

**Town of Haverhill
PLANNING BOARD
Meeting Minutes
Tuesday, November 22, 2022, at 6:00 PM
J.R. Morrill Building
2975 Dartmouth College Hwy.
No. Haverhill, NH 03774
And on Zoom**

Tuesday, November 22, 2022

CALL TO ORDER:

Chair Gary Hebert called the meeting to order at 6:07 PM.

ATTENDANCE:

Vickie Wyman (Here), Kevin Knapp (Here), Vice Chair Nelepovitz (Here), Donnie Hammond (Absent), Alternate Joe Longacre (Excused), and Chair Hebert (Present). A quorum was met.

Town Employees Present:

Assistant Town Manager (ATM): Jennifer Boucher

Board Clerk: Joanna Bligh

Visitors in Person:

Harry Burgess (Pioneer Land Surveying)
Jennifer Impey

Visitors Online:

Linda Pair (Manager, Blackmount Mobile Home Park)

DESIGNATION OF ALTERNATES (if necessary): None.

AGENDA APPROVAL

- Chair Hebert added Boutin subdivision under New Business.

MOTION #1: Wyman made the motion and Knapp seconded the motion to approve the Agenda as amended.

Voice Vote: All approved, none opposed, and none abstained. The motion passed unanimously.

PUBLIC APPEARANCES (previously scheduled): None.

PUBLIC HEARING:

Hearing Notice

NOTICE is given in accordance with RSA 677:4 and 675:7 that the Haverhill Planning Board is now holding a Public Hearing for a Lot Line Adjustment and two Minor Subdivisions (Map 413. Lots 21, 22) for Terry Impey, 71 West Side Drive, No. Haverhill, NH, on Tuesday, November 22, 2022.

- Vickie Wyman as a friend and colleague of Jennifer Impey recused herself from discussion and Planning Board vote on the Impey's application.

Open the Public Hearing

MOTION #2: Vice Chair Nelepovitz made the motion and Knapp seconded the motion to open the Public Hearing at 6:10 PM.

Voice Vote: Three approved, none opposed, and one abstained. The motion passed.

- Chair Hebert introduced Harry Burgess, agent for the Impey's.

Burgess stated that the Impey's application was discussed at the last Planning Board meeting, and is a lot line adjustment to add property and then a subdivision of two lots. Burgess noted that 8-foot test pits, which were well drained, have been done and approved by the NH Department of Environmental Services. Burgess recommended individual wells on each lot; however, Lot 20.1 has access to Town water.

- Chair Hebert asked for comments and questions from the Board or the public, and there were none.

Close the Public Hearing

MOTION #3: Knapp made the motion and Vice Chair Nelepovitz seconded the motion to close the Public Hearing at 6:16 PM.

Voice Vote: Three approved, none opposed, and one abstained. The motion passed.

Vote

MOTION #4: Knapp made the motion and Vice Chair Nelepovitz seconded the motion to approve the Lot Line Adjustment for Terry Impey, **Map, 413, Lots 21, 22** (71 West Side Drive, No. Haverhill); Harry Burgess, agent.

Voice Vote: Three approved, none opposed, and one abstained. The motion passed.

MOTION #5: Knapp made the motion and Vice Chair Nelepovitz seconded the motion to approve the Subdivision for Terry Impey, **Map, 413, Lot 21** (71 West Side Drive, No. Haverhill); Harry Burgess, agent.

Voice Vote: Three approved, none opposed, and one abstained. The motion passed.

MOTION #6: Knapp made the motion and Vice Chair Nelepovitz seconded the motion to approve the Subdivision for Terry Impey, **Map, 413, Lot 20** (71 West Side Drive, No. Haverhill); Harry Burgess, agent.

Voice Vote: Three approved, none opposed, and one abstained. The motion passed.

PENDING BUSINESS:

Separate Land-Use Actions on Applications / Legal Opinion

- ATM Boucher discussed the legal opinion provided by the Town's attorney Laura Spector-Morgan who stated that separating the land-use actions "reduces complications and provides approval of each action in sequence, and the application fees should cover Town costs." Spector-Morgan noted that for the Impey application, there should be one vote per action.

- Chair Hebert noted that separate applications can be submitted simultaneously.
- ATM Boucher suggested that at the Preliminary Review the Board can decide which fees can be waived.
- There was consensus among the Board members that this process to separate applications for multiple land-use actions be implemented.

Haverhill Flood Plain Ordinance with Revisions by the NH Office of Planning and Development (OPD), Flood Plain Management Program

For review by the Board members, Clerk Bligh provided the document revised by the OPD, Flood Plain Management Program staff.

Discussion:

- Vice Chair Nelepovitz noted that the document had numerous mentions of a Building Inspector, which Haverhill does not have. ATM Boucher stated that all the Board’s questions will go back to Kathryn Nelson, Flood Plain Management Program Director at OPD.

MASTER PLAN

December 27, 2022, Planning Board Meeting on Chapter 1, Land Use

Clerk Bligh will send out a reminder to June related to sending the Land Use chapter 2 weeks ahead of the next meeting. The members confirmed that Vickie Wyman should be credited for the Master Plan cover photos.

NEW BUSINESS:

Pre-Application Consultation: Brian McElwee, P.O. Box 1824, Conway, NH, property owner; Map 404, Lot 4; Harry Burgess, agent

- Burgess noted that in June 2022, McElwee submitted an application to subdivide three lots on the northwest corner of his property on the Bath, NH, boundary, but because of a 1972 Planning Board–approved subdivision of 10 lots that was never recorded, and Chair Hebert noted that the application was now on hold.
- ATM Boucher stated that McElwee must send a letter to the Town rescinding the 10-lot subdivision or keeping the subdivision on record.
- Burgess stated that the applicant wishes to have three lots. Burgess confirmed that McElwee will send a notarized letter to the Town rescinding the 1972 subdivision, and then he will apply for a three-lot subdivision. ATM Boucher noted that the notarized letter rescinding the 1972 subdivision will be recorded at the Registry of Deeds.

Preliminary Review: Minor Subdivision; Annie Boutin, 543 French Pond Road, No. Haverhill, NH; Map 410, Lot 46; Harry Burgess, agent

Burgess addressed the Boutin minor subdivision application noting that 16 acres will remain with 100-foot road frontage, and the less than 5-acre lot will be a building site. The test pit and driveway application are with the state. ATM Boucher noted that the wetlands can stay in current use.

MOTION #7: Wyman made the motion and Knapp seconded the motion to ACCEPT the application for Annie Boutin, Map 410, Lot 46, as complete to be heard at a Public Hearing on December 27, 2022.

Voice Vote: All approved, none opposed, and none abstained. The motion passed unanimously.

Notice of Decision Requires “Findings of Fact” (HB1661 §73)

Clerk Bligh provided the members with documents from a recent NH Municipal Association Land Use Law in Review conference. At the conference, the discussion identified many changes to the RSAs, specifically RSA 676:3 Issuance of Decision. The Notice of Decision sent to land-use applicants after the approval/denial by the Planning Board must include Findings of Fact (HB 1661 §73). ATM Boucher and Clerk Bligh will follow up with a redesign of the Notice of Decision.

MINUTES APPROVAL

MOTION #8: Wyman moved, and Knapp seconded the motion to approve the Meeting Minutes from **October 25, 2022**, as amended.

- Chair Hebert noted two corrections – page 1, an extra heading Public Hearing to be deleted, and on page 2, paragraph 6, line 3, delete “lot of 1.15 acres into to.”

Voice Vote: All approved, none opposed, and none abstained. The motion passed unanimously.

CORRESPONDENCE: None.

COMMENTS BY TOWN STAFF:

- Clerk Bligh will reach out to the precinct commissioners and administrators to invite them to the December 27 Master Plan meeting.
- Gravel pit / liability forms – Clerk Bligh noted that with the absence of Hammond and Longacre at this meeting, the discussion of these forms was tabled until the next meeting.

COMMENTS BY THE BOARD:

Vickie Wyman: No comments.

Kevin Knapp: No comments.

Vice Chair Nelepovitz: No comments.

Chair Hebert: No comments.

NEXT MEETINGS:

- Planning Board Meeting, Public Hearing, and Master Plan discussion, Tuesday, December 27, 2022, at 6:00 PM.
- Planning Board Public Hearing (Flood Plain Ordinance), Tuesday, January 10, 2023, at 6:00 PM.

ADJOURN:

