

PLANNING BOARD

MINUTES 5/21/2015

PRESENT: Bob Adams (BA), Stephen Knox (SK), Sandra Butson (SB) Rosalind Page (RP),

ABSENT: Steve Morrison

PUBLIC: LAURA SPECTOR MORGAN-MITCHELL MUNICIPAL

ABSENT: Secretary Suze Tavernier (Minutes Recorded)

BA-Opened meeting 6:00PM

BA Do we have anything before we temporarily adjourn?

SK We are expecting Matt Tellier to give us the updated plan, he is not here yet

BA Just dropping off?

RP-Supposed to present it in case there is any missing, everything we wanted is on it

MINUTE REVIEW:

BA Motion to accept minutes, unless anyone has anything

There was a discussion regarding the current outline of minutes. It was noted the draft did not state who had taken minutes.

SK Amended draft copy with input from the Board

There was a discussion about setting a structured format to be followed for consistency. Board had a discussion about the difference in style of minutes for hearing vs. public discussion.

PR In my experience public hearings are usually recorded and then typed up afterwards, things that are not public hearings are just a statement. Public hearing where anyone from the public who's getting special permitting to speak they need to speak their name, their address so it's all available to the public for the public record, it's more formal presentation

SK I think in terms of a hearing, obviously maybe we can our Town Counsel for a little more feed back, but in terms of hearings you want to have more detailed minutes obviously especially some hearings over others, can you give us a brief synopsis of what should be in a Planning Board Hearings, type of minutes

LM The statutory requirements are pretty minimal, have to indicate who addressed the Board and general description of what you discussed and any decisions or final decisions, that's all that need to be in there from a statutory point of view, from a lawyer's point of view I like to have a fair amount in there.

LM explained the process if an appeal is filed and noted that the court only sees the application, and the minutes. The court does not hear testimony. She explained to have detailed minutes or a recording that can be transcribed gives better testimony to defend decision.

RP Asked if it would be helpful to record public hearings, LM response was affirmative, she went on to explain that both written and recorded should be done. She also explained there should be policy in place to keep recording until appeal period has expired.

SK any additional amendments to the minutes of 4/16/15?

RP other than putting the recording secretary in and listing of the lot line adjustment was one item and number two was TS coming in to talk to, itemize out

SB I see some say when meeting starts, most don't. I see when some say when it ends most of them don't

BA That should be in there

SK made motion to approve minutes as amended, adding Suze Tavernier as minute take, lot line adjustment as hearing and adding General Public input prior to Tom Smith RP I'll 2nd

BA any discussion on it? Those in favor, approved as amended

Board continued conversation on establishing a template for future minutes, listing attendees, time open, time closed and each item listed individually

SK motion to temporally adjourn for legal counsel SB, 2nd so voted

BA reopened hearing at 6:45

UPDATED PLAN:

Matt Tellier presented Board with updated plan

MT I gave Gardner Kellogg the notice of decision from the last one hearing. The Mylar here has the changes. He pointed out Serenity Lane was on plan, the septic

BA Is that the official name?

MT Yes

SK So it is showing the septic existing and proposed

RP I thought we were talking about the existing on the existing lot, and the proposed on the proposed lot

BA They haven't built there, they probably don't have a proposed

MT He is out there with a camper or something; he's been out there for years. I don't know what he is doing

The Board reviewed new plan and went over the conditions from prior approval. SK The existing well radius, street name, updated tax map ID and adding NF to lot 7-2 and lot 7-3 and has to be presented to the Planning Board on May 21, 2015.

SK Is everyone happy with the condition of plan as presented?

BA It has everything we asked for checked off right?

SK Everything except for the proposed septic and well

RP on the adjacent lot

SK Lot 7-2

RP Well in order to have a lot you have to demonstrate that you have done soil tests to prove that somewhere on this lot you can put a septic system, presumably soil test were done when this subdivision was approved by this commission

MT As I understand it anything over 5 acres doesn't require that, does it?

BA I think it is 5 acres and under

There was a discussion about land over 5 acres and that it is not mandated by the Planning Board that soil tests be done. There was a question if in Town or State Regulations. BA and SK believed that was State Regulations.

RP if that is the case then the proposed septic is not as sticky

BA Until you decided where you want to build you don't really know where you want to put the septic, when you start site work you decide

SK I am a little less concerned about it considering the future owner is the current owner.

There was a discussion about owner's future plans and if a building permit has been filed

SK Asked that Suze check and see if building permit was pulled on R14-8 RFM Enterprises

BA If not and he has started think cease and desists should be issues

The Board signed off on the plan presented by MT

RP make a motion we approve, we accept the revised Mylar as submitted by Matt Tellier SK 2nd

BA any discussion? All in favor, so voted all, approved

PLANNING BOARD BUSINESS:

The Board had a discussion about requiring a rough sketch, plan for proposed buildings. SK explained it was part of the new building permit and included set-backs.

RP offered to give example of what she is required to do with lots she surveys; she explained what this paperwork requires for information from the applicant.

The Board discussed building permits and certificate of occupancy and the Town's liabilities. SK explained a CO was about health and safety concerns, not about set-backs.

RP explained that part of a CO where she works has a check list, and part of that check list is survey. She explained these safeguards are to protect the neighboring properties.

SK Explained what was on current Building Permits and what information was required

SK asked if the others were aware of any other properties that had this same situation

BA explained a situation that happened on the Perch Pond subdivision, house was built on wrong lot. He also cited Mountain Lakes in Haverhill has had similar issues

The conversation continued about requiring survey, cost to homeowners and if this is a common concern. The idea of cost to homeowner up front as opposed to cost to make correction later and Town's liability. RP cited examples of errors she has found in some of the Town's she has worked in. She went on to say it would be worthwhile to have the discussion; Town doesn't have to adopt it but do a little exploration on it. There was further discussion about the Planning Board's ability to waive requirement if they moved forward with adding the survey requirement.

There was a discussion about building permits, enforcement and areas of concern. RP posed the question to give Building Inspector more support and advised him is he has a concern on a certain piece of property to have it come across to the Planning Board before permit is issued.

SK Explained Building Inspector can and has come to the Selectboard over properties with issues.

BA went through Planning Board's Mail box and reviewed correspondences and building permits

SB spoke about the North County Counsel and information about Scenic byways. The Board has a brief discussion regarding the representative for Scenic byways. Conservation Commission will provide a representative

There was a discussion regarding the current town Master Plan Regulations and a future work session to review and recommendations with North Country Counsel. Further discussion about having work session in the fall, Conservation Commission and Zoning Board would be included.

7:40 SB Motion to Adjourn RP 2nd

