

Haverhill Planning Board Minutes Sept. 22, 2015

Draft Subject to Review, Correction, and Approval at Following Meeting

1. Call to Order

The meeting was called to order at 7:00 by Chairman Don Hammond

Planning Board members present:

Don Hammond

Mike Bonanno

Tom Friel

Mike Simpson

Tara Krause was absent.

Clerk Ed Ballam was present

Members of the public included: Leeann Nystrom and Glenn Libby

2. Designation of Alternates

No alternates to designate

3. Agenda Approval

Mike B. made a motion to approve the agenda, seconded by Tom F. The vote was unanimous.

4. Approve Minutes of Previous Meeting

Mike S. made a motion to approve the minutes of the May 26 meeting. Mike B. seconded the motion. The vote was unanimous.

5. Scheduled Public Appearances previously scheduled.

None

6. Correspondence/Communications

None

7. Reports of Committees

None

8. Pending Business

Don H. said the board would hold off on discussing the revisions to the subdivision regulations until after consideration of the application pending before the board.

After completing discussion of other new business, Item 10, the board continued reviewing the subdivision regulation.

Tom F. said before the board got deep into discussions and reviews, he wanted to let the board know that he retrieved from the New Hampshire Department of Transportation, road and bridge specification books that will help when the board reviews the regulations regarding requirements for new roads in subdivisions. Tom F. also said that when the board starts reviewing regulations

for road requirements, it might want to call in the town's road agent to discuss road requirements if there are any changes to the regulations to be made.

Don H. said the board left off at regulation 3.6 on page 10 from the last review at the August meeting. Don H. pointed out that the regulations say four signed paper copies are required. Ed B. said that for as long as he's been clerk, 5 or 6 years the board has been only collecting three. Mike S. asked if the board could change it to three. Ed B. said he only needs three, one for the mapper, one for the assessor and one for the permanent planning board record. He said for the applicants' sake, requiring only three might make sense to save money and effort.

There was consensus to require on three paper plat copies. There was also discussion of the provision in the regulation that says the planning board would mail a signed copy of the plat to the applicant. There was consensus to eliminate that requirement.

There were no changes to page 11,12, 13 and 14.

There was discussion about the need to look at performance bonds, as outlined in the regulations, where appropriate. It was mentioned that a performance bond on the Benedict's Way subdivision might have helped with some of the road issues.

There were no changes to page 15.

There was some discussion about the need to watch for duplicative or similar road names when subdivisions are approved.

There were no changes to page 16

Tom F. mentioned 4.8.1 which is in reference to irregular lot shapes. He said with very large lots, irregular lot shapes are not as relevant as it is when the lots are small. He said the 4 to 1 ratio doesn't always work for large lots. Don H. said there ought to be a line in the regulations stating that lot shape is at the discretion of the planning board.

There was discussion 4.1.3 regarding driveways. The board had amended this provision in the past to allow no more than two houses to be served by one driveway. There was discussion about how to incorporate that provision into the regulations without requiring a complete renumbering of existing regulations. A system using the letters A and B was discussed. 4.1.12B The amendment was done about four years ago.

There were no changes to page 19 or 20. The board decided to end review at 4.1.4 on page 21 where it will begin the review at the next meeting. Tom F. said the board needs to discuss minimum lot size.

9. New Business (Applications)

Don H. opened discussion of a lot line adjustment application submitted by Betty Conrad for property on Lily Pond Road between herself and Franklin and Rebecca Conrad, Tax Map 422, Lots 84 and 85.

Ed B. said the application appears to be complete, the abutters were notified and the meeting was warned. He asked Leanne N. if there were any changes to the plats and she said there were none. Copies of the plat were placed before the board members for review.

The board reviewed the lot line adjustment on the plat and Tom F. said the request seems straight forward. Don H. looked at the application folder and said everything appeared to be in order and the abutters were notified.

Leeanne N. asked if the board had any questions about the proposal. The board had none.

Mike B. made a motion to go into public hearing on the application which was seconded by Mike S. The motion carried on a unanimous vote. The public hearing was opened at 7:06. Don H. asked if anyone in attendance had anything to say. There were no public comments. Ed B. said he had a call from an abutter who had a question about procedure, but no issues or objections with the adjustment.

Mike B. made a motion to come out of the public hearing which was seconded by Mike S. The vote to close the public hearing was unanimous and the hearing closed at 7:07.

Don H. asked for a motion to accept the application as complete, which was made by Mike S., seconded by Mike B. The motion to accept the application as complete was unanimous.

Don H. asked for a motion to approve the application submitted by Betty Gray, Lily Pond Road, identified as Tax Map 422, Lots 84 and 85. Mike B. made the motion which was seconded by Mike S. The vote was unanimous.

Leeanne N. asked about recording fees in light of changes at the Grafton County Registry of Deeds. Ed B. said cash always works best as they don't take checks from private individuals and it takes two separate checks to complete the process, one for Grafton County and one for the state's LCHP program. Ed B. said business checks from Leanne's firm would work. Leanne said she would either issue checks herself or get cash from Betty Conrad for recording fees.

Leeanne presented the mylar to the board. After the mylar was matched to the plats that had been considered, Don H. signed the mylar and three paper copies of the plat for the record.

10. Other New Business

Don H. called on resident Glenn Libby who said he had a question for the board. Glenn L., who lives on 379 French Pond Road, asked about the procedures for opening a gravel pit. He said he has heard a neighbor has plans to open one on property that abuts his and he wanted to know if he would be notified if any operations like that occur. Glenn L. said he has allowed two other abutters to use his driveway to gain access to their properties on occasion for specific projects,

like timber cuts, but would have issues with the kind of traffic that would occur with a gravel pit operation.

Glenn L. had a plan of the property showing the driveway, his property and abutting land. The board reviewed the plan. He said he doesn't have specific issues with the gravel pit, as long as the abutters use their own land to access it, but he doesn't want his driveway used for the operation.

Glenn L. said he's read the regulations for the gravel pit permit process and acknowledges the planning board has the authority to review and grant any application for a pit. He asked what the procedure was to open a gravel pit.

Ed B. said indeed there is a process. An application for intent to excavate must be filled out and a public hearing on the application is heard before the board. He added the meeting would be warned and abutters would be notified before any gravel pit is open. Ed B. added there's also a state review and approval process that has to take place as well. He said any plan to open a pit also has to have a plan to close it and there is bonding involved as well.

Don H. asked which abutter was considering opening the pit. Glenn L. said he'd rather not say at this point.

Glenn L. said his biggest concern is notification and have the ability to have a say in the process. He said if the property owners used their own land and built a road into the site, he might not have anything to say at all about the pit. He did say that if it was located too close to his house, he might object.

Glenn L. said he's allowed the driveway to be used by abutters, but there are no legally recorded rights of way on the driveway that he is aware of. He said the driveway has been used for 25 years.

Tom F. said he wasn't a lawyer, but he said there may be an issue with open, notorious and hostile use of the property which he might need to check with a lawyer about. It might mean that any one who has used it for that long, could continue to use it in the future.

Don H. asked about the wetlands on Glenn L.'s property. Glenn L. said it varies from season to season and year to year depending on the weather making it difficult to delineate how far the wetlands go back from the front of the property.

Ed B. said the process is long with lots of notices and a requirement that abutters be notified. Glenn L. said that was his biggest concern, that something would happen and he wouldn't have a chance to have his comments heard. Ed B. said if there is excavating going on without permits, there's another, bigger issue going on and he encouraged Glenn L. to report that kind of activity, because it's likely not permitted.

Don H. said an alteration of terrain permit is required for any work to be done.

Glenn L. said he's just trying to preserve his driveway. He said he allowed a timber cut operation to use his driveway this past spring and it was left in rough condition. He doesn't want that to happen again.

With this questions answered, Glenn L. excused himself from the meeting.

Don H. suggested the board go back to discussion of the subdivision regulation update. (See item 8 above)

11. Public Appearances (Not Previously Scheduled)

None

12. Comments of the Clerk

Ed B. said there was some news from the board of selectmen regarding alternate for the selectboard's representative. The board voted that in the event that Tom F. could not attend the planning board meeting as a the selectboard's representative, Selectman Lynn Wheeler would fill in for Tom F. Ed B. said that provision would be good to make sure there's a quorum for each meeting.

13. Comments of the Planning Board

. Don H. asked if there were any developments with the T-Mobile cell phone tower in Dark Hollow, north of the Grafton County Complex. Ed B. said he had not heard anything. He recalled the company representative saying it would be done this past summer. Tom F. said he thought it had to go to the Woodsville Precinct for review. Ed B. said he thought that would have been perfunctory, but the precinct may have held it up

14. Other

15. Adjournment/Next Regular Meeting

Tom F. made a motion to adjourned which was seconded by Mike B. The vote was unanimous. The meeting concluded at 8:10 p.m.

The next meeting is on October 28, 2015.

Respectfully submitted,
Ed Ballam, Planning Board Clerk