

Town of Tamworth

Planning Board

*** PLANNING BOARD MINUTES ***

November 28, 2012

Meeting was called to order at 7:00 pm

Members Present: Dom Bergen Chairman, David Little , Steve Gray, Pat Farley, Skip Nason and Jim Hidden, Selectmen's Representative, Becca Boyden

Members Absent:

Alternates Present:

Alternates Absent: Nicole Maher-Whiteside, Dave Cluff, Peter Vanderlaan, Tom Peters

Minutes:

10/24/12 Meeting: No correction noted. Motion to approve minutes was made by David, seconded by Steve. APPROVED

11/5/12 Site Walk: No correction noted. Motion to approve minutes was made by David. Steve seconded. APPROVED. Jim, Becca and Dom abstained.

Treasurer: Steve reports that we are solvent. He is meeting with the Board of Selectmen regarding the 2013 budget but this can be discussed under old business.

Secretary: The Conservation Commission met regarding the Watkins SUP. FEMA sent correspondence regarding floodplains, which we will discuss later in the meeting. There are no new applications other than the two we are considering tonight.

CIP: no report

Procedures: no report

Ordinance Committee: No report

School Board: No report

Economic Development: Pat spoke briefly about the community bank.

Lakes Region Planning Commission: Pat reports that LRPC is working on regionalization. Thank you to Jim and Bob Abraham for attending the meeting.

Selectmen: Jim reports that he attended the meeting Pat spoke of above.

Conservation Commission: Skip reports that Conservation Commission met on the 12th regarding easement procedures and the Watkins site walk. They approve the Watkins plan.

Steve reports that there is a glitch on the salaries line of the budget that is being corrected. He feels that we may need to raise the salary line on the budget. David made a motion that the treasurer is to do whatever is appropriate and to correct the budget as necessary. Skip seconded. APPROVED

Becca asked about the proposed amendments to the floodplain ordinance. David explained that they were received from Jennifer Gilbert, Office of Energy and Planning. There are 2 minor amendments.

Dom read the rules of procedure for the hearings. The hearing was opened at 7:15 pm.

Mary P. Watkins Trust, John and Mary Watkins, Trustees

Special Use Permit

Map 407 Lot 116

50 Bolles Road

There was a site walk on November 5th. This application includes 125' of wetlands impact, and 510' of buffer area impact. Gregory Howard is the agent who presented this application. The clients have a 25' easement across the parcel. They need this boardwalk to cross the wet areas. The plan includes a 5 wide boardwalk, which is standard width for access. The design has been modified. The telephone poles have been replaced with 9" diameter hemlock pole stringers. The state permit was submitted and approved. The waiver that is requested is for the trail to run through the buffer area.

Becca asks if there are pilings involved, to which the answer is no.

David would like to know if there is access on both sides, to enable materials to be delivered into the site. Permission has been granted from abutters to bring in materials.

Robert Watkins comments that his initial concern was creosote from the poles. 4 wheelers and snowmobiles are going to use the trail if it is 5' wide. Also requests an order of conditions regarding leaving the area neat when the work is completed.

Ned Beecher speaks on behalf of the Conservation Commission, stating that they recommend approval of the SUP and the waiver.

Bob Watkins wants to know if amended plans will be sent to the State.

Greg has issue with conditions being applied that are inappropriate. All brush, etc. from the construction of the trail will be dealt with properly.

Ned states that the intention of the Ordinance is to protect the wetlands. A tree that has fallen is not the precedent of the Planning Board.

Mr Watkins makes a point of clarification, stating that the wetlands include the buffer zone.

The telephone poles have been removed from the site.

Greg states that there is a tree that has been cut into sections that is on the ground One of the logs may be in the buffer.

Mr Watkins states that one of the logs rolled into the buffer.

Becca states that this is a civic decision between the landowner and the easement holder.

The hearing was closed at 7:32 pm.

Becca states that she is pleased with the replacement of the poles.

Becca made a motion to grant the waiver under section F2 for the buffer impact of 510 square feet. David seconded, APPROVED

David made a motion to approve the SUP for 125' of wetlands impact. Skip seconded. David states that he does not feel that tidying up fallen trees is something the Planning Board has jurisdiction over.

The motion was APPROVED.

Homeyer Trust
Boundary Line Adjustment
481/495 Chocorua Mountain Highway
Map 407 Lots 80 & 81

The purpose of this hearing is to receive feedback regarding the conditions of approval that were placed on the Boundary Line Adjustment that was done in June 2012.

The hearing was opened at 7:38 pm. This application was approved with 23 waivers in June. It has been remanded back to the Planning Board.

Chris Meier of Cooper Cargill and Chant is present on on behalf of the Homeyer Trust. Also in attendance are Rose Bente and Paul King.

The history of the Homeyer requests was reviewed.

Mr Meier stated that a cluster subdivision or a private road with a cul-de-sac could provide the needed frontage for subdivision.

Rose explained the current State approved accesses.

Becca questioned the covenant that limits this property to two single family residences.

Rick Sager, Attorney for the town, states that conservation easements are extremely hard to get rid of. If the Board is inclined to remove the restriction or replace it with "no more than two lots" this may be interpreted as having previously approved the subdivision. His recommendation is to just remove the conditions.

David has a question for Paul regarding a conceptual review that was held in 2006, and how the feedback from that was incorporated into the current plan.

Paul spoke about a design review that was held approximately 1 year ago. Driveway permits were requested, then the plan that evolved was submitted.

David asks what changed, and how did the conceptual consultation incorporate comments into the current plan.

Paul says that in 2006 he suggested a 3 lot subdivision. The Board wanted to minimize driveways. He changed the number of lots and the number of driveways on the plans that came in last March.

Jim feels that the discussion is getting off target.

Becca is trying to understand the changes that we made.

The hearing was closed at 8 pm.

Jim made a motion to remove the condition. Pat seconded. Jim withdrew the motion.

Pat made a motion to remove the condition from the approval. Skip seconded.

Pat's property has the same restrictions as this one. She feels that this will protect the property. David states that the property across the street went to court, and the covenant was upheld. The concern is health and safety. Steve feels that we cannot protect safety prematurely. David states that it is not a unique situation to put this condition on, and feels that the condition is reasonable.

The motion was approved.

David made a motion to vote to re-approve the Boundary Line Adjustment with out the condition of no further subdivision. Becca seconded. APPROVED

The non-public minutes from the 10/24/12 meeting were distributed to be reviewed to accuracy. David made a motion to approve the minutes as presented. Skip seconded. APPROVED

Floodplain Development Ordinance amendments:

Two changes were not approved last January. These articles are different from the previous changes that were already voted on.

Article 3 – changed Tamworth to Carroll and added dates.

Article 5g4 – this should apply to Zone AE, Zone A has been removed.

The maps are the same maps we had before.

David made a motion to approve the changes to Article 3. Becca seconded. APPROVED

Becca made a motion to approve the amendment of article 5g4 to exclude Zone A. Skip seconded. APPROVED

Steve will forward an email to David regarding zones as referred to in the subdivision regulations.

David made a motion to schedule a public hearing on December 19, no earlier than 7:15 pm, to discuss the amendments to the Floodplain Ordinance. Becca seconded. APPROVED

Steve has amendments to the subdivision regulations from the procedures committee.

Proposed changes to the subdivision regulations will be available to the public, and can be put on the town website.

Sam recommends that the draft copies be watermarked “proposed” before posting them on the website.

David made a motion to hold a public hearing on the 19th of December to discuss the proposed amendments to the subdivision regulations. Skip seconded, APPROVED

Old business: none

New Business: none

Public Comment: none

Skip made a motion to adjourn at 8:46 pm. Becca seconded. APPROVED

Respectfully submitted,

Melissa Donaldson
Planning Board Clerk