



**PLANNING BOARD
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**Public Hearing
July 12, 2011**

Present at site walk: Charlie Karcher, Brian Boyers, Joseph Michaud, Stan Nadeau, Robbie Parsons, and Wendy Keane.

Site walk commenced at 5:35 pm on Nutes Rd. to discuss the Picard subdivision request and the concerns of Pat Smith, director of Public Works.

Pat Smith pointed out his concerns with the roadway and potential future runoff if the proposed subdivided lots should be created and developed on. He further made those present aware of why the culvert has been placed the way it is on under the roadway and the 90° angle of the entrance to the culvert. Because the property across the street from the proposed lots is a protected agricultural area, he had to work with the owner of the property to mitigate damage to his land while protecting the roads at the same time. The owner of the property allowed for the town to place any drainage on the far side of his land through the woods. He also explained that because of bedrock and ledge, the options for entrance to the culvert were limited.

Charlie Karcher also explained where the lots are proposed to be made and that the driveway to the largest parcel will remain at the top of the hill thereby mitigating any clearing at the lower slope of the property.

The Board Members spoke for several minutes longer at the site.

Board Members convened at Town Hall for the regularly scheduled meeting.

Present at Town Hall were: Charlie Karcher, Brian Boyers, Joseph Michaud, Stan Nadeau, Robbie Parsons, Tim Molinero, Peter Hayward, Michael Walsworth, Mark Phillips, and Carol Picard.

Chairman Boyers called the meeting to order at 6:30 pm.

Public comment was opened. There being no comments it was then closed.

CONTINUED: Public Hearing Re: Subdivision of land. Aaron and Carol Picard applicants. To subdivide Map 46 Lot 13, presently a 25 acre parcel, into three lots of 2.57, 2.0 and 20+/- acres. Property is located at 241 Nutes Road in the Low Density Residential Area.

Charlie Karcher stated that nothing has changed since the last meeting and the drainage report has been submitted as asked, see attached report. The water is already to the culvert before the water from the roadway runs to it and although there are problems with the drainage, they are existing problems and are not created by Mr. Picard's property persay, but by steepness of road and size of watershed. Something which may help is a diagonal culvert to empty in to the existing culvert. Pat Smith recommended a 150' no cut area as a buffer for stipulation.

Stan Nadeau stated that it may relieve some of the potential problems to have that condition of approval. Charlie Karcher stated that he thinks the trees being there will help to address erosion but during a 2.5-3" rain storm it will not help with the volume of water going over the ditch. Mr. Karcher stated that he spoke with Aaron Picard who would be amenable to a 100' buffer. Discussion was held again on the easement to access the property.

Robbie Parsons stated that he feels 100' is reasonable. Robbie Parsons further stated that what he is concerned about is the erosion. Brian Boyers stated that he thinks a 75' buffer would still be adequate.

Chairman Boyers reminded the Board that even if they decide to impose a no cut buffer as a condition of approval, there is nothing in the zoning ordinance to stop the homeowners from clearcutting it.

Chairman Boyers asked if there were any further questions. There being none he closed the public session.

Joe Michaud stated that he would be comfortable imposing a 100' buffer and further commented that part of the problem is that culverts need to be cleaned and maintained.

Stan Nadeau stated that with the culvert taking a 90 degree turn, not much will mitigate the water.

MOTION: Robbie Parsons moved to approve the subdivision with the condition that they maintain a 100' buffer along the Map 12 Lot 2 and Map 13 Lot 1 map coverage areas with the exception of the driveway areas. Also conditional approval upon State approval of subdivision. Seconded by Joe Michaud. Motion carried 6-0.

Public Hearing Re: Change of Use. Michael Walsworth applicant. Application for a change of use from commercial to residential space. Property is located at 627 White Mtn. Hwy Map 38 Lot 20, Milton, NH. Property is located in the Water District/HDR zone.

Mike Walsworth stated that he would like to change the commercial space located in his building on Depot Pond Road to residential space and is proposing to finish 700sf in to a one bedroom apartment. Mr. Walsworth also stated that there will be no impact to water or sewer as there are already two bathrooms for the commercial space. There may be steps added for ease of accessing

the space. He would also eventually like to add a deck on the White Mountain Highway side of the dwelling to be used as a second egress.

Brian Boyers asked if there are presently two residential units. Mike Walsworth said yes.

Brian Boyers stated that he would like for Fire and Police to weigh in on this if approved.

Motion: Robbie Parsons moved to accept the application as complete. Seconded by Peter Hayward.

Carol Martin spoke in regards to the Norrish's not being adequately noticed. Brian Boyers stated that the Norrish's will have 30 days to appeal the decision. Wendy Keane stated that the Norrish's will be contacted by phone and made aware of their rights.

Carol Martin asked if he (Mr. Walsworth) will be opening the ice cream stand. Michael Walsworth stated that he has no interest to open it.

Chairman Boyers inquired if there were any further questions. There being none, the public hearing was closed.

MOTION: Robbie Parsons moved to approve the application based on comment from the Fire Department. Seconded by Peter Hayward. Motion carried 6-0.

Public Hearing Re: Lot consolidation/re-subdivision of existing 12 lot subdivision to combine lots and re-subdivide to two lots. Mark Phillips applicant. Property is located on Mason Road, presently as Maps 25-16-1 through 25-16-12. Property is located in the LDR zone.

Charlie Karcher spoke on behalf of Mr. Phillips. He stated that several years ago Mr. Phillips was granted and approval to subdivide and create 12 lots on Mason Road. At this time the owner would now like to combine the lots, move some of the lot lines to reduce and recreate lots. Charlie Karcher stated that he received a letter from Jerry Coogan stating that he should ask for a waiver from survey. Charlie stated that the property had already been surveyed during the original subdivision and perk testing was also done.

Tim Molinero inquired if the individual lots have been surveyed. Charlie Karcher stated that there will be corners marked upon approval of the new lots as they were not done previously because of the proposed placing of roadway. Because the site is over 5 acres there does not need to be state approval. Charlie Karcher further stated that because of rock walls there had to be some lot line revisions and an application done for both.

MOTION: Robbie Parsons moved to accept the application as complete. Seconded by Peter Hayward. Motion carried 6-0.

Chairman Boyers opened the hearing for public comment. There being none he then closed the session.

MOTION: Peter Hayward moved to approve the application as submitted. Seconded by Joe Michaud. Motion carried 6-0.

Mr. Phillips asked the Board to send a letter to the Selectmen releasing the bond.

Wendy Keane stated that a letter will be sent to the BOS from the Land Use Office.

Approval of meeting minutes from June 7th 2011.

MOTION: Peter Hayward moved to approve the minutes as written. Seconded by Robbie Parsons. Motion carried 5-0.

MOTION: Robbie Parsons moved to approve the invoice in the amount of \$308.75 for services provided by Gerald Coogan on the Mark Phillips case. Seconded by Joseph Michaud. Motion carried 6-0.

MOTION: Tim Molinero moved to adjourn. Seconded by Robbie Parsons. Motion carried 6-0.

Meeting adjourned at 7:01pm.

Respectfully submitted,

Wendy L. Keane

Land Use Clerk