

49 General Business

- 50
- 51 4. Accept Minutes of September 14, 2011, September 28, 2011, October 5, 2011,
- 52 October 12, 2011 and October 18, 2011.
- 53 5. Board opinion on the sign for the American Legion.
- 54 6. Board opinion on private ownership of open space.
- 55 7. Expansion of a Home Business.
- 56 8. Chairman’s comment on off-site funds.
- 57

58 **MINUTES**

59

60

61 **Appointments**

62

63 **Jillian Harris of So. NH Planning Commission – Continuation of the Energy**

64 **Chapter for the Master Plan**

65

- 66 1. Jillian Harris, Associate Planner at So. NH Planning Commission was present
- 67 to go over the draft Energy Chapter for the Master Plan. Ms. Harris created a
- 68 Power Point presentation highlighting the key points in the Energy Chapter
- 69 as; energy goals, energy expenditure estimates, net greenhouse gas
- 70 emissions, annual utility use and energy density, building assessment, and
- 71 energy recommendations. Board members questioned the sources for data
- 72 found in the charts and graphs and discussed possible reasons for some of
- 73 the results. Changes were made to clarify parts of the document,
- 74 expansion of duties and grammatical corrections.
- 75

76 Action Plan: Ms. Harris will make the changes as discussed tonight,

77 complete the recommendations section as to who is responsible for

78 implementation and bring back to the Board on November 9, 2011 and then

79 set a date to hold the Public Hearing for adoption.

80

81 **Public Hearing**

82

83 **MOTION:** Richter moved to open the Public Hearing portion of the Agenda. Hadik

84 seconded. Motion passed unanimously.

85

86 **Subdivision Application of Daniel Hazelton Rev. Trust & Lorna Hazelton Rev.**

87 **Trust who is requesting subdivision approval for a two (2)-lot subdivision located**

88 **at 280 Derry Road [001-081-000]**

89

- 90 2. Application Acceptance
- 91

92 Board members reviewed the Subdivision Application for completeness. The

93 Coordinator stated that the drainage calculations were submitted to DuBois &

94 King and the Authorization to Represent has been obtained. There is no

95 review letter from DuBois & King at this time. **MOTION:** Hadik moved to

96 accept the Subdivision Application of Daniel Hazelton Rev. Trust & Lorna

97 Hazelton Rev. Trust who is requesting subdivision approval for a two (2)-lot
98 subdivision located at 280 Derry Road [001-081-000] and open the Public
99 Hearing. Richter seconded. Motion passed unanimously.

100
101 Public Hearing

102
103 William Gregsak, P.E. is representing the Applicants. Mr. Gregsak gave an
104 overview of the proposed two (2) lot subdivision consisting of 64.03 acres.
105 The new single-family lot will contain 2.5 acres and will have frontage on
106 Harantis Lake Road. No Dredge and Fill Permit is required and they have
107 their State Subdivision Approval. Hadik asked about the flagging in the
108 orchard area. Ms. Hazelton stated those are where apple trees will be
109 planted. Lein asked about the wetlands in the front of the lot. Mr. Gregsak
110 stated those wetlands were ruts created from past logging activity. There was
111 no public comment. **MOTION:** Hadik moved to continue the Public Hearing
112 to Wednesday, December 7, 2011 at 7:45 P.M. Richter seconded. Motion
113 passed unanimously.

114
115 **Subdivision Application of Udo & Erika Fritsch who is requesting subdivision**
116 **approval for a three (3)-lot subdivision located at 50 Haverhill Road**
117 **[015-003-000 & 004-000]**

118
119 3. Application Acceptance

120
121 Board members reviewed the Subdivision Application for completeness. The
122 Coordinator noted that there was a waiver request from the drainage
123 calculations and the signatures have been obtained. There is no review letter
124 from DuBois & King at this time. **MOTION:** Richter moved to accept the
125 Subdivision Application of Udo & Erika Fritsch who is requesting subdivision
126 approval for a three (3)-lot subdivision located at 50 Haverhill Road [015-003-
127 000 & 004-000] and open the Public Hearing. Hadik seconded. Motion
128 passed unanimously.

129
130 Public Hearing

131
132 William Gregsak, P.E. is representing the Applicants. Mr. Gregsak explained
133 that the Applicants own two parcels with an existing structure on each of the
134 parcels. They also own an abutting parcel where their house is located.
135 What they want to do is subdivide the land so that one house is on a 4.886
136 acre parcel with 290 feet of frontage and the other house is on a 2.019 acre
137 parcel with 221.91 feet of frontage and the remainder of the land in the back
138 will have 12.800 acres with 127.16 feet of frontage. The Applicants obtained
139 a variance on October 20, 2010 for short frontage on two parcels and an
140 existing structure and well in the front setback. This subdivision will give the
141 Applicants another access to the backland of the parcel where their house is
142 located. Buckley asked about the proposed temporary construction
143 easement along the 60 foot right of way. Mr. Gregsak stated it is there in the
144 event someone in the future wants to develop the land in the back. Mr.

145 Gregsak went on to say the easement would be just during construction of the
146 road/driveway then it would revert back to the property owners. Hadik stated
147 he doesn't have a problem with the waiver request, but he would like to add to
148 the waiver request wording that would make it clear that should proposed
149 Map 015-004-001 be developed, drainage calculations will have to be done.
150 Buckley suggested since they have added the temporary construction
151 easement why not find out now if the land is developable. Hadik feels at this
152 stage the drainage calculations are premature because the parcel is not being
153 developed at this time and conditions could change in the future. **MOTION:**
154 Richter moved to continue the Public Hearing to Wednesday, December 7,
155 2011 at 7:45 P.M. Hadik seconded. Motion passed unanimously.

156
157 **MOTION:** Richter moved to close the Public Hearing portion of the Agenda. Hadik
158 seconded. Motion passed unanimously.

159
160 **General Business**

161
162 **Accept Minutes of September 14, 2011, September 28, 2011, October 5, 2011,**
163 **October 12, 2011 and October 18, 2011**

164
165 3. Board members reviewed the Minutes of September 14, 2011. Richter noted
166 in line 121 "probable" should be "possibly". **MOTION:** Hadik moved to accept
167 the Minutes of September 14, 2011 as amended. Richter seconded. Four
168 ayes [Sederquest, Richter and Sullivan] and one abstention [Hadik]. Motion
169 passed.

170
171 Board members reviewed the Minutes of September 28, 2011. Richter noted
172 in line 93 there should be an "ed" on the word "happen", line 141 add a
173 comma after the word "acres" and line 201 the Subsection is 5.7.5.2.
174 **MOTION:** Hadik moved to accept the Minutes of September 28, 2011 as
175 amended. Sederquest seconded. Chairman Sullivan asked the Board if
176 there needs to be clarity made in this section relative to the Board speaking to
177 Chief Antoine about the use of off-site funds and the need for him to better
178 define what his intentions were for the funds so that through the payment
179 process there wouldn't be any exceptions. Richter stated the Board doesn't
180 need to understand the project only that the request matches the purpose for
181 the funds. Buckley stated there was a lack of detail in what those funds were
182 going to be used for. Richter stated there needs to be more detailed
183 articulation or explanation of the proposed use for off-site funds. Chairman
184 Sullivan stated he believes Chief Antoine understands the Board's intent.
185 Four ayes [Sederquest, Richter and Sullivan] and one abstention [Hadik].
186 Motion passed.

187
188 Board members reviewed the Minutes of October 5, 2011. **MOTION:** Hadik
189 moved to accept the Minutes of October 5, 2011 as written. Richter
190 seconded. Motion passed unanimously.

191
192 The October 12, 2011 meeting was cancelled.

193 Board members reviewed the Minutes of October 18, 2011. **MOTION:** Hadik
194 moved to accept the Minutes of October 18, 2011 as written. Sederquest
195 seconded. Motion passed unanimously.

196
197 **Board opinion on the sign for the American Legion**

- 198
199 4. The Coordinator stated the Building Inspector/Code Enforcement Officer
200 would like the Board to put in the Minutes their opinion on the sign request for
201 the American Legion. Chairman Sullivan recapped his understanding of the
202 request for a sign larger than what our ordinance allows in the Residential
203 Zone. Chairman Sullivan stated after meeting with legal counsel it was
204 agreed they could have a sign that meets the requirements of the Residential
205 Zone [Subsection 4.4.2.1]. If they want a permanent sign larger than six (6)
206 SF they need to go to the Zoning Board of Adjustment for a variance. Richer
207 noted that another option would be to use the temporary [event] signage
208 rules.

209
210 **Board opinion on private ownership of Open Space**

- 211
212 5. The Coordinator asked the Board to put into the Minutes their opinion
213 regarding the private ownership of Open Space. The Coordinator feels the
214 Applicants should be made aware of the Board’s opinion before they go any
215 further with the subdivision process. Hadik stated that a review of the zoning
216 ordinance with legal counsel supports the Board’s initial position that the
217 ownership of the open space cannot be separated from the new lots that
218 benefit from the open space. Chairman Sullivan added the open space can
219 not be severed from the units benefiting from the open space subdivision.

220
221 **Expansion of a Home Business**

- 222
223 6. Hadik stated he was contacted by a resident who wants to expand a Home
224 Business by adding a 40’ x 40’ building because his on line sales have
225 increased. Sederquest stated it sounds like a warehouse. Hadik stated he
226 told him that as long as the building is not in the setbacks he would not need
227 a variance. However, Hadik did tell him he would have to come back before
228 the Planning Board for site plan review. Consensus of the Board was this is
229 an expansion of the business and he would have to come before the Planning
230 Board.

231
232 **Chairman’s comment on off-site funds**

- 233
234 7. Hadik asked the Board if the Road Agent knows that off-site money cannot be
235 used for maintenance, it is specifically for capital expenditures. The
236 Coordinator stated he does. Chairman Sullivan explained to Board members
237 the Board of Selectmen had concerns regarding the refund of off-site funds
238 due to there being no available projects. Chairman Sullivan informed this
239 Board that last year the Coordinator presented the Board of Selectmen with a

240 spreadsheet of the funds available in the off-site account. The Coordinator
241 explained per the Zoning Ordinance this is to be done once a year.
242 The Fire Chief and Road Agent were also given a list of funds available
243 specific to their department. Chairman Sullivan gave the new members a
244 brief history on the development of the spreadsheet.
245

246 **MOTION:** Richter moved to adjourn at 8:59 P.M. Sederquest seconded. Motion
247 passed unanimously.
248

249 Respectfully submitted,
250

251
252
253 _____
254 Cynthia J. Robinson
255 Planning Coordinator

256 Dates of upcoming meetings:
257

258 November 2, 2011
259 November 9, 2011
260 November 23, 2011