

Town of Tamworth

Planning Board

*** DRAFT MINUTES ***

July 22, 2009

Meeting called to order at 7:00 pm.

Members Present: Dom Bergen Chairman, Nicole Maher-Whiteside, David Little, Willie Farnum-Selectmen's Representative. Tom Cleveland, Scott Aspinall (8:00 pm)

Members Absent: David Sargent

Alternates Present: Becca Boyden, Tom Peters

Alternates Absent: David Cluff, Pat Farley, Steve Gray

Becca is seated for Dave S.

A representative from Green Mountain Conservation Commission spoke briefly to the Board regarding their current project. There will be 2 consecutive work sessions, July 30 and August 13, from 6-8 pm at the Remick Museum.

Previous Meeting Minutes:

- June 24, 2009 –Corrections notes. Willie moved to approve the minutes as presented.. Dave L. seconded. APPROVED
- July 8, 2009 Work Session –No corrections noted. Willie made a motion to accept the minutes as presented, Becca seconded the motion. APPROVED.

Reports:

- **Treasurer:** Presented by Nicole. "We are solvent". There is approximately \$50 left in the Master Plan budget.
- **Secretary:** David Little: There are: one new application for subdivision (Posner), and one new application for a boundary line adjustment (Behr). McGarity subdivision and Abraham subdivision are carried forward. **A letter was received from Atty.** Sager regarding conservation covenants and notification requirements. He determined that conservation easement holders DO need to be noticed when there is an application presented to the Planning Board. The Great Hill Reservation Trust/OVSC application and the DES application have been withdrawn. The Carroll County Independent ran the press release regarding the Master Plan. We received notification from the UNH Cooperative Extension Service regarding the Road Scholar program. 1179 letters were sent to registered voters explaining land use regulation and inviting townspeople to attend the discussions that the board has scheduled in August.
- **Master Plan :** It is reiterated that the Master Plan/Land Use letters were sent.
- **CIP:** Dom has not been able to find a chair for that committee yet.

Reports are suspended at this point, to begin public hearings

7:15 pm – McGarity Subdivision Map 410 lot 38

Paul King spoke on behalf of the property owners. He would like to continue this application forward to a later date, as yet undetermined, with the agreement that the property owner would incur the expense of re-notifying the abutters at the time that this is carried forward.

Becca made a motion to continue on a yet unspecified date with the understanding that the abutters will be re-notified at the applicant's expense. Nicole seconded. Approved 4-1 with Willie opposed.

7:18 pm –Abraham Subdivision: Map 412 Lot 6

Becca recused. Tom P. is seated. A conceptual review was done at an earlier meeting. All abutters have now been noticed. Dave L. determines that the application appears to be complete. A motion is made by Dave L to accept as complete. Tom C. seconded. APPROVED.

Bryan Berlind of LandTec spoke for the applicant. A waiver is being requested for the test pit requirement on all lots. In response to feedback at the conceptual review, the applicant has done one test pit on the smaller of the proposed lots. It shows good soil results. The pins need to be set, then a mylar will be presented to the Board for signatures. Willie made a motion to grant the test pit waiver requirement on the remaining 3 lots. Dave L seconded. APPROVED.

The public had no comments.

Dave L presented a letter from Francis Rich, who opposes the subdivision. The applicant was thanked for their efforts with digging the test pit. Becca approves of the large size of the lots. Tom P. questioned whether the land is in current use. It is, and will come out of current use when/if the lots are sold. The public hearing was closed at 7:31 pm. Tom C. motioned to approve the subdivision request. Nicole seconded. APPROVED.

Behr Boundary Line Adjustment, Map 202 Lot 52

Becca was reseated at the table.

The hearing was opened at 7:34 pm. Dave L. feels that the application is not complete, as the fees were calculated incorrectly by Paul King, \$100 short. He also questions whether 3 lines are being adjusted or just one, as the applicant indicates. Paul King asks that the application be accepted as complete, with the agreement that the check will be presented with the mylar. The property owner indicates that he will either go right then to retrieve the additional payment, or can return before the end of the meeting with the payment. Discussion ensued regarding the boundary line quantity issue. Paul indicated that any other boundary line adjustment costs \$100 and affects at least two properties. It is decided that the \$100 is appropriate. Dave L. made a motion to accept as complete. Tom P. seconded. APPROVED.

This property is going into a conservation easement. The adjustment is being requested in order to give property to Williams and Lachowski. There was previous confusion about where the property lines actually were. This will also expand Karl Behr's lot by 3/10 of an acre. No waivers were requested. The planning board had no further questions. The Lachowski family had some concerns about their taxes going up with the increase in their property size. They express that they are content with the proposed adjustment, but do have reservations regarding the property tax impact. The public hearing was closed at 8:07 pm. Nicole moved to approve the boundary line adjustment as presented. Willie seconded. APPROVED.

Posner Subdivision, Map 414 Lot 54

The hearing was opened at 8:09 pm. Dave L. states that all fees are present. He questions whether an abutter who is diagonal across a street intersection is technically an abutter, and requires notification. (Lot

88). Discussion ensued. Dave passed out the RSA and a definition of “directly”. Dom referred to Atty. Sager’s correspondence, which states that it is not the Planning Board’s responsibility to decide who the abutters are. It is the applicant’s responsibility. * The abutter in question is aware of the application and has waived his notification requirement. Tom C. made a motion to accept as complete. Becca seconded. Vote was 3-2-1 with Nicole abstaining. APPROVED.

Paul King presented the application for a 2 lot subdivision of the current 5.21 acre property. The State subdivision approval has been received (#SA2009009113). There will be shared well and leach field on the two proposed lots. No waivers are being requested.

Tom C. recused.

No comments, the public hearing was closed at 8:32 om. Dave L. made a motion to approve the subdivision. Willie seconded the motion. APPROVED

Reports Continued:

- **Earth Excavation Regulation Subcommittee:** Dave S. is absent. No report was given.
- **Ordinance Committee:** Dom reports that all applications have been reviewed for formatting. They are being worked on and will be sent out to the appropriate departments.
- **School:** Pat F. absent. No report given.
- **Selectmen’s Representative** – Willie reports that the Economic Development Committee has received information about stimulus money available for the Rural Broadband Initiative. A grant request has been submitted.
- **Conservation Commission** – Dave L. reports regarding the Green Mountain Conservation Group – well testing is being done in 60 wells in the Ossipee aquifer. Land trust standards were reviewed. \$200 is being donated to the Behr initiative, which will be re-addressed at the next meeting, as well as the Gilman lot initiative.

New / Old Business:

Tom P. made a statement regarding a discussion that he had with someone from Alexandria regarding zoning, referring to RSA 675: 0 and 3.

Nicole states that she would like to review the process of SUP applications at a work session. Scott A. comments on the process limiting the ability of the property owner to complete the work in a time frame in which the weather is agreeable to such projects as they are applying for.

****Dom would like the following added to a procedural handbook for the Planning Board.

- It would be advantageous to the applicant , Planning Board and the Town if there was a checklist of necessary objectives, and to either have the landowner present at the hearings, or have a document signed by the landowner, authorizing the applicant to represent the landowner, or in which the landowner designates someone as their agent.
- Note that it takes a minimum of 2 weeks to have funding for mass mailings in the stamp machine. An account is available at Staples.

Master Plan/Land Use Regulations discussions are scheduled for August 5, 17, and 29th. It is important to note that the Planning Board is there to ask questions, not offer any opinions. Melissa will record the comments at all meetings, comments will be anonymous. At each meeting, an audience member will be asked to act as scribe. Dave L. will bring the newsprint pad, the easel and backboard will be available. Nicole will take the lead at the meetings. Some refreshments will be available, and at the end of each meeting, the audience will be asked for feedback about the format of the meeting. Sam recommended

that the meetings should be videotaped, but the Planning Board feels that perhaps comments would be withheld if the audience were being recorded. Becca recommends that the audience be polled for their opinion about videotaping.

There will be no work session in August, as there will be the three public meetings. Public notice of the meetings will be placed in the Conway Daily Sun, as well as posted in town and on the Tamworth Exchange. It will also be sent to Ann McGarity for the Town Column.

Becca made a motion to adjourn at 9:29 pm. Willie seconded. The meeting was adjourned.

Submitted by
Melissa Donaldson
Planning Board Clerk