

**Town of Haverhill  
PLANNING BOARD  
PUBLIC HEARING  
MINUTES**

**Tuesday, October 11, 2022, at 6:00 PM  
J.R. Morrill Building  
2975 Dartmouth College Hwy.  
No. Haverhill, NH 03774  
And on Zoom**

**Tuesday, October 11, 2022**

**CALL TO ORDER:**

Chair Hebert called the meeting to order at 6:04 PM.

**ATTENDANCE:**

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

**Town Employees Present:**

**Assistant Town Manager (ATM):** Jennifer Boucher (Excused)

**Board Clerk:** Joanna Bligh

**Visitors in Person:**

Robert and Margaret Kizik  
Margaret Duffy  
Peter and Marie Cataldo  
Chuck Duffy  
Therese Dandurand  
Rebecca and Jason Capps

John P. Martel  
Robert W. DeRosia  
Joseph P. Martel  
Gary P. Martel  
Harry Burgess, surveyor

**Visitors Online:**

Attorney Morgan Hollis (Gottesman & Hollis P.A., Nashua, NH)  
Megan Duffy

**DESIGNATION OF ALTERNATE:**

**MOTION #1:** Chair Hebert made the motion, and Vice Chair Nelepovitz seconded the motion to approve the placement of Joe Longacre, Alternate, to the Board because of ex officio Kevin Knapp's absence.

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

**AGENDA APPROVAL:**

**MOTION #2:** Wyman made the motion, and Vice Chair Nelepovitz seconded the motion to approve the Agenda as written.

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

## **PUBLIC HEARING**

**MOTION #3:** Wyman made the motion and Vice Chair Nelepovitz seconded the motion to re-open the PUBLIC HEARING at 6:08 PM continued from September 27, 2022.

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

Chair Hebert asked for comments from the Board, and there were none.

Chair Hebert noted a point of order: He stated that he was absent at the September 27th Planning Board PUBLIC HEARING session; however, he has read all correspondences and meeting minutes and is well informed about all issues and concerns.

Chair Hebert opened the meeting for public comment.

- Harry Burgess addressed the application for the minor subdivision of an approximately 80-acre parcel to be subdivided into three lots for three of the Martel heirs.
- Chair Hebert addressed the issue of major v. minor subdivision according to the *Haverhill Subdivision Regulations* stating that the Martel subdivision is considered a minor subdivision.
- Barbara Kizik commented on Sand Road and noted that all the wells are going dry, and that increased development will put more stress on the water supply. Kizik noted that the “dogleg” was a driveway and never a road. Chair Hebert noted that there is no right-of-way on the [Martel’s] deed meaning that the irregular section is part of the Martel’s property.
- Joseph Martel stated that the land is being divided and that the irregular section is not a right-of-way, but the Cataldo’s and Duffy’s use it as a driveway, and his family did not want to shut down their access.
- Megan Duffy noted that there has been an understanding about the use of the driveway over 20 or more years.

Chair Hebert asked for additional comments from the public, and there were none.

### **Letter from Attorney Morgan Hollis Representing Margaret Duffy**

Chair Hebert addressed the Duffy letter item by item and concluded that each item is a civil matter, except for item # 1 relating to the clarification of a major v. minor subdivision. Using the definition in the *Haverhill Subdivision Regulations*, as follows, Chair Hebert stated that the Martel subdivision is a Minor Subdivision.

“A *Major Subdivision* will in general involve the dividing of a lot into: 1) more than three lots, or 2) two or more lots that will require road construction to provide frontage for all lots. A *Minor Subdivision* would typically involve the division of land into three or fewer lots that do not require new roads, utilities, or other municipal improvements”  
(*Haverhill Subdivision Regulations*, p. 6, paragraphs 6, 7).

### **Letter from Therese Dandurand Representing the Martel Heirs**

Chair Hebert addressed the Martel heir’s letter and noted that Haverhill does not have zoning; however, RSA 674:21,V, J does address an impact tax (exaction) and, if development occurs on Sand Road, an engineering plan addressing the impact to the road will be required.



Topic: Planning Board PUBLIC HEARING  
Date: Oct 11, 2022, at 6:00 PM

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