’s responsibility. He then called DES and because there  
241 were no wetlands issues they couldn’t help. Mr. Santy said that he then asked Mr. Gallup to help him  
242 clean up his property and he didn’t want to take responsibility to do that either, so Mr. Santy had to hire  
243 someone to do it. He is upset because right after this happened, the Town addressed that washed out  
244 area by putting in crushed stone to keep it from happening again. In December, there was another  
245 rainstorm and what was left for stone in the culvert washed onto his property; though it was not as bad  
246 a situation as before, there is probably about 1-2 yards of stone in his yard from the runoff. Mr. Santy  
247 continued that he is upset because no one is taking responsibility and he was just asking for help to  
248 clean it up. He thinks that the stone will help the runoff, but he is not sure it will solve the entire  
249 problem. Mr. Santy continued to explain his thoughts regarding this issue.

250 Susan Cancio-Bello said that she has a lot of concerns. Mr. Gallup did go to her house to look at the  
251 drainage issue and explained that there are two catch basins on either side of his property, which is  
252 where his drainage goes. If the Town helped him with his drainage and she has all this extra water, she  
253 would like to know why can she not get help from the Town to handle it. She paved her driveway in  
254 2012 and did not have any problems, however, she’s had to have repairs done to her driveway four  
255 times since the cutting. Her drains are getting clogged up, her driveway has collapsed, and she had to  
256 rebuild her rock wall. There is a lot more water and it is coming down a lot faster. Ms. Cancio-Bello  
257 again asked why the Town can’t help catch that water.

258 Chairman White said that he does not think that any of the Board member thinks that it is appropriate  
259 that when you do something on your piece of property and it effects someone else’s property. There

260 are some rules and regulations that require engineered plans, unfortunately, however, it was not the  
261 case with this subdivision. Ms. Cancio-Bello said that moving forward there will be more plans done  
262 with this property.

263 Ms. Cancio-Bello said she spoke with Mr. Hazelton, who told her to call the NH Wetlands Bureau, who  
264 told her to call the NH Division of Forestry. Mr. Santy said that the same thing happened to him and no  
265 one wanted to take responsibility; no one wants to deal with the situation. Everyone says "it is your  
266 property, it is your responsibility". Ms. Cancio-Bello said that she was told that her culverts are not big  
267 enough. If she puts in culverts from one end of her property to the other, her neighbor at the bottom of  
268 the culvert will be washed out and it is not solving the problem and it would also cost a lot of money to  
269 install. The first rain after Mr. Gallup's cut, her drain was clogged with woodchips, so it came from Mr.  
270 Gallup's property. She has had four incidents since the cut and it is very frustrating.

271 Mr. Marquise said that the issue with what has happened is probably separate from the subdivision  
272 because nothing has happened with it yet. Before Mr. Gallup gets his final approval he has to speak  
273 with the Highway Director to look at the driveways, access issues, and drainage issues. He recommends  
274 that everyone in that area be part of that discussion to mitigate future problems. The Board is waiting  
275 until this meeting has been done to sign the Mylars and it might be good for everyone to come to an  
276 agreement to stop any further problems. Mr. Santy said that they are asking to prevent the problem  
277 from happening over and over again.

278 Ms. Cancio-Bello said that she does have video of the water coming through her property and there was  
279 no drainage coming through the Town culvert next to her property. She thinks that the Town has to  
280 figure out the drainage. Mr. Santy said that the water didn't go through that culvert and a lot of it was  
281 diverted to his property.

282 Mr. Jewczyn said that the Board hears Mr. Santy and Ms. Cancio-Bello's concerns and he thinks that Mr.  
283 Marquise's recommend is excellent. The Board is here on behalf of the Town and as they are the  
284 gatekeepers on the Mylar and it puts them in a unique position. The abutter's part is to be engaged in  
285 the process to find a solution and the Board can work with them on that to the best that they can do.

286 Attorney Wagner asked and Mr. Marquise confirmed that the Board is still waiting for Mr. Hazelton's  
287 final approval of the driveway. Attorney Wagner asked if Mr. Marquise is suggesting that discussion can  
288 be made public. Mr. Marquise said that he is suggesting that it becomes a discussion on more than just  
289 where the driveways are accessed but also how the drainage will be coming off the driveways.

290 Chairman White asked if Mr. Marquise is suggesting the discussion happens within the context of the  
291 Board or the abutters contacting Mr. Hazelton and the property owner themselves. Mr. Marquise said  
292 that he thinks that the abutters, the property owner, and Mr. Hazelton could have a general discussion  
293 which would then be reported back to the Board as to what Mr. Hazelton feels is a solution. The Mylar  
294 has not been signed so it is not a final subdivision at this point. Attorney Wagner said that they would  
295 be happy to set up a meeting with Mr. Hazelton. Attorney Wagner asked and Mr. Marquise confirmed  
296 that once the Board gets the report from Mr. Hazelton the signing of the Mylar will be on the agenda.

297 The Board had a brief discussion regarding water runoff and drainage and how it is a civil issue if your  
298 actions cause someone else's property to be damaged. Vice Chair Larrow asked and Mr. Marquise said  
299 that the cutting does not have anything to do with the subdivision. He thought that there were best



300 management practices for forestry. Chairman White said that this was a selective cut and the Town  
301 Forester was willing to look at the cut but she didn't think that there was anything done that was  
302 inappropriate. There was further discussion regarding this matter.

303 **MISCELLANEOUS**

304 Mr. Marquise said that historically, the Town has been on a pre-review list for septic systems. Usually it  
305 is based on if there is a set of regulations that are different than the State's and / or the Town has a  
306 Health Officer who looks at the soil tests. The Town did have both of these in the past but they have  
307 gone by the wayside. He and Ms. Gage have decided it is a waste of time for people to have to come to  
308 the Town before going to the State. They have asked the Board of Selectmen to write a letter to the  
309 State asking to be removed from the list.

310 Mr. Marquise said that the Town has been talking over the years about tree cutting and Ms. Gage has  
311 created a new application that will incorporate what is done on her end as well as allows there to be a  
312 request to the Planning Board if someone wants to cut more than five trees. The Board has discussed  
313 having these be regular hearings where abutters are notified, and Mrs. Nashawaty asked for an  
314 appropriate fee. He has suggested \$100.00 to cover the cost of the notice and any administrative time;  
315 abutters would be extra. The Planning Board sets these fees, not the Selectmen. Mr. Jewczyn asked,  
316 and it was explained that the tree cutting permits are for trees within the Shoreland Overlay District,  
317 within 150 ft of the shoreland. There was further discussion regarding this matter. The Board agreed on  
318 the fee of \$100.00.

319 **MINUTES**

320 Changes to the Planning Board minutes from January 11, 2018: There were no changes to the minutes.

321 Mr. Clark made a motion to approve the minutes of January 11, 2018. Mr. Butler seconded the motion.  
322 The motion passed unanimously.

323 Mr. Clark made a motion to adjourn the meeting at 9:13 pm. Mr. Butler seconded the motion. The  
324 motion passed unanimously.

325 Respectfully submitted,

326 Melissa Pollari

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334 Planning Board

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336 Peter White, Chairman

Donna Davis Larrow, Vice Chair

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338 Richard Osborne

Joseph Butler

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340 Joseph Furlong

Randy Clark

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342 Shane Hastings, ex-officio member

Suzanne Gottling, ex-officio alternate member

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