

April 20, 1995

Attending: Chairman Richard Smith, Catherine George, Joseph Cacciatore, Amanda Rossi-Lashoones (7:40), Dr. Robert Marston (7:50), and J. Roby Day, Alternate.

Others Attending: Larry Smith, Conservation Commission Chairman, Sarah Campbell, RPC Circuit Rider, and Glenn Clark, Deputy Building Inspector.

This Meeting opened at 7:32 PM.

Public Hearing - Charles Marden for Site Plan Review. The meeting opened at 7:32pm. Property located at 213 Haverhill Rd, (MBL #11-2-17). Site Plan is for construction of proposed garage, kiln, and storage building, non-residential type, with 12,000 square feet required. It was noted Mr. Marden paid the required fees, completed the application, and submitted 4 copies of the Site Plan prepared by Civil Construction Mgt. Inc., Newton NH. All abutters were properly notified, and it was noted all abutters were not present.

General discussion began with addressing 200' setback requirements (not previously met when the site plan presented at the preliminary meeting with the board on 2/16/95). The requirements were now satisfactorily met. Also discussed were the position and size of buildings, and the gas easement not having any effect on the buildings now. Running a gas line to the kiln and garage is a future possibility.

Motion: Amanda Rossi-Lashoones motioned to accept the Site Plan as presented with the board's approval. Catherine George second. The motion passed all in favor.

It was noted that a mylar copy of the site plan was not submitted. Mr. Marden assumed Civil Construction Management Inc., had met all requirements, and would investigate. Sarah Campbell did not see stamp and approval block used to record with the Registry of Deeds. (Page 6, Section M of the Site Plan regulations referenced this requirement.) Ms Campbell suggested this was not a land division, and not a critical situation that would accomplish anything with the recording. This requirement could be waived by the board. A copy of one of the Site Plans should be approved and signed by the Chairman for the file.

Motion: Amanda Rossi-Lashoones motioned to waive recording this Site Plan with the Registry of Deeds. Catherine George second. The motion passed with majority vote. Dr. Robert Marston abstained to vote.

Mr. Richard Smith signed and approved a copy of one of the Site Plans, and suggested to Mr. Marden that he would wait to hear from Mr. Marden, when the mylar copy of the site plan would then be provided. This public hearing closed at 7:58 pm.

Preliminary Discussion - Charlotte Wall for Lot Line Adjustment. This discussion began at 8:00 pm. 128 Willow Road, (MBL 7-3-3).

Ms. Wall stated that she has persons interested in acquiring a portion of her land for a horse farm. The property has an existing easement with access to the lot located in a hill from Forest Drive. (She is not fond of this, feels it is "obtrusive"). The existing driveway could also be used as an easement to access her garage.

Ms. Wall provided a plan prepared by the students at UNH. In addition she had approximately 8 photos, as well as a large aerial photo taken back in the 1940's. Her property was surveyed back in 1984 by Mr. Vernon Dingman Sr. He used the deed to the property for history, and inspected the aerial photo when he realized a serious 26 foot discrepancy existed with an abutter (Mr. Henshaw.)

Preliminary continued - (Wall)

When the 26' foot discrepancy became known, Ms. Wall attempted to contact Mr. Henshaw to reach some sort of agreement to settle. Mr. Henshaw according to Ms. Wall was uncooperative and unwilling to resolve this issue. In 1985 Mr. Henshaw had his property surveyed (Collins), and Ms. Wall also had her property history researched again by Mr. Buford. All three surveyors could not find a clear explanation on this 26' discrepancy.

Sarah Campbell suggested Ms. Wall had a few options with 2 driveways, enough frontage and acreage for 2 lots. Ms. Wall would need to appear before the Zoning Board of Adjustment (ZBA) if the 2 lots shared the driveway, or if the circle driveway in front of her house was eliminated. To get a variance on the 200' frontage requirement she would also go to the ZBA. If sharing the driveway, taking the 26' discrepancy into consideration, Ms. Wall would then be faced with the 30' variance on the garage. Sarah questioned whether it would be cheaper to move her garage or move the lot line?

Ms. Wall said there is a bridge located on the second proposed lot that was approximately 100 years old and is located over a wetlands crossing. No problems foreseen on the construction of the bridge as long as construction does not disturb the stream flowing underneath. Catherine George asked if the bridge was stable enough to hold the weight of horses crossing the bridge, and Ms. Wall assured her it would.

The proposed new lot is under 12 acres. The prospective buyer wants to put a portion in CU. Mr. Larry Smith advised after calculating acreage of the road, house lot and all buildings, the remaining acres should be 10 acres to qualify for current use. Ms. Wall would consider giving up a portion of the wetlands if necessary, but firmly would keep the pond. Mr. Larry Smith advised the owner of record would be responsible for paying the current use penalties.

Ms. Wall would investigate having plans prepared with the 26' lot line in her favor, as well as in Mr. Henshaw's. She would probably lean towards keeping the 2 driveways, and consider moving the garage. Ms. Wall would request the road not be paved. Ms. Wall is interested in making a 50/50 compromise with Mr. Henshaw, but not interested in letting the problem drag out indefinitely. Ms. Wall requested to be placed on next months agenda, and will go to the Selectmen's office to pay necessary fees, provide abutter's list, and make application for subdivision. 8:34 pm.

Preliminary Discussion - Shafmaster - Lot line Adjustment Steve Leonard representing the Shafmaster's provided two plans showing the Shafmaster Farm (170 +/- acres) and the former Lazor property (33 acres), now belonging to Amy Shafmaster. The Shafmaster's would like to create a lot line that would tie approximately 28 acres into the existing farm, and retain 5 acres with the house belonging to Ms Shafmaster.

Mr. Leonard has made the necessary application for the lot line adjustment (LLA). The board feels the presentation is reasonable. Notice will be given to the abutters, and the public that the Planning board will meet 5/18/95, to act on the LLA. Mr. Leonard will submit a new plan to the Selectmen's office before 5/18/95, and will bring the mylar copy to the next Planning Board meeting.

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Mr. Richard Smith signed the agreement to continue the on-site Circuit Rider Planner assistance by the Rocking Planning Commission (RPC) through their consultant Sarah Campbell. The agreement will be forwarded to the Selectmen for approval and signatures, and authorization to remit \$1,189 with the agreement, and follow-up remittances on 8/1/95 (\$1,188) and 12/1/95 (\$1,188).

Mr. Smith asked the board if there were any questions or corrections to the minutes of 3/16/95.

Motion. Catherine George motioned to accept the minutes as prepared 3/16/95.

Dr. Robert Marston second. The motion passed all in favor.

Mr. Smith welcomed and introduced the new board alternate J. Roby Day to the other members.

An informal suggestion was made to add a Site Plan Checklist to the Site Plan Regulations manual.
(Similar to the Plat Checklist).

Motion. Catherine George motioned to adjourn at 9:12 pm. Joe Cacciatore 2nd. The motion passed unanimously.

Respectfully submitted.

Sandra Johnson,
Administrative Assistant-trainee