

Town of Tamworth

Planning Board

*** PLANNING BOARD MINUTES ***

December 28, 2011

Meeting was called to order at 7:02 pm at the Town Office

Members Present: Dom Bergen Chairman, Becca Boyden, David Little, Steve Gray, Skip Nason

Members Absent: Nicole Maher-Whiteside and John Roberts, Selectmen's Representative

Alternates Present: Tom Peters

Alternates Absent: Pat Farley, Dave Cluff, Peter Vanderlaan.

The chairman seated Tom for Nicole

Minutes 11/16/11 – no corrections – Tom made a motion to approve as presented. David seconded.
APPROVED - Skip abstained

Minutes 11/16/11 Non-public session minutes – no corrections. Tom made a motion to approve. David seconded. APPROVED Skip abstained.

TREASURERS REPORT – Steve reports that all accounts are in order. He attended the Selectmen's budget meeting and made some adjustments to the budget. A handout was distributed which outlined the changes that were made.

SECRETARYS REPORT – David reports that there are two applications. One is for a 2 lot subdivision, there is also an SUP application that was not received in time for this meeting, but he recommends that we schedule a work session for January 11 to accept the application and refer it to the Conservation Commission in order to hold a public hearing in February. PSNH did a site walk at PSNH property where poles needed to be replaced after Hurricane Irene. Replacement had to be done. There was correspondence from OEP regarding the Floodplain Ordinance. It will be addressed later in this meeting.

CIP – no report.

ORDINANCE REVIEW COMMITTEE – Dom reports that the ORC is wrapping up this project. Willie is assembling a book of all ordinances that apply, and they will be formatting the applications.

SCHOOL BOARD – no report

ECONOMIC DEVELOPMENT COMMITTEE – no report

LAKES REGION PLANNING COMMISSION - no report

SELECTMENS REPORT – no report

CONSERVATION COMMISSION – Skip reports that the Big Pines sign fell down. The State has removed it. Chris Conrod will make a temporary sign. John Roberts will pick up the new sign when it is ready and volunteers will help install it. Steve Gray offered to help.

DIANE MANFREDI, 2 LOT SUBDIVISION, MAP 415 LOT 5, TURKEY STREET

Steve reviewed the application and recommends that it be accepted as complete. David seconded the motion. APPROVED

The hearing was opened at 7:19 pm. Loralie Gerard presented the plan. The purpose of the subdivision is for estate planning. The mother (Dianne) is giving a portion of the property to the son. Currently she owns the entire property, and the son's house is on that piece of land. There is enough frontage on the lot for 2 lots to be made, but due to existing structure and driveways, one of the proposed lots would be below the minimum required frontage. A waiver is being requested for frontage requirements. Ms. Gerard is asking for a conditional approval of this plan, pending receipt of driveway permit approval and the State Subdivision approval.

Monuments will be set and the appearance of the property will not be changing.

There are no public testimony or questions.

The hearing is closed at 7:36 pm.

David made a motion to grant the frontage waiver. Skip seconded. Becca voiced concerns with the shape of the lot, and the rationale for creating this lot. Discussion ensued. The motion is APPROVED, with Becca abstaining.

Steve made a motion to approve the subdivision application based on receipt of the following items: State Subdivision Approval, driveway permit, and setting of the monuments. Skip seconded.

Steve amended the motion to include revision of the plan to correct spellings of names. Skip seconded the amended motion. APPROVED

PUBLIC HEARING – AMENDMENT OF SUBDIVISION REGULATIONS

The hearing was opened at 8:02 pm.

The Planning Board is considering amending the Subdivision Regulations as follows:

Submission Requirements D. Fees (page 21)

1. All applications shall be accompanied by a check to reimburse the Board for notification costs plus application fees, according to the Fee Schedule. Additionally, all applications shall be accompanied by payment of \$25 to "Carroll County Registry of Deeds" as required by NH RSA for the Land and Heritage Conservation Investment Program (LCHIP).

PUBLIC COMMENT: Paul King suggests that this is a “who cares?” item This is a lot of work with no benefit. Other items need to be addressed. He would like to see the ordinance revised, then have the checklist and application worked on.

- Labels are required on the checklist but are not mentioned in the regulation
- Fees should be lowered drastically
- Setbacks should be removed.
- Alleyways should be removed
- Vicinity map should say “drawn to scale”
- Reduce lot size requirements
- Slopes, discrepancies
- Flagpole lots were always allowed, frontage requirement should be removed if you are constantly going to be waiving it
- 175’ setback conflicts with the Wetlands Ordinance
- Under Road Requirements – things are listed that are not appropriate in Tamworth. Catch basins, etc. have been banned in many towns
- Planning Board does not have jurisdiction over acceptance of roads.
- Certified letters, return receipt requested. The State did away with this requirement.
- Remove all lot sizing and frontage requirements. Allow the applicant to create lots as they best fir the property.

David stated that the Ordinance Review Committee has given a number of suggestions on these regulations. They discussed this at their meeting on 12/6/10. He seconds Paul’s opinion that the regulations need attention.

Steve states that the plan is to do the procedures then start on the subdivision regulations.

The hearing was closed at 8:22 pm.

Becca feels that if the regulations are going to be cleaned up in the near future, this should all be done at once.

David would like to move forward with this portion, and then begin the work on the regulations.

Tom P. believes that the State mandates that we collect the check; therefore, does it need to be added to the regulation?

David made a motion to amend the subdivision application as indicated to include the payment of \$25 to the registry of Deeds for the LChip. Tom seconded. APPROVED

FLOODPLAIN ORDINANCE AMENDMENTS: The Planning Board received correspondence from the Office of Energy and Planning recommending that the floodplain ordinance needs to be revised. They

sent a list of recommendations. A public hearing needs to be scheduled. Becca made a motion to schedule a public hearing on January 11 to review their recommendations. David seconded. APPROVED

PROCEDURES AMENDMENT: Dom read the following:

PLANNING BOARD RULES OF ADMINISTRATIVE PROCEDURE, Section III. B. 2

Notices: The Planning Board shall serve notice by certified mail, return receipt requested, of the proposed subdivision application to the applicants, owners, agents, architects, surveyors, engineers, soil scientists, and abutters at least ten (10) calendar days prior to the public hearing at which the application is to be presented. The general public shall be notified by posting notice at 2 public places within the Town of Tamworth and by publication in a newspaper of general circulation in accordance with RSA 675:7.

This will be voted on at the next meeting.

ZBA hearing: scheduled for January 10 at 7pm. The ZBA will hold hearings regarding the tower height and the administrative appeal of the Planning Board decision. The applicant has filed an appeal with the Federal District Court as well.

OLD/NEW BUSINESS:

A copy of recommended dates for 2012 Planning Board meetings was distributed. Becca made a motion to approve the meeting dates. David seconded. APPROVED

David made a motion to amend the Subdivision application and the Boundary Line Adjustment application to read Carroll County Registry of Deeds, not "country". Becca seconded. APPROVED

Steve presented some information from the Municipal Law Assn. A restriction on Planning Board members serving on other boards has been loosened.

Becca made a motion to adjourn at 8:56 pm. Tom seconded. APPROVED