

**TOWN OF EPSOM
PLANNING BOARD
JULY 28, 2010**

In Attendance: Philip Demeritt, Chairman; Deirdre Davis, Vice Chairperson; Sharon Burnston; John Hickey; Keith Cota, Selectmen's Representative

Not in Attendance: John Dodge; John Keane; Norm Gentry, Alternate

Other Attendees: Joe Wichert; Adam Towne; Alan Johnson

6:40 PM Administrative Session

a. Minutes

The minutes of July 14, 2010 were reviewed and amended.

Sharon motioned to accept the minutes of July 14, 2010 as amended, Keith seconded the motion. The motion passed with Jay and Keith abstaining.

b. Mail

Phil reviewed the agreement with Central New Hampshire Regional Planning Commission to complete the Capital Improvement Plan. It has been executed by the Board of Selectmen. Phil signed the agreement.

Phil reviewed e-mails regarding the Capital Improvement Plan (CIP) Committee from John Keane. It was noted a CIP committee was being created for the purposes of developing the CIP on behalf of the Planning Board. John Keane will be coordinating this committee that should be composed as follows:

- 1-2 Planning Board members
- 1 Planner
- 1 Major Department head (Police, Fire or Highway Department)
- 1 Selectman
- 1 Budget Committee member
- 1 School Board Member
- 1 Citizen

Phil reviewed several letters from the Zoning Compliance Officer to various people.

Sharon reviewed information in a newsletter about drinking water protection, noting the items that may be of interest to town officials.

c. Committee Reports

There were no committee reports.

7:12 PM – Continued Public Hearing – Wood Cote Estates – Phase IV – R-9-19 & 23 – Wood Cote and Albert Nye Drives

Dee motioned to open the continued Public Hearing for Wood Cote Estates – Phase IV, Keith seconded the motion. The motion passed.

Phil noted he had received several e-mails from Tracy Duffy (owner of R-9-18B-2). She is concerned with the removal of the circle and asphalt with the extension of Albert Nye Drive.

Keith noted that he would not support plan approval with the right of way around the circle. Adam noted he would rebuild the drive to the new right of way line. Keith suggested if there were issues Adam quitclaim the circle right of way to R-9-23 with an access easement to R-9-18B-2. Adam will speak with Ms. Duffy.

Joe noted Adam had met with the Board of Selectmen. He reviewed the phasing plan with Phase 1 to connect the two roads and add the second cistern. Phase 2 would add the southerly cul-de-sac with Phase 3 completing the remainder of Albert Nye Drive. It was noted R-9-19-8 would be removed from Phase 1 and added to Phase 2.

The letter from the Road Agent with the offsite improvements was reviewed. Phil noted clarification was required. The work to be completed on Center Hill Road was reviewed with a need to have a document developed using tax map and lot numbers rather than owner names and locations. Adam noted he would be reclaiming, adding gravel, doing a ditch line and drainage with the Road Agent to do the final pavement. The work would start at the westerly property line of R-9-17 and continue to the westerly property line of R-9-8-1. The Road Agent is to obtain a drainage easement from the Bachelder Farm with Adam to complete drainage work in the area. Adam's work on Center Hill Road is about 1,000 feet long. Other work in the area is to be completed by the Road Agent with a Federal grant he is expecting to receive.

Adam noted he has to pay \$76,000.00 in wetland impacts with a hope the Town is applying to receive some of the money. Keith noted Selectmen Representatives from the Towns affected by the Suncook River avulsion were to meet with the Governor and he would be asking about money.

Adam has agreement with the Board of Selectmen to keep a rolling bond of \$200,000.00 in place. The current bond on Albert Nye Drive would be discontinued. Adam will be transferring the lots to an LLC. He does not plan to begin the work for another year.

Phil noted the HTA invoice for review work was \$600.00 plus over the escrow amount. He has spoken with HTA about not completing work unless there is

money in the escrow account and to request more funds when they know there is only \$300.00 in the account. Adam noted he will pay the overage amount.

Keith noted a condition of approval of the bond by the Selectmen was the property would remain in Adam's name and Adam's company would construct the roads.

Adam noted he is working with UNITIL and will obtain a letter from them per the regulations. Keith noted if letters could not be obtained from Fairpoint or the cable company waivers would have to be requested.

Dee wants to see the Road Agent having the money to pave the area of Center Hill Road Adam is to do and an estimate for the paving costs. She would also like to see that the Town has received the Federal grant for the additional work the Road Agent plans to complete. She asked if the money would be set aside in a year or two. Adam noted the Road Agent is to let him know when the Federal grant is received as he wants Adam to do the other work and Adam would do all the work at the same time.

Sharon questioned the wear and tear on Center Hill Road during construction of the subdivision. Adam noted he had donated the work on Center Hill Road from Route 4 to the first bridge with the Town only paying for the paving, a similar situation. He will be doing more as it benefits his project.

Keith felt Adam has proceeded to address the major concerns of the Board that include:

1. Lot sizes and the contiguous areas
2. He has had an engineer complete the design with it being reviewed by the Town's engineer
3. Permits have been acquired
4. The bond has been determined
5. The Board requires more direction of the offsite improvements – discussion continued Board members would like more information from the Road Agent with regards to the paving commitment – Phil suggested a letter signed by the Road Agent, Adam, the Selectmen and Planning Board – Keith noted there is money in the Capital Reserve Funds to complete the paving with ways available to guarantee the money would be available

Adam asked for conditional approval so he could pay DES the \$76,000.00.

Keith noted the following had to be completed:

1. Corrected plan
2. Clarification with the Road Agent
3. Discussions with the neighbor
4. Utility waivers requested

Keith listed the following conditions that should be placed on approval of the subdivision:

1. 3 or 4 waivers have been requested
2. The Board receive copies of all permits
3. Commitment the cistern is approved by the Fire Department and built as part of Phase 1
4. Wetlands are flagged
5. Cul-de-sacs are quitclaimed to owners
6. The subdivision is to be constructed in 3 phases, lots to be listed for each phase
7. \$200,000.00 total rolling bond for each phase, to be held through the final paving of Albert Nye and Wood Cote Drives
8. As built plans be developed and given to the Town for its records
9. Clarification of the offsite improvements
10. Construction inspection be determined with monetary amounts and how the consultant engineer will oversee the phases
11. The land to be transferred to the Town be done by the time Phase 3 is constructed or when the roads are turned over to the Town

Keith will complete a draft of the conditions by the next meeting.

Joe requested a memo indicating the Board is finalizing conditions and if all the issues are completed a motion would be entertained at the next meeting. There was a Board consensus to forward a copy of the draft minutes to Joe and continue the public hearing for two weeks.

Keith motioned to continue the Public hearing until August 11, 2010, Jay seconded the motion. The motion passed.

A discussion ensued regarding stone walls and if they can be affected by road reconstruction, what are road widths and if roads have fee or easement right of ways.

Escrow balances were reviewed with a determination to send a letter to Canterbury Cove asking their intentions. Mr. Alves will be located with his money returned to him as he no longer owns the property. The Carriage Hill Road Ext. will be checked. All other escrow accounts will remain in effect.

The budget was reviewed.

An application request for U-9-29, Route 28 North was reviewed. A consensus was to have the applicant come before the Board for an informational. It was scheduled for August 11, 2010 with Phil to contact the applicant.

The situation with Ken Smith was noted with it being noted the fine needs to be paid prior to the Public Hearing being opened.

Keith motioned to adjourn, Jay seconded the motion. The motion passed.

Phil adjourned the meeting at 9:09 PM.

Respectfully submitted,

Betsy Bosiak
Recording Secretary