

March 21, 1990

Members present: Richard Smith, Chairman; William DiProfio, Selectman; Kathy George, and Robert Marston

Others: Sarah Campbell, Rockingham Planning Commission

Mr. Smith called the meeting to order at 7:35pm.

MINUTES Mr. DiProfio motioned to accept the minutes of February 21, 1990 as printed.

Ms. George second.

The motion passed 3-0.

FMR Mr. DiProfio informed the Board that Mr. Wilson has begun construction on his road and that the Town Engineer should be notified. After review of the file, Ms. Campbell stated that the Engineer has been notified and that a schedule of inspection has been worked out and Mr. Wilson has been informed of such. A copy of this letter from Civil Consultants is in the FMR File.

Ms. Campbell reviewed the files regarding the legal fees to be paid by FMR. The following was documented:

November 22, 1989 letter from Town stating conditions for conditional approval.

December 4, 1989 Mr. Decker's letter stated he will pay reasonable legal fees.

January 17, 1990 letter was sent from Civil Consultants to Frank Wilson

Mr. DiProfio noted that the legal fees in question by Mr. Decker are for the review of Articles of Association.

HAMPSHIRE DEVELOPMENT IMPACT FEE Mr. DiProfio stated that Hampshire Development has paid the Impact Fee on one lot and has received his first Building Permit. He has returned the Building Permit for the second lot.

Mr. DiProfio also informed the Board that Mr. Wilson is changing his Subdivision and perhaps will be transferring one two acre parcel to an abutter.

Mr. Smith stated that the Board has conditionally approved the Subdivision with no access road between Stumpfield Road and the Collantin property. This information was substantiated by the minutes of February 1988.

Mr. DiProfio said that the two acres would be subdivided from the dry end of the property.

Mr. Smith said that Hampshire Development was told there would be no ROW on the property.

Ms. Campbell found the minutes concerning the Hampshire Subdivision and stated they were too sketchy to determine the Board's intent.

Mr. Smith suggested that Mr. Wilson donate the other seven acres to the Conservation Commission in lieu of the Impact Fees.

Mr. DiProfio stated the Town would rather have the taxes.

Mr. Smith noted that Mr. Collantin would be required to pay Impact Fees if this became a road or ROW.

Dr. Marston also stated that Bouchard has five acres on the other side of the road.

MRS. GEORGE-APPOINTMENT Mr. DiProfio informed the Board that the Selectmen have re-appointed Mrs. Catherine J. George to a three-year term to the Planning Board.

FLYNN FAMILY TRUST Mr. DiProfio stated that the Flynn Family Trust has contacted the Board through Ms. Campbell regarding the bonding of the road in their development.

(Dr. Marston arrived at 7:46.)

Ms. Campbell said that Bell & Flynn have proposed that they be allowed to construct the road in their subdivision and therefore not post a road bond.

Ms. Campbell noted that the mylar has not been signed and would not be signed until the road is done to the Town Engineer's satisfaction. The Flynn Family would not be allowed to sell a lot until the plan is signed or a bond is placed on the portion of road that remained unfinished. She noted a potential problem would be if the company went "belly-up" prior to completion of the road.

Ms. Campbell stressed that this is her opinion and she did not see this option as a potential problem to the Town.

Mr. Smith noted that Mel Bowley built his road and the Board had signed the plan. There was no bond on Pine Woods. The work was completed within one week. At this point he feels the Flynn Family mylar is not signed and the Town is in the advantageous position.

Dr. Marston stated that Bell & Flynn certainly have the capability to build the road.

Mr. DiProfio agreed they are a special case and should be considered for approval.

Mr. DiProfio motioned the Board accept Bell & Flynn's proposal to build the road, complete to the Town specifications prior to signing the mylar and issuing the Building Permits.

Dr. Marston second.

The motion passed 4-0.

Ms. Campbell will draft a letter so stating and will send it to Bell & Flynn after Mr. Smith has reviewed and approved it.

MISCELLANEOUS

Mr. Smith suggested that the magazine Waste Dynamics of New England be forwarded to the Recycling Committee.

Keli Cottuli will be scheduled for the April 18, 1990 meeting for Home Occupation Permit Hearing.

Mr. Smith will not be at the April 18 meeting. Mr. DiProfio will sit as Chairman in his absence.

Mr. Richard Cook, 107A, has inquired about a Home Business.

Mr. Jacques has volunteered his services to the Planning Board. Mr. DiProfio suggested he be in charge of maintaining the Master Plan and Capital Improvements Plan.

Richard Poeleart was recommended as a possible Alternate to the Board.

The meeting was adjourned at 8:30pm.

Respectfully submitted,

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Nancy J. Marden, Secretary/Clerk