

**TOWN OF NEW HAMPTON
PLANNING BOARD
MEETING MINUTES
NEW HAMPTON TOWN OFFICE
NEW HAMPTON, NH 03256**

June 17, 2014

MEMBERS PRESENT:

Mr. Mertz, Mr. Luciano, Mr. Irvine, Mr. Conkling, Mrs. Hiltz, and Ms. Gregg (7:23 pm) were present.

OTHERS PRESENT:

Town Administrator Mrs. Lucas, Fire Chief Drake, Deputy Fire Chief Lang, Reno Rossi, and Mr. & Mrs. Perron were present.

CALL TO ORDER:

Mr. Mertz, Acting Chair, called the meeting to order at 7:00 p.m.

Mr. Mertz appointed Mrs. Hiltz to vote in place of Mr. Love.

MINUTES:

5/20/14

Mr. Irvine made a motion, seconded by Mr. Luciano, to accept the minutes as written. Vote was unanimous.

CORRESPONDENCE:

1. Letter from Town of Ashland Planning Board has established a Land Use Review Committee for coordination between town departments and boards, while consulting with counsel. As NHMA offers on-site programs at \$400 each, Ashland was hoping to share some of these costs with other towns, who could also attend, with topics available at the NHMA website.
2. NHDES Wetlands Application submittal from Joe and Leah Wolczko (Tax Map R15, Lot 3) who wish to construct a dock and access to Pemigewasset River.
3. NHDES to Ambrose Bros., Inc. Alteration of Terrain project status for the gravel pit on their property (Tax Map R11, Lot 23A & 23B) advising them that the required 2 year status update and 6 year plan update have not been submitted. NHDES advised that there appeared to be expansion of the pit area which was not requested or approved by their department, and for which a new AOT is required.

Mrs. Lucas advised the board they have statutory authority over the earth excavation operations in town. She said the board is currently holding a bond for restoration of the site, which should be reviewed, so suggested that Ambrose Bros., Inc. be invited in to speak with the board. The board agreed.

4. Letter of decision for a ZBA approval for a Special Exception on property belonging to NHS, Tax Map U7, Lot 3, for a conversion from a single family dwelling to a 2 family dwelling.

MASTER PLAN UPDATE

Mr. Mertz advised that a sub-committee meeting that was scheduled for 6/16/14 had to be cancelled so there was nothing to report. Mr. Mertz suggested a tentative meeting date of 7/16/14 at 6:30 pm in the upstairs

town meeting room.

CAPITAL IMPROVEMENT PLAN

Mr. Irvine advised that this was on hold while waiting for completion of the Master Plan Update and submission of the CIPs from all department heads. Mrs. Lucas said she has submission from the Town Clerk.

**DISCUSSION ON PROPOSED
CHANGES FOR SPECIAL TOWN
MEETING**

Mr. Mertz advised that the board was in agreement with the proposed amendments relative to outside displays and definitions. There was a lot of discussion of agricultural activities in the MU District. Mr. Mertz noted that the recent amendments made the agricultural use in the MU District similar to those of the Village District, which was determined by the board to be somewhat extreme in restrictions. It was the board's intent to ensure that any proposed amendment for agricultural use was reasonable for the MU District. The amendment would limit livestock animals and game birds to no more than 25 (each category) at one time. Relative to beekeeping this was amended to read that bees could be kept but must be at least 50' from an abutting property line. The board also proposed a statement requiring adherence to the BMPs (Best Management Practices) for agriculture.

Mr. Mertz asked if the public had any comment. There was none.

Mr. Hofling asked why this would be voted on at a Special Election Mr. Mertz explained that it is a primary and having these proposed amendments on the ballot could take place at that time with minimal cost to the town.

Mrs. Lucas advised that the board could hold the first hearing on the amendments on 7/15/14 with finalization of the amendments for notice would be required for 7/1/14. To meet state statute, the 2nd hearing could be held 8/4/14, which Mrs. Lucas pointed out would only be necessary if amendments were made at the first public hearing. The board agreed to these dates.

**Continuation - PRELIMINARY
HEARING/ SUBMISSION OF
APPLICATION**

*Michael Sharp; NH Route 104 &
Riverwood Drive; Tax Map U-17, Lot
55 – Site Plan Review for health focus
facility*

Mrs. Hiltz recused herself from this portion of the proceedings relative to Mr. Sharp's application.

Engineer Kent Brown and applicant Mike Sharp were present.

Mr. Brown updated the board on the items required by the Planning Board during the May meeting, a condition of accepting the application as complete:

1. Architectural drawings are still being modified. He submitted drawings from the Belmont facility advising that this proposed facility would be modeled after that one. Mr. Conkling said he visited the Belmont site and liked it but wished it had more of a New England feeling.
2. They are in the process of doing the septic design.
3. Letters have been requested from the Precinct relative to water and sewer, and whether or not they can provide service to the site.
4. Meeting scheduled with the Selectmen on 6/19/14 to discuss the driveway permit as they would be the ones who would have to submit the application. Mr. Irvine explained that as the current access is from a Town Class VI roadway, the town would have to

- submit the driveway permit application for the relocated access.
5. Letters have been requested of the Fire and Police Chief's for their input on the project.
 6. Small modifications were made to the plans based on the Planning Board's input from the previous meeting.
 7. An electronic version of the plans has been sent to the engineer the town will use for the 2nd party review.

Mrs. Lucas advised that the engineering services being used are through the Belknap County Conservation District, with the engineer being Gerald Lang. A form detailing the items being requested for review by Mr. Lang has been sent along with a copy of the site plans. Mr. Lang provided an estimate for his services which will be the responsibility of the applicant and invoicing and payments will be done through an escrow account. The items being requested for technical review are:

- Storm water drainage
- Roads and parking
- Erosion and sediment control
- Added to the list was: compliance with federal and state regulations

Mrs. Lucas advised that Mr. Lang will contact Mr. Brown for any additional information he may require, with a copy of that correspondence to the board.

The board discussed the design plans as Mr. Conkling expressed his concern with the style. Mr. Irvine suggested that in keeping with the surrounding neighborhood, something other than a flat roof would be more desirable. As it shows a flat roof design, Mr. Mertz pointed out the issue that could come with snow removal and where that snow would go. Mr. Brown advised that it may be possible for Lisa Charest who is the end user for the site, to agree to a different design. Mr. Irvine advised that the location is in close proximity to residential homes, as opposed to a commercial neighborhood, so it would be desirable to see a different pitch to the roof or a façade. Mr. Mertz advised that there was a section in the Site Plan Regulations relative to architectural standards.

Mr. Luciano asked if there was a difference in cost in constructing a flat roof versus what the board is suggesting and Mr. Brown said there likely is. Mr. Mertz referred to the Tanger Outlets, which have a flat roof, but appear not to. Mr. Sharp expressed concern with making those changes and meeting the regulation height of 35 feet.

Mr. Mertz asked for any abutters input and there was none.

Mr. Luciano asked what type of services would be offered and Mr. Brown advised it was typically physical therapy but that Ms. Charest is looking at diverse providers.

Mr. Rossi asked if this building would be seen from Route 104 and Highway 93. Mr. Mertz advised that it would likely be seen from several locations on either roadway, including the off-ramp/on-ramp.

Mr. Mertz suggested as there are still items that require further information, including the need for elevations, that the board continue the preliminary hearing to next month. Mr. Irvine made a motion, seconded by Mr. Luciano, to continue the hearing to 7/15/14. Vote was unanimous.

**PRELIMINARY HEARING/
SUBMISSION OF APPLICATION**

*Phillip Hofling & Hofling Living Trust;
Straits Road; Tax Map R-10, Lots 25C
& 25; boundary line adjustment of 0.7
acres*

Surveyor Colin Brown and Alden Hofling were present.

Mr. Hofling advised that several years ago they decided to subdivide their land for some of their children who were interested in having a piece of property. One of the lots, belonging to his son, which does not have frontage on Straits Road and is accessed by a 50' ROW through another sibling's lot (Daval). Over time it was decided that having a ROW access could create issues in future years if the ownership of those lots change. He is proposing to give the rear lot 0.7 acres of his property so that it would have 50' of frontage on the road, so access would not need to go through an abutting lot. Mr. Hofling will deed this portion to his son and his son will relinquish his ROW through his sibling's lot.

Mr. Mertz asked Mr. Brown about the grade for this new driveway access, which Mr. Brown explained is 14% on average. Mr. Hofling pointed out that it is parallel to the existing ROW which currently serves as the Davol's driveway access. Mr. Irvine asked if a driveway permit has been obtained as it appears the proposed access is across the street from another driveway and Mr. Brown said they have not. Mr. Hofling advised that the new sight line for this access is better than the Davol ROW.

Mr. Mertz asked for abutter's input and there was none.

Mr. Conkling made a motion, seconded by Ms. Gregg, to accept the boundary line adjustment application. Vote was unanimous.

Mr. Irvine made a motion, seconded by Ms. Gregg, to approve the boundary line adjustment. Vote was unanimous.

HAZARD MITIGATION PLAN

*Driveway standards, major
subdivisions, and safety codes*

Mrs. Lucas advised that Mr. Ketterring is a member of the Hazard Mitigation Plan Committee, who has discussed these concerns with Fire Chief Drake and Deputy Lang. She suggested the board continue this item to a future meeting when Mr. Ketterring is present. The board agreed.

OTHER BUSINESS

PSNH

PSNH representative, Bea Hebert was present.

Mr. Mertz advised that PSNH is present to discuss the previously approved 5 lot subdivision (John Claridge) on Pinnacle Hill Road. New electrical poles will need to be installed and as this is a designated Scenic Road tree removal may require a hearing.

Ms. Hebert advised that it was her understanding after speaking with Mrs. Lucas that if tree removals are being done on the property owner's property a hearing may not be required. She explained that 5 new poles will be placed and all trees to be cut will be on the owner's property

with the exception of one on the triangle at the corner of Mulberry Lane. After review and discussion of RSA 231:158, Section 2 – Mr. Irvine advised that a hearing would be required for installation of a pole by a utility company on property that is not private, without approval of the Planning Board. The Board members agreed that they would not require a hearing for the trees that will be removed on Mr. Claridge’s property frontage.

Ms. Hebert explained that there was a pole on the triangle that Mr. Claridge new poles will be attaching to. She said that this pole will need to be replaced with a taller pole, and the existing tree next to it will need at the minimum - some trimming, and she would like to avoid taking the tree down. There was discussion on whether this would be a replacement or reconstruction of the pole, on other options including underground utilities. Ms. Hebert pointed out that running the lines from a pole in the triangle avoids having to remove 2 large oak trees on the corner. Mr. Mertz pointed out that it would take town regulations to dictate options such as underground utilities. Asked what the height of the existing pole was and Ms. Hebert said she thought it was 30’ and would likely need to be the standard 40’ pole. There was discussion on whether some trimming was cutting, therefore needing a hearing, and what the circumference of the tree was, as it is part of the language in the statute. Mrs. Lucas offered to discuss these issues with counsel if the board desired. The board asked Ms. Hebert to determine the circumference. Ms. Hebert advised that it is PSNH’s wish to avoid a hearing. Mrs. Lucas pointed out that based on the tax map it may need to be determined as to who owns the tree, if the property owners along the roadway own to the centerline. The board agreed that circumference 1st, and ownership 2nd, would need to be determined. Mr. Irvine made a motion, seconded by Mr. Conkling, to authorize Town Administrator Barbara Lucas after receiving more input and guidance from town counsel, to make appropriate determinations. Vote was unanimous.

Ronald Boynton

Ronald Boynton was present.

Mr. Boynton advised that he is looking to do a boundary line adjustment with abutter, Wayne Cote. It was pointed out that Mr. Boynton’s property was Tax Map R18, Lot 31A and Mr. Cote’s was R18, Lot 30. The board reviewed the tax map.

Mrs. Lucas advised that there was a previous boundary line adjustment that merged some property from an abutting parcel which was added to Mr. Cote’s lot, shown as “parcel A” on the tax map, which is across Boynton Road from Mr. Boynton and Mr. Cote’s properties.

Mr. Boynton asked if the surveyor would need to plot the “parcel A” lot area in addition to the house lot, as that will change the cost of the survey work. It was the consensus of the board that as this boundary line adjustment would not have a negative impact on setback distances to any structures; the surveyor would not need to survey this additional area.

Lot Merger

Mrs. Lucas advised the board of a lot merger application between Tax Map U14, Lot 33 and Map R8, Lot 2. Mr. Conkling made a motion,

(Planning Board, June 17, 2014, cont.)

seconded by Mr. Luciano, to approve the lot merger.

ADJOURNMENT

Motion to adjourn was made by Mr. Conkling, seconded by Mr. Mertz.
Vote was unanimous. The meeting was adjourned at 8:48 p.m.

Respectfully submitted,

Pamela Vose

DRAFT