

Approved as Amended: John Keane

**TOWN OF EPSOM
PLANNING BOARD
May 25, 2011**

In Attendance: Philip Demeritt, Chairman; John Keane, Vice Chairman; Deirdre Davis; Keith Cota, Selectman's Representative; Jay Hickey; John Dodge

Not in Attendance: Norm Gentry, Alternate; Sharon Burnston

Other Attendees: Priscilla Thompson; Web Stout; Joyce Yeaton; Pat Dail; Ken Knowles; Paul Groleau; Nancy Clark; Fred Clark; Diane Spaulding; Tom Spaulding; William Saunders; Barry Arseneau; Beth Arseneau

Phil opened the meeting at 6:30 PM.

6:30 PM - Administrative Session

a. Minutes

The minutes of April 27, 2011 were reviewed and amended.

John K. moved to accept the minutes of April 27, 2011 as amended, Keith seconded the motion. The motion passed.

The minutes of May 11, 2011 were reviewed and amended.

John K. moved to accept the minutes of May 11, 2011 as amended, Dee seconded the motion. The motion passed.

b. Mail

The mail was reviewed and filed.

A pamphlet with books available from the LGC was reviewed.

John K. moved to purchase a copy of "Knowing the Territory" and "A Hard Road to Travel" for the Board's use, Jay seconded the motion. The motion passed.

The revised Planning Board Fees Schedule was reviewed. Betsy noted there was no fee listed for letters sent to abutters by the Board. She thought the fee charged in the past was \$3.50 per letter. Also noted was no fee for the recording of Notice of Decisions when required. It was determined to use the same fee as the ZBA uses (\$25.00). A fee of \$3.50 was determined for the regular letters mailed by the Board.

Committee Reports

There were no Committee reports.

Phil indicated the Board would hear the public hearing for the Groleau boundary line adjustment first and then the Yeaton public hearing.

6:45 PM – Public Hearing – Boundary Line Adjustment – Kenneth C. Knowles – Tax Map U19, Lot 44 and Tax Map U19, Lot 45, 196 Chestnut Pond Road

Keith motioned to open the public hearing with Jay seconding the motion. The motion passed.

Kenneth Knowles, Eaglebrook Engineering & Survey, LLC, presented the plan for Paul Groleau. The two lots are on the class 6 section of Chestnut Pond Road, but both would meet all the zoning requirements except for having frontage on a class 5 road. The lot line is being adjusted to have the house and outside area meet the setback requirements.

Keith asked what was within the area noted for the residence; Mr. Groleau explained what had been constructed.

Discussion noted that if construction was to occur on the vacant lot then the request would have to go before the ZBA for a variance.

Mr. Arseneau and Mr. Spaulding noted they have no issues with the boundary line adjustment.

John K. moved to close the public hearing, Jay seconded the motion. The motion passed.

The Board noted one lot had a residence with the other lot being vacant. Both lots would meet all requirements except being on a class 5 road.

Keith moved to approve the boundary line adjustment noting if construction of a structure was to occur on the vacant lot it would have to go before the ZBA, Jay seconded the motion. The motion passed.

Public Hearing – Minor Subdivision – Web Stout – Tax Map R9, Lot 55 – Echo Valley Road

Web Stout presented the plan for the proposed subdivision for Ms. Yeaton. He noted the proposed new lot has a contiguous buildable area of 0.59 acres. The lot size was increased to 4.1 acres prior to the last Board presentation. Mr. Stout noted he had designed a septic system that showed the buildable area could sustain a four-bedroom home with a two car garage on Lot 55-1. Due to cost the plan was not submitted to the State, however Mr. Stout felt it would be approved. He noted the location he chose might not be the location a purchaser of the lot would construct the residence or septic system as there were other areas that it could be done in.

Mr. Stout asked the Board to waive the one-acre of contiguous buildable land due to the lot's ability to support a residence and septic system.

Dee asked if this subdivision had come before the Board in the past. Discussion occurred with Betsy pulling the Lot folder from the files. There was a sketch in the folder from May 2006 that indicated a proposed subdivision of the same property. This subdivision was never completed. The Board did not have the minutes from the 2006 meetings.

Discussion occurred regarding the requested waiver as the contiguous buildable area for Lot 55-1 is only 0.59 acres.

John K. is in favor of the waiver taking into consideration the spirit of the subdivision regulation for contiguous buildable land and the fact the lot has a buildable envelope of sufficient size for a septic system and site layout. John reviewed the test pit data and perc tests; the area has good upland soil that satisfies the criteria. He would be against the waiver if the soils were poorly drained. John thought in looking at the overall picture the 4.1 acre site is sufficient to grant a waiver.

Dee was concerned that the Board had just spent time to revise the definition of contiguous buildable land and was considering granting a waiver so soon.

John K. moved to close the public hearing, Jay seconded the motion. The motion passed.

John K. moved to grant a waiver for the contiguous buildable area for Lot 55-1, Jay seconded the motion. The motion passed with one abstention.

Keith noted he would approve the subdivision if Lot 55-1 would only be a single family residence with no further subdivision of this lot. Keith confirmed with Mr. Stout the septic system was designed so no waivers would be required from the State. Mr. Stout confirmed this fact. He would add this to the motion. Ms. Yeaton agreed with the conditions.

Keith motioned to approve a one lot subdivision for Tax Map R9, Lot 55 with the following conditions:

No further subdivision of tax Map R9, Lot 55-1

No waivers can be applied for to the State for the Septic System

Tax Map R9, Lot 55-1 can only have a single family residence constructed on it

Jay seconded the motion. The motion passed with one abstention.

Old/New Business

Betsy noted she had spoken with Sandy and Bill Boulanger. They would like to return for further discussion with the Board regarding the Outdoor Market. Betsy said they did not want to have a public hearing due to the expense. The Board discussed the issues with the

proposal with Phil feeling there might be a problem with the parking and traffic. Keith felt since it was a different use of the property they should have a public hearing.

Concerns with other businesses that have not had public hearing before completing changes were brought forth.

Betsy will let the Boulangers know that they would be required to hold a public hearing if they planned to go forward with the proposal.

John D. motioned to adjourn, Jay seconded the motion. The motion passed.

Phil adjourned the meeting at 8:12 PM.

Respectfully submitted,

Betsy Bosiak
Recording Secretary