

1 **TOWN OF SUNAPEE**

2 **PLANNING BOARD**

3 **JUNE 5, 2014**

4 **PRESENT:** Peter White, Chair; Vice-Chair; Robert Stanley; Tanner Royce; Kurt Markarian; Shane Hastings,
5 ex-officio member; Michael Marquise, Planner

6 **ABSENT:** Donna Davis Larrow

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

8 Changes to the Minutes from the May 1, 2014 meeting:

9 Kurt Markarian made a motion to accept the minutes from May 1, 2014 as written. Shane Hastings
10 seconded the motion. The motion passed unanimously.

11 **UPDATE**

12 Mr. Marquise told the Board that Mrs. Larrow gave him information regarding the PSNH tree clearing to
13 share. Chairman White said that PSNH had sent an email out a few days after the last meeting. The
14 property owners apparently needed to be proactive and say that they did not want the wood in order
15 for the trees to be removed.

16 Mr. Marquise said that there were some questions about the excavation going on at the old Chase
17 Marine property. Mr. Marquise said that the owners did receive a Zoning Board approval which was
18 conditional upon approval from the Planning Board. Mr. Landry has brought it to the owner's attention.
19 Mr. Markarian asked if Mr. Landry has sent a cease and desist letter until they come before the Planning
20 Board. Mr. Marquise explained that he does not know as Mr. Landry was away.

21 Mr. Marquise told the Board that Mr. Landry gave him a packet of information regarding Pleasant Acres.
22 There was a question regarding the hours of operation and Mr. Marquise could not find any indicated on
23 the decision. Mr. Markarian said that he thought they were on the drawing and Mr. Marquise said he
24 will have to pull it out to check. Mr. Markarian read the minutes and said that they indicate 7:00 am to
25 5:00 pm and during storms there could be longer hours. The Board discussed that they feel as though
26 the business starts earlier than the indicated hours and that the owner should come back to revise the
27 Site Plan.

28 Chairman White said that he received a letter from the Department of Environmental Services about
29 municipalities and Municipal Groundwater Aquifer Zoning to protect wellhead protection areas. The
30 letter is about possibly including something in the Town's Zoning Ordinance. They do not list specific
31 areas though do list potential contamination sources. The Board determined to keep the letter on file to
32 discuss in September when the Zoning Amendments are proposed.

33 **PARCEL ID: 0136-0018-0000: MINOR SUBDIVISION: SUBDIVIDE 5.2 ACRE PARCEL INTO THREE (3)**
34 **BUILDING LOTS WITH FRONTAGE ON A NEW ROAD. BRUCE MCCARTHY, 314 LAKE AVE.**

35 Mr. Marquise said that the application was filed in advance, fees were paid, notices were posted and
36 abutters were notified. Mr. Marquise said that he feels as though this is not a minor subdivision but a
37 major subdivision because they are putting in a new road. He does not feel as though it will be a
38 problem because the plans cover everything and there would be no waivers needed. The case falls
39 under Article 6.4 of the Subdivision Regulations and he feels as though everything that is necessary is
40 presented. Mr. Marquise continued that the only question he has is that the proposed street name that
41 needs to be addressed with the Selectmen. The applicant said that the proposed name is Lake Sunapee
42 Lane. Mr. Marquise said that in terms of completeness the application meets the major subdivision
43 requirements and as the lots are proposed to be on Town Water and Sewer State approval for the
44 subdivision will not be required.

45 Robert Stanley made a motion to accept the application as complete for Parcel ID: 0136-0018-0000.
46 Kurt Markarian seconded the motion. The motion passed unanimously.

47 Bruce McCarthy and Steve Jesseman from Jesseman Engineering presented the case. Mr. Jesseman
48 explained that they are proposing putting in a new road off of Lake Ave which will serve three lots. The
49 road will have a hammerhead at the end which is what the Highway Director requested. They will have
50 Town Water and Sewer the length of the road for each of the lots.

51 Mr. Jesseman explained that there is a small wetland area at the entrance which is being avoided. The
52 power company also has an easement and there is a power line running through the property. Mr.
53 Jesseman continued that they discovered a water line that has been disconnected that runs across the
54 property and is abandoned and will get removed. Chairman White asked if they are abandoning the
55 current gravel driveway. Mr. Jesseman said that they will probably be abandoning the driveway.
56 There was a discussion regarding the old road that used to go up to Burkehaven.

57 Mr. Jesseman said that they would like to do some clearing of the property, leaving 10 major trees on
58 each lot.

59 Chairman White asked and Mr. Jesseman confirmed that the existing cottage will be staying on the
60 property. Mr. Jesseman said that they will be abandoning the septic and hooking into the sewer.

61 Mr. Markarian asked and Mr. Jesseman said that there are not proposed house sites as they will not be
62 tied down by needing septic systems.

63 Chairman White asked Mr. Marquise about the pitch of the road. Mr. Marquise said he believed that
64 Mr. Jesseman wanted to discuss the alignment and grade. Mr. Jesseman said that they had requested a
65 waiver for the speed from the Highway Director because they felt as though designing the road for 20
66 miles per hour would be better. The road will have a steeper grade at 10%, which is allowable. Mr.
67 Jesseman said that this design was approved by the Highway Director and the Police Department. Mr.
68 Marquise asked if the Town can enforce at 20 miles per hour as the owners would like the Town to
69 eventually take over the road. Mr. Hastings said that he believes 25 miles per hour is the minimum
70 speed that can be enforced. Mr. Marquise said that he is not sure if it is an issue with a 600' road but
71 that it could be an issue if the applicants choose to go to the Board of Selectmen to be accepted as a
72 Town road. There was further discussion regarding this matter.

73 Mr. Jesseman said that they widened the entrance at the request of the Highway Director. He also
74 reviewed the storm drainage plan with the Highway Director who is satisfied.

75 Mr. Marquise said that the Plat needs a block on the top for the stamp for Sullivan County. There was a
76 brief discussion regarding this issue.

77 Chairman White asked if there will be more electric poles placed on the road. Mr. McCarthy said that
78 they will not be adding more poles as far as he knows.

79 Mr. Markarian said that he is concerned with the amount of clearing that is proposed for the three
80 properties. Chairman White asked and Mr. Jesseman confirmed that they are outside the 250'
81 Shoreland Overlay. Mr. Marquise asked if they will be doing more than 100,000 square feet of land
82 disturbance. Mr. Jesseman said that they are not. Mr. McCarthy said that the ten trees is an arbitrary
83 number as there are some nice trees on the lot that they could leave. Mr. Stanley said that they will not
84 know which trees will be taken until they site the houses. Mr. Jesseman said that they are trying to
85 ensure the Board that they will not be clear cutting the lots and there will be at least 10 trees left per
86 lot.

87 Chairman White asked how many acres are required in the Zone. Mr. Marquise said that one acre lots
88 are required. Chairman White noted that all of the lots have appropriate road frontage.

89 Chairman White asked if there are any abutters present with questions.

90 Paul and Barbara Gallup of 175 Burkehaven Hill Rd said that the power line does supply their house. Mr.
91 Gallup said that they do not have any problems with the plan. They were the ones that took the old
92 road out of the property as they owned it briefly.

93 Jack Harkins of 326 Lake Ave said that when they bought their property they were told that this property
94 was not permitted to be subdivided per the deed and asked if this is a Variance request. Mr. McCarthy
95 said that as far as he knows it is not in the deed. Chairman White said that the Town does not have
96 anything to do with deeds as it is a legal issue; if there is a stipulation in the deed that the property
97 cannot be subdivided they have to go through proper legal channels. Mr. Jesseman said that he
98 surveyed the property and he read the deed. There was no mention in the deed regarding any
99 restriction.

100 Chairman White asked Mr. Harkins if he had any further comments or concerns. Mr. Harkins said that
101 he likes the woods behind his house and he would rather not see a house but the subdivision looks
102 reasonable.

103 Mr. Marquise said that because this is a new road the applicants will need to give a bond of 110% of an
104 estimate of the value for putting in the road and improvements including the drainage and water and
105 sewer.

106 Mr. Gallup asked about the waterline that the applicants said are abandoned. Mr. Gallup said that he
107 spoke with Teddy Gallup a few years ago and was told that there is one house up on Burkehaven that
108 uses it. The water line runs over the ground as a summer waterline for this one house. Chairman White
109 said that the applicants should check into the waterline before removing it.

110 Mr. Marquise suggested giving a time limit to post the bond.

111 Chairman White asked if there were any other questions for the applicants and as there were none
112 closed the public input portion of the meeting.

113 Robert Stanley made a motion to approve a major subdivision for Parcel ID: 0136-0018-0000 with the
114 provision that the owner will provide a bond at 110% of the cost of construction of the road, the
115 improvements, drainage, and water and sewer lines and at the bond hearing will present the name for
116 the road with a one year time limit to provide the bond. Shane Hastings seconded the motion. The
117 motion passed unanimously.

118 **PARCEL ID: 0129-0043-0000: SITE PLAN REVIEW: CONSTRUCT A NEW GARAGE IN PLACE OF EXISTING**
119 **ADDITION TO BUILDING AND ADD A ONE BEDROOM APARTMENT AS PER PLANS. LES & WENDY**
120 **DUNNELLS, 14 SARGENT RD.**

121 Mr. Marquise said this is an amendment to a Site Plan and that notices were posted, fees were paid, and
122 abutters were notified. This application falls under Article V of the Site Plan Regulations which were all
123 presented in the original application. Mr. Marquise said as this is an amendment that the application is
124 complete.

125 Kurt Markarian made a motion to accept the application as complete for Parcel ID: 0129-0043-0000, Site
126 Plan Review for 14 Sargent Rd. Robert Stanley seconded the motion. The motion passed unanimously.

127 Les and Wendy Dunnells presented the merits of the case.

128 Chairman White noted that the applicants had come before the Board for a conceptual. The applicants
129 want to make the building a little bigger for a bigger garage. The Board had asked for more definition on
130 the parking which Chairman White said looks to be on the Plan. Mr. Marquise said that there are four
131 spaces on site and four spaces by easement offsite for a total of eight spaces which covers the needed
132 parking spaces.

133 Chairman White asked the Board and the audience and there were no further questions or comments
134 for the applicants.

135 Tanner Royce made a motion to accept the Site Plan Review on Parcel ID: 0129-0043-0000 to construct a
136 new garage in place of an existing addition to include adding a two bedroom and a one bedroom
137 apartment onto the existing plumbing business on 14 Sargent Rd. Kurt Markarian seconded the motion.
138 The motion passed unanimously.

139 **MISCELLANEOUS: LSPA-WATERSHED COMMITTEE, PRESENTATION AND DISCUSSION: SHORELAND**
140 **REGULATIONS.**

141 June Fichter, Betsy Lyons and Charlie Hirshberg spoke to the Board regarding the LSPA Watershed
142 Committee and Shoreland Regulations.

143 Ms. Fichter explained that they have been to various Planning Boards in the watershed areas to ask how
144 they could help them. One unanimous answer was to see how the Shoreland Regulations compare
145 between towns. Ms. Fichter gave a draft pamphlet to the Board for their review. Ms. Fichter asked the

146 Board to look over the "Sunapee" portion of the pamphlet to see if the information is correct. Ms.
147 Fichter also asked the Board to consider getting together with our other Planning Boards to discuss the
148 differences and similarities. The goal would be to make the Regulations more unified. Chairman White
149 noted that the pamphlet includes information on the State of NH Shoreland Regulations.

150 Chairman White asked and Ms. Fichter confirmed that a goal is to create more consensus at some level
151 throughout the towns. There was a discussion regarding some of the regulations in the different towns
152 as well as the State. There was also a discussion about Sunapee's regulations and requirements for
153 bonding or restoration.

154 Mr. Marquise said that he would review the pamphlet to see if Sunapee's regulations are correct.

155 Chairman White said that he feels that a round table discussion with other area Boards would be
156 helpful. The other Board members agreed.

157 **MYLAR**

158 The Board signed the Mylar for Daniel and Crystal Bonin's three lot subdivision on Edgemont Rd (103-b).

159 Robert Stanley made a motion to adjourn at 8:36 PM. Kurt Markarian seconded the motion. The
160 motion passed unanimously.

161 Respectfully submitted,

162 Melissa Pollari

163

164

165

166 Planning Board

167 _____

168 Peter White, Chairman

169 _____

170 Donna Davis Larrow

171 _____

172 Kurt Markarian

173

Robert Stanley, Vice-Chairman

Tanner Royce

Shane Hastings, ex-officio member