

Town of Epsom  
Planning Board  
9/24/08

In Attendance: James Bowen, Chairman; Keith Cota, Selectman's Representative; Dan McGuire; Jay Hickey; Norm Gentry, Alternate; Betsy Bosiak, Alternate; Darlene McIntosh, Recording Secretary

Not In Attendance: Chris Porter; Alan Quimby, Vice-Chairman; Phil Demerit

6:40 PM Administrative Session

Betsy is sitting in for Phil Demerit.

Norm is sitting in for Alan Quimby.

The minutes of 9/10/08 were reviewed. Betsy made a motion to accept the minutes with changes. Keith seconded the motion. All in favor.

Mail was reviewed. James received the order form for Land Use Regulations Handbooks. He will give the order Barbara so our order can be combined with those from ZBA. We have received a letter from DOT regarding the meeting scheduled for 9/30 at Epsom Library regarding the bridge over Griffin Brook Road.

HT A has responded to our request to inspect the property on Carriage Hill Road Extension (David Pelletier) regarding the early bond release. HT A said that upon inspection, the bond can be safely removed. Dan made a motion to release the bond for this property. Norm seconded the motion. All in favor.

The budget was discussed. James must have the budget ready for Oct 27 to present to the Selectmen. There was a discussion about our line item for Legal Fees. James needs to talk to Barbara to be sure that the amount shown as spent to date is accurate.

7:04 PM Public Hearing for Lot Line Adjustment / U5-23 Hot Rox Holdings / U6-1 Epsom Rolling Hills LLC

Norm recused himself as he is an abutter.

Jay made a motion to open the public hearing. Keith seconded the motion. All in favor.

Brian Pratt from True Engineering and Alden Moore, the property owner are here to present the plan to do a lot line adjustment. James advised the applicant that Cindy Belanger is an abutter & was not listed on their application, so she was missed in the notification process. James said he spoke to Ricky Belanger by phone and Ricky did not object to the Public Hearing being held as scheduled.

The proposed lot line adjustment will create a 5 acre parcel and a 45 acre parcel. They have corrected the plan from their informational to reflect the 18' wide driveway, which they intend to be gravel with a 24" culvert. Keith feels a larger culvert may be appropriate. They are willing to add a second 24" culvert as opposed to making the one culvert larger.

They have a wetlands permit for their driveway. They referenced a plan for placement of homes & wells on abutting properties. Alden said their intention is to build a duplex on the property. They do have an approved septic design adequate for a duplex. Alden said they intend to obtain easements off Rte 28 only (not Windymere) to access the rear property.

Jay asked if this new proposed lot meets the minimum contiguous buildable area for a duplex. Since our regulations state there must be 1 acre of contiguous buildable area on a minimum of 2 acres, if there is going to be a duplex on that property, should it be a minimum 4 acres and 2 acres contiguous? The applicant is willing to revise his request in order that he receives an approval for the lot line adjustment in whatever manner meets our regulations. If we will only approve this for a single family home, then that is fine.

James asked if they are willing to add more land to

the 5 acre lot in order to increase their contiguous buildable area to 2 acres. They do have the ability to do that. Jay reminded them that easements will take away from their contiguous buildable area, so keep that in mind when adjusting their lot lines.

James opened the meeting to the public. Gordon Hackett, owns property directly to the north of this property, and likes the idea of the second culvert. June Harsh, U5-24, said water runs down onto her property & since this property was cut, she has a lot of standing water on the corner of her property, and her basement is wet. Rick Belanger spoke for Mrs. Harsh in stating that she is concerned about the increase of water on her property since they did a timber harvest on the property, and any new development should not increase the water flow onto the roadway or on any abutting properties. Alden stated that he is willing to build a berm to help keep some of the water on the property, but it would require him to remove more trees, but Mrs. Harsh had asked him to keep those trees. Mrs. Harsh does not want additional trees removed.

Betsy noted that it is up to the property owner to keep all water from their own property on their own property. Betsy stated that in 2005 a 2 acre subdivision was done on U6-1 and she wants to know if the Mylar was ever recorded, because it is not on the tax map.

On their plan on page 8, it states that it is not on the tax map. Alden stated he believes it was recorded. Betsy asked where the one acre of contiguous buildable area is on the 45 acre lot; Brian responded that it is about 900' off of Route 4. Betsy is concerned that the 45 acre lot does not have an appropriate area for a driveway (steep slopes, wetlands). Brian indicated that they do not have any immediate plans to develop the 45 acre lot, so we should not be focusing on this right now.

Dan stated that there is more water this year, so just because Mrs. Harsh has more water on her property this year, doesn't necessarily mean it is caused from the timber harvest on Alden Moore's property - it is just a wetter year.

Betsy made a motion to close the public hearing. Dan seconded the motion. All in favor. Jay's concern about water is relative to whatever is being built. He suggests that any change of use from this plan should come back to this board - particularly if this is to be used for a commercial purpose, because then the driveway will have to be paved - and that will create more water issues.

Keith feels that the applicant has provided a lot of information that was not necessary for this application, which has been helpful, but we should not focus on the items that are not pertinent at this time. He feels that their plan shows 1.83 acres of contiguous buildable area and though he has offered to add more land to that to gain 2 acres, a duplex is allowed on the property the way it is because this is not a subdivision, where the 1 acre minimum is required. Also, if he chooses to use this for a commercial use, he will need to come before the board with a non-residential site plan review. The plan should reflect poorly drained / very poorly drained soil.

Betsy said she doesn't have any concerns about the lot line adjustment; her concerns revolve around the future development. She'd like to have George look at the driveway when the time comes, because this driveway permit will be coming from DOT, not the town, and make sure it meets our regulations.

Dan made a motion to approve the lot line adjustment with the following conditions.

1. Show driveway for U5-25 on the plan.
2. Provide driveway detail that meets town regulations and driveway to be inspected by Town Driveway Inspector.
3. Verify contours in relationship to the delineated wetlands for the poorly / very poorly drained areas in the wetlands on U5-23.

4. State approved septic design.
5. Adjust the lot line to include 2 acres of contiguous buildable area.
6. Install (2) 24" culverts under the driveway in the wetlands area.
7. Applicant will not divert any water onto abutting properties or onto the roadway.
8. Verify that the Mylar was recorded for the 2 acre subdivision for lot U6-1-1, and provide some verification to the board.

Jay seconded the motion.

Discussion: Keith feels we are overstepping our bounds by requiring him to provide a septic design for a lot line adjustment. The condition for requiring a state approved septic design will be removed. New conditions are as follows:

9. Show driveway for U5-25 on the plan.
10. Provide driveway detail that meets town regulations and driveway to be inspected by Town Driveway Inspector.
11. Verify contours in relationship to the delineated wetlands for the poorly / very poorly drained areas in the wetlands on U5-23.
12. Adjust the lot line to include 2 acres of contiguous buildable area.
13. Install (2) 24" culverts under the driveway in the wetlands area.
14. Applicant will not divert any water onto abutting properties or onto the roadway.
15. Verify that the Mylar was recorded for the 2 acre subdivision for lot U6-1-1, and provide some verification to the board.

All in favor.

8:40 PM Request by Epsom / Chichester Lions Club to sell French fries & chicken tenders from the side parking lot of the Care Pharmacy on October 4 to help raise money for the Historical Society.

James recused himself as he is a member of the Epsom / Chichester Lions Club. James Falzone addressed the board with his request. He has a letter from Care Pharmacy giving permission to set up on their property on October 4th. They are going to give away French fries, chicken tenders, onion rings to draw attention to their cart, where they will be selling raffle tickets to benefit the Historical Society. They have two new fry-o-lators that they want to "test out". The cart will run from 93. The cart will be between Care Pharmacy & the diner, but fully on the Care Pharmacy property. They will have a small tent in case of inclement weather. Keith suggested they consult the Police Department about a Hocker's permit and the Health Officer to see if there is any permit required.

Betsy made a motion to allow the Lion's Club to give away food on October 4 to help raise money for the Historical Society, provided they are 50' from the road and from any building, and to allow for safe traffic patterns. Jay seconded the motion. All in favor.

Keith mentioned that a concept has been presented to beautify the traffic circle & we would need groups to sponsor the long term care / upkeep of it. Keith asked them to consider this as a future project.

8:55 PM Old/New Business:

We discussed upcoming applications.

We have received a request from Michael Stickney, 143 Mountain Road R9-37-3, to operate a small machine shop, making sheet metal products for heating & A/C, etc.

out of his garage. There will be no public coming to his facility. It does not appear that this type of business falls into our home occupation description, so Keith suggested they go to the ZBA to apply for a variance for this in-home business.

We have received a request from Sandra Poirier to operate a real estate office out of her home on River Road. She will need to come in for an informational on 10/22.

Keith reported that the BOS has reviewed a request by CNHRPC to do a traffic study from Alton Traffic Circle to the Pembroke town line. This would require a contribution from the town of \$1,400. The BOS feels this is worthwhile, and if the Planning Board agrees, it should consider placing that amount in our budget for 2009, which can come out of our engineering line. This study will take one year to complete. The BOS would request that we ask CNHRPC to extend the study as far as the Montminy's store.

Keith reported that Deirdre Davis appealed the Planning Board decision. Attorney Slack & Attorney Soltani both attended a meeting at the court for this. Attorney Soltani contacted the BOS, and asked who is representing the town for this appeal. Keith spoke to Alan Quimby and explained that due to the high rate of Susan Slack's services, the BOS has asked Attorney Slack to forward the files to Tony Soltani & he will take over this case from this point forward.

James has submitted our proposed Master Plan changes to Matt at CNHRPC, and he is waiting for his response.

9:30 PM Jay made a motion to adjourn. Dan seconded the motion. All in favor.