

PLANNING BOARD MEETING  
AUGUST 21, 2013

PRESENT: Ed Dekker, Chairman, Liz Freeman, Bert Hamill, Joanne Meshna

The meeting was called to order at 7:00 p.m. at the Town Office. Joanne was appointed to fill Ollie's vacancy for this evening's meeting.

7:00 p.m. Sustainable Landscapes, LLC - Public hearing for five lot subdivision:

Mr. Ed Rogers and Mr. Denis Gleeson were present for the applicant. The proposal is for a five lot subdivision of lot 4/10, 179 Appleton Road, 81 acres. The lot has frontage on both Boynton Hill and Appleton Roads. There is an existing farm house which will be on a 2 acre lot. There will be three other lots of 2 acres each, and the remaining lot will be approximately 74 acres. The owner plans to sell the three 2 acre lots as building lots. The large lot will be used for farming; he has spoken with the Monadnock Conservancy and Forestry Society regarding protection of the lot.

The Board reviewed the waiver requests. The first waiver is a partial waiver from checklist item #17, topography within the tract, contour lines at intervals of five feet or less. Mr. Rogers stated that he provided 5 foot contour topography for the entirety of the proposed building lots, and approximately 26 acres of the 73.84 acre remaining parcel and has demonstrated the zoning compliance of all of the proposed lots. Additional topography would be of great expense to the applicant and would not yield information that would affect a decision on the application's compliance.

The second waiver is a partial waiver from checklist item #18, geographic features (including water courses, wetlands...). Mr. Rogers provided a certified wetland delineation on the entirety of the proposed lots and on 26 acres of the 73.84 acre remaining parcel and has demonstrated that the proposed lots conform to all zoning requirements in relation to wetland setbacks, and none of the proposed lots require wetland crossings in order to comply with zoning. There are additional wetlands on the remaining 47 acres; however, the precise mapped location of these wetlands would be of great expense to the applicant and would not yield information that would affect a decision on the application's compliance.

Ed noted that Kent had recommended the waivers be approved. Ed made a motion to approve the two waiver requests. Bert seconded the motion and it passed unanimously.

The Board referred to the checklist. Checklist item #34 - Kent had requested that the driveways be added to the plan. They are now shown on the plan. Peter Goewey, Director of Public Works, reviewed the driveway cuts and was in agreement. Checklist item #35 regarding proposed easements - Sheet 3, note 11, refers to a drainage easement dedicated to the Town at the northwest corner of lot 4-4 for the purpose of directing a portion of the current storm water load on the eastern side of Boynton Hill Road

to flow along the northern lot line of 4-4. Checklist item #51, a letter from the Fire Chief stating adequate source of water for fire protection - Mr. Rogers noted that he had met with Chief Leel and a letter from that meeting from the Chief recommended a 20,000 gallon cistern be installed as near to the intersection of Appleton and Boynton Hill Roads as possible. Mr. Rogers met again with Chief Leel and submitted a letter sent to the Chief in which he provided calculations that a 10,000 gallon cistern would be adequate. Mr. Rogers also proposed a 20,000 gallon fire pond (depicted on sheet 5) and noted that his client would be interested in retaining the option to install sprinklers for any new construction. He noted that changes in the state law regarding requirements for sprinklers may or may not allow this. Mr. Rogers referred to House Bill 278 on sprinklers which goes into effect on September 8 and suggested the Board read it. There was no follow-up letter from the Chief as to his final recommendation.

Checklist item #52, drainage plan - reference was made to the drainage easement on lot 4-4, and culverts with catch basins. Checklist item #54, state subdivision approval - has been received.

Liz made a motion to accept the application as complete. Ed seconded the motion and it passed unanimously.

The width of Appleton and Boynton Hill Roads was discussed. Mr. Rogers noted that the road is 66 feet wide in some places and behind the stone walls. Bert questioned the driveway on lot 4-1 and if the culvert was adequate. Mr. Rogers responded that there has not ever been any flooding that has reached the driveway. There is a flood control site downstream; the existing driveway is safe.

The Board noted that Boynton Hill Road goes through to Fish Road in Temple and the roads are plowed by New Ipswich and Temple. There are no dead end road issues.

The odd shape of lot 4-3 was discussed. Mr. Rogers explained that he wanted to keep the building area on this side of the wetlands so that there would not be a need for wetland crossings. Perc tests have been done on the lots. The top of the fields would be flush with the ground.

Abutters were invited to speak:

Dennis Alix asked if the 4 foot setback from wetlands to the water table was maintained. Mr. Rogers responded that they had between 30-40 inches and by using enviro septic technology they can be 30 inches rather than 48. Steve Gendron inquired if the large lot could be subdivided again and Mr. Rogers responded they had not looked at the feasibility of subdividing at this time. Mr. Gleeson added that it was their intent at this time to farm the large parcel. Floyd Backes had no problem with the subdivision proposal.

Mr. Rogers was asked to show the right-of-way on Appleton Road as he had done on Boynton Hill Road. He will add it to the plan.

Liz made a motion to conditionally approve the five lot subdivision application, the conditions being receipt of a letter from the Fire Chief stating that adequate fire protection will be provided and addition of the fire protection specified by the Chief added on the plan, payment of fees, and setting of final monuments. Joanne seconded the motion and it passed unanimously.

Joanne distributed information on the upcoming Law Lecture series as well as an article from Town and City on "I Recuse Myself".

Joanne informed the Board that at the September 11 meeting of the Conservation Commission, Rick van de Poll from Ecosystem Management Consultants will be discussing stream buffers. The Commission is preparing an amendment to the Zoning Ordinance on stream buffers. The Planning Board is invited to attend the meeting.

The Board received Notices of Decision from the Zoning Board on the USA Properties, LLC's application for an Appeal of an Administrative Decision (Planning Board's) which was denied, and on the Dollar General Store which was denied.

The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Joanne Meshna, Land Use Manager