

**Approved as Amended: Philip Demeritt 5-25-11**

**TOWN OF EPSOM  
PLANNING BOARD  
May 11, 2011**

**In Attendance:** Philip Demeritt, Chairman; Deirdre Davis; Keith Cota, Selectman's Representative; John Dodge; Sharon Burnston; Darlene Phelps, Substitute Recording Secretary

**Not in Attendance:** John Keane; Jay Hickey; Norm Gentry, Alternate

**Also in Attendance:** Marilyn Key; Russell Bartlett; Vichelle Naugle

**6:30 PM Administrative Session**

Phil opened the meeting. Phil read a letter that was sent to Jay Hickey from Sandy & Billy Boulanger from New Age Plaza stating that they are withdrawing their seasonal business permit for an outdoor market, due to unforeseen circumstances. Additional mail was reviewed.

Phil called for committee reports. Keith said at the last meeting, the Planning Board voted to increase the abutter fees by \$.05 and the Selectmen have approved that request.

Review of the previous meeting minutes will be delayed until the next meeting.

**6:45 PM Public Hearing / Subdivision / Russell Bartlett / Tax Map R-13/36-1**

John made a motion to open the continued Public Hearing. Sharon seconded the motion. All in favor.

Russell presented the board with an updated abutters list. He advised that he now has an agreement with the USDA for an easement on his property. The new agreement allows them to put an easement on his entire property, but it will take some time for the matter to come to completion. The entire property will go into conservation & in time they will likely improve the property by managing wetlands, etc. He has been in touch with Bear Paw, and he may sell a portion of this property to them at some point in the future. In consideration of this agreement with USDA, he would like to withdraw his application at this time.

Russell noted that it has been 2-1/2 years since this process began and he thanked the Board for its consideration and assistance during this time. He acknowledged the amount of time spent on this application by Board members and abutters and he feels that the Board treated him very fairly, as well as weighing the needs of the town and abutters at the same time.

Keith made a motion to accept the withdrawal of the application for a major subdivision on this piece of property. Sharon seconded the motion. All in favor.

**7:00 PM Old/New Business**

Keith said that Mike Tardiff from CNHRPC will be coming on June 22<sup>nd</sup> to discuss the Public Hearing process.

## **Subdivision Regulations**

Keith noted that **2.9 Limits on Number of Lots Developed Per Year** is in the Subdivision Regulations, and though he supports it, he wonders if its appropriate to be included in the Subdivision Regulations, since this is included in the Growth Ordinance. He doesn't see any need to change this, just wanted the Board to be aware of it.

Keith advised that according to RSA 674:4; approval must approve or disapprove within 65 days.

**4.3.7 The Planning Board shall act to approve or disapprove a subdivision plan within the time allotted or allowed in accordance with RSA 674:4. Formal acceptance will be determined in Section 4.3.3 (c).**

**3<sup>rd</sup> Paragraph: Upon failure of the Planning Board to approve or disapprove within the allotted time (or within additional days, if granted by the Selectmen), the applicant may obtain from the Selectmen and order directing the Planning Board to act within thirty (30) days.**

**4<sup>th</sup> Paragraph: Failure of the Planning Board to act upon such order shall constitute grounds for action by the Board of Selectmen, in accordance with RSA 674:4.**

## **5.5 Monuments**

**C. 3 All bounds shall be set prior to recording the plan at Merrimack County Registry of Deeds. If the major subdivision creates a new town road in accordance with the Subdivision Regulations, the bounds shall be set prior to acceptance of the new roadway.**

**7:35 PM** Keith made a motion to adjourn. Sharon seconded the motion. All in favor.