

Town of Epsom
Planning Board
11/10/09

In Attendance: Phil Demeritt, Vice Chairman; Norm Gentry; Jay Hickey; Alternate; John Dodge; Deirdre Davis, Alternate; Betsy Bosiak, Alternate; Keith Cota, Selectman's Representative; Sharon Burnston, Alternate

Not in Attendance: Dan McGuire, Chairman; John Keane

Also in Attendance: Marilyn Key; Russ Bartlett; Seth Bostock; Vichelle Naugle; Eric Reid; Web Stout; Joe Wichert

6:30 PM Administrative Session

Phil is acting Chairman for tonight's meeting. Betsy is sitting in for John Keane, and Deirdre is sitting in for Dan McGuire.

The Board held a non-public discussion to review Attorney/Client correspondence.

6:50 PM: The meeting was opened to the public.

The minutes of 10/28/09 were reviewed. Jay made a motion to approve the minutes as amended. Betsy seconded the motion. All in favor. Keith abstained due to his absence at the last meeting.

A request was received from Anthony Merullo to have his bond refunded for Whitetail Drive; as further development of Whitetail Drive is not anticipated in the near future. The 2008 Town Report reflects an escrow balance in excess of \$11K. Jay will check with Nancy as to the exact amount, and ensure all required work has been completed, and he'll report back to this board. The books the Board requested from LGC have been received. Phil said any members who'd like to go to the following website:

<http://www.nhlgc.org/LGCWebSite/EducationTraining/lgcacademy.html> can take classes and training at no charge.

7:10 PM Public Hearing (Continued) Towle Farm Estates / 40 Lot Subdivision / Bartlett / R13-36-1 / Goboro Road

-off site improvement proposal and phasing

Norm made a motion to open the continued public hearing. John Dodge seconded the motion. All in favor.

Russ stated that Dan McGuire had advised him by email that the Planning Board has received a response from our Attorney in regard to bonding and asked what that response was. Phil provided him with a copy of Attorney Soltani's response letter. The letter stated that the Planning Board has the authority to make whatever decision it desires, as long as it's reasonable.

Russ provided the Board with a letter from Chief Yeaton that states the Fire Department would be in agreement with development of 1000' beyond the first 30,000 gallon cistern, and then the second 30,000 gallon cistern would need to be installed. Phil said he spoke with Captain Moulton and there is a concern about house numbering for 911.

Russ stated that he'd like go back to the drawing board and then come back at a later date with a revised plan of phasing & bonding.

Seth Bostock is frustrated that Attorney Soltani did not address the question/issue of temporary dead end streets vs. cul-de-sac.

Keith stated that the definition of dead end street is in our regulations – which is just the end of the street during construction/development.

Joe Wichert said they were expecting a detailed response from our Attorney, and that is not what was received. Joe asked if they prepare a new proposal, if it can be provided directly to our Attorney for review before our next meeting, to save time. Keith replied that whether the Planning Board sends it to the Attorney depends on the complexity of the plan.

Keith stated he feels they have two options: Approval for development of the entire 40 lot subdivision, with the bond on the entire road. Or, only receive approval on each phase at a time, and bond only that phase at that time. Seth asked what the board would require for security & Keith stated that there are options for security (cash, bond, letter of credit, etc.). Keith made a motion to continue the public hearing to December 9. Deirdre seconded the motion. All in favor.

7:45 PM / Informational / 5 lot subdivision / Can Do Properties / R13-1 / 111 Lockes Hill Road

Web Stout, Surveyor, presented the revised proposed plan for Can Do Properties. The land is approximately 25 acres and they propose to create 5 lots along Lockes Hill Road. This is considered a Major Subdivision. The existing road is only 15' - 17' wide, and the plan shows a 25' right of way on both sides of the road. This plan shows the contiguous buildable area, which does not include any set backs or wetlands. Web said he spoke to the Road Agent and Gordon is looking for some road improvements (widening). Phil said he had a brief conversation with the Fire Department, but no official comments. The 3 middle lots will need state subdivision approval. There are no wetland impacts. There are a lot of steep slopes.

Keith noted that on lot 1-4, the buildable area is shown on the back of the lot in a very steep area. Web asked if the builder is restricted to build in the identified area on the plan. Keith said the board has the right to place such a restriction on the plan. Keith said he may want to see a building profile for that lot, with the driveway, etc.

Keith would like to be sure we receive official comments from the Road Agent, Police Department & Fire Department. Keith made a motion to accept the application & go to Public Hearing on January 14, 2010. John Dodge seconded the motion. All in favor.

A site walk was scheduled for Saturday, November 14 at 9:00 AM. Wear orange, since rifle season opens tomorrow.

8:15 PM Break

8:25 PM Request for information / Steven Alan / Harris subdivision / North Road & Barton Road

Phil said Steven Alan brought some Mylars to Barbara for a subdivision on North Road & Barton Road. The Mylars have not been signed & there were no conditions listed. Phil said he was supposed to be in attendance tonight to discuss his request to build a duplex on lot 4, which is a

5.22 acre lot. There is not one acre of contiguous build able area, because of the easement for the power lines. This case did go to court & part of the decision was that they had to pay 1/13 of the cost of the cistern and 1/13 of the road repairs to Barton Road. The Planning Board requested an escrow account in the amount of \$5330, plus 20% for engineering oversight and \$1900 for the cistern; however there is no money in escrow to date. The conditions from 7/23/08 were reviewed.

Phil will ask Barbara to send Steven Alan a letter telling him that he has been placed on the agenda for January 14, and enclose a copy of the conditions that will need to be met.

8:45 PM Old/New Business

The 2010 Important Dates of Local Officials was reviewed. Proposed zoning changes were discussed.

A work session was scheduled for Wednesday, December 2 at 5:30 PM.

9:00 PM Keith made a motion to adjourn. Deirdre seconded the motion. All in favor.