

TOWN OF EPSOM
PLANNING BOARD
940 SUNCOOK VALLEY HIGHWAY
EPSOM TOWN OFFICES
DECEMBER 11, 2019
6:30 PM

In Attendance: Kathy DesRoches, Chairman; Mike Hoisington, Vice Chairman; Joe Harnois; Cheryl Gilpatrick, Selectmen's Representative; Jay Hickey, Alternate; Betsy Bosiak, Alternate

Not in Attendance: Dan McGuire; Sharon Burnston

Other Attendees: Joe Wichert; Scott Elliott; Dawn Elliott; Mike Pelletier; Alison Parodi-Bieling; Bruce Sorette; Nick Freeze; Robert McKechnie, John Kenyon; Mark Richardson; Roland Bernard; Priscilla Bernard; Frank B.

Kathy opened the meeting at 6:31 PM.

Kathy appointed Betsy and Jay to sit in for Dan and Sharon.

Administrative Session

Gauthier Drive

Cheryl noted the discussions that have occurred regarding the bond for Gauthier Drive. Cheryl noted the developer would like to have a year from issuing of the Certificate of Occupancy for the Storage Units with the Town wanting two years.

Joe was concerned with the use of the Certificate of Occupancy. Cheryl agreed with Joe's concern and asked if it would normally be based on when the site plan was completed. Joe noted typically with road construction Certificate of Occupancies may be issued before the top coat was completed.

Kathy noted that the engineer suggested two years from acceptance as that is what other towns use. The Board agreed it should be this.

Budget

Kathy noted that the Budget Committee requested Departments reduce their budgets by 3%. Cheryl asked when Kathy was presenting to the Budget Committee on December 17. The budget was reviewed with the Board determining a 3% reduction from various lines.

Minutes

Minutes of November 13, 2019

The minutes of November 13, 2019 were reviewed and amended. The minutes will be reviewed again at the next meeting.

Mail

Kathy reviewed the mail.

Public Hearing – Two Lot Subdivision – Scott Elliott – 307 New Orchard Road – Tax Map R 11, Lot 22

Kathy opened the public hearing for the subdivision.

Joe Wichert presented the plan for the two-lot subdivision. He noted a change on the plan from the one originally submitted due to a Wetlands note requested by DES. The proposal is to subdivide the existing lot with the house and 2.0025 acres. The remaining lot would be 8.1076 acres. Joe discussed the driveway for the new lot has an easement that is being updated by the Gurnees, an abutter.

Joe discussed the wetlands delineations noting that the 2-acre lot does not have one acre of contiguous buildable land. They are requesting a waiver on that lot. He discussed the well radius for Lot 22 that will partially fall on Lot 22-1.

Kathy asked if there were any public comments. There was no public comment, Kathy closed the public comment period.

Kathy opened the Board comment period.

Kathy asked the location of the new lot's driveway noting a portion of it will be on the abutter's property. The length of the driveway was asked, Joe noted about 950 feet. Mike asked the grade of the driveway. Scott thought between 10 to 12 percent. Scott noted that he had spoken with the Fire Department regarding the driveway. The Department has no issues with the driveway length or slope. Mike asked the width of the driveway and Scott stated approximately 30 feet. Scott has a letter from the abutter noting the use of the existing driveway is acceptable. Scott noted that they would be finalizing easement documents but did not want to proceed until he had all his approvals.

Kathy noted the items pending included deed restrictions and DES approval. Joe thought they would have DES approval next week.

Jay asked if the Fire Department had visited the site. Scott indicated no; he will request they visit the site.

Kathy closed the public hearing.

Mike motioned to grant the waiver for less than one acre of contiguous buildable land; Cheryl seconded the motion. The motion passed.

Mike motioned to approve the subdivision with the following conditions;

Letter from the Fire Department regarding the length and slope of the driveway for the new lot

Execution of the easement from the abutter for the driveway

DES approval

Correct the address on the plan

Jay seconded the motion. The motion passed.

Public Hearing – Zoning Revisions for March Voting

Kathy opened the public hearing for the Zoning Revisions.

Windsor Drive

Arthur Laro acted as the spokesperson for the subdivision residents present. He noted they have concerns regarding plowing of the road. There are 13 homes on Windsor and Wimbledon Drives. He noted the subdivision began about 13 years ago. He has been there since 2013 and the residents have had the road plowed privately since then.

This past year the developer has almost completed Wimbledon and Windsor phases except the top coat of the road. He noted the second phase of the development includes Abby Road, which is up a hill and away from the other roads. He discussed there is a conservation area that is not affected by that portion of the subdivision. He did not know the requirements placed on the subdivision when it was approved. The main concern of the residents is to have those two roads accepted by the Town. He noted there are full assessments for tax purposes on the properties.

John Kenyon believes that they are double paying as they are paying the same taxes as others in town and then also paying to have the road plowed.

Cheryl noted as the Selectmen had explained that property assessments do not include the plowing of the road. In order to use taxpayer's money to plow the road it has to be accepted by the Town. The developer has been given the information that he has to apply to the Planning Board to have the road accepted by the Town.

Mr. McKechnie noted they are trying to find help. The developer has told some of the residents it is an HOA, but he has told others they do not have to be in the HOA. The developer has not been diligent in his duties to submit for acceptance of the road. Mr. McKechnie thought that the developer wants to wait until he has completed Phase Two before requesting road approvals.

Mr. Duffy noted that he has been a resident there 13 years with no results regarding the roads being approved by the Town.

Kathy noted that even if the developer came before the Board there is no guarantee the road would be accepted. Cheryl noted that we are reviewing our regulations to address issues like this in the future.

Mr. Laro noted they want to work with the Town and the developer to remedy the situation.

Priscilla Bernard asked why the Board could not take away building permits from the developer. She asked why the town is allowing the developer to receive permits.

Jay noted that the second coat of the paving has not been done.

Nick Freeze discussed that the developer is requiring them to plow the road and also pay for repairs to the road until the road is accepted.

Chris Robinson noted they are requesting the Town to take any action it can at this time. They are looking to the Town to stop further development until the developer completes the road.

Mr. McKechnie asked if the town can put a stop to phase two until he has completed the road for phase one.

Mr. Robinson asked where Windsor ends and Abby Road begins, no one responded to this question.

Mike asked Jay if there are any open permits, Jay indicated no.

Cheryl noted that the Board would have to find out if there is anything that can be done from the standpoint of not allowing further development until the road is complete.

Cheryl noted if the top coat is put on in the Spring then the developer can submit a letter asking to have the road reviewed and accepted. She noted that the Town's hands are currently tied.

Mr. Kenyon asked if there was any way they could be notified of upcoming items regarding the development. Mr. McKechnie noted that he had heard the developer might be wanting to change phase two to an elderly development.

Cheryl noted she has put all the documents received from the residents in the file. Mr. Laro noted he has additional documents if the Board would like them. Cheryl noted that the plans and any documents are on file in the Town Office. It was noted that the owners had gone to the Town Office and were told that the documents were not available. Cheryl stated she would address this with the Office Staff.

Jay asked if the developer returns to revise phase two then could the town require phase one has to be completed?

The Conservation Land was discussed with Mr. Laro noting the owners do not want to be responsible for the Conservation Land.

Mrs. Bernard asked if there had been any road oversight. It was noted that there had been oversight.

Conservation Commission

Alison Parodi-Bieling noted the Conservation Commission requires Planning Board approval to purchase property before the public hearing to acquire the property. It is in the process of acquiring three parcels of land. Two are the Alan Barton property (R 04, Lot 5 and 6). They

have Conservation Funds and an LCHIP grant and a \$10,000.00 donation from Getaway. The third parcel is a portion of the Zwesper property (R 09, Lot 33). She noted that part of the process to acquire that parcel is to complete a lot line adjustment. She noted there is a snowmobile trail through that lot also.

Kathy asked why they wanted to split the property along the wetlands and not a straight line. Alison noted it was a natural property line. Cheryl noted the RSA requiring Planning Board acceptance of the purchase by the Conservation Commission.

Cheryl motioned that the Planning Board recommends the purchase of R 04, Lots 5 & 6 and R 09, L033, Jay seconded the motion. The motion passed.

Discussion - Mike Pelletier – Dover Road – Tax Map U 06, Lots 9 and 9-1

Mr. Pelletier noted they are planning on a subdivision in the spring. He wants to increase the size of a building for which he has a current permit. It is for equipment storage.

Jay noted that Mr. Pelletier would like to temporarily put this structure together for the winter. It is constructed of double stacked storage trailers.

Mike thought he should have a public hearing. Cheryl asked for confirmation that he wants to add two additional containers and a roof to the existing proposed building. This was confirmed.

Mike asked how long would the temporary building would be in place; Mr. Pelletier indicated until fall. It was asked if he had received Zoning or Planning Board approval for the original storage containers. This would have to be researched.

Jay discussed there had been noise issues with the original paintball approvals as they were using an airhorn to start and stop the games. They have since changed to using whistles.

The issues were discussed. Kathy reviewed the Zoning Hearing minutes from August 30, 2017.

Mr. Pelletier asked his next step. Jay suggested he go to the Zoning Board. Cheryl asked if this was something he wanted to do now or in the future. He noted he was planning to move to the site and was bringing his equipment to the site.

Kathy closed the public comment portion of the hearing for the Zoning Regulations. There was no public present for comments.

The Board reviewed the proposed ordinances. Betsy noted that they had come from the ZBA. Due to revisions made, the Board determined to hold a second public hearing on amendments 1, 3, 4 and 5.

Mike motioned approve Amendment 2 for presentation at March voting; Jay seconded the motion. The motion passed.

Mike motioned approve Amendment 6 for presentation at March voting; Jay seconded the motion. The motion passed.

Old/New Business

Cheryl updated the Board noting Matt Monahan has not made a great deal of progress on the audit but he will continue progressing for the next subcommittee review after Christmas. They are working on having all items on the server and getting procedures organized.

Cheryl noted that they would also like to be able to have all plans submitted electronically. Dawn is checking on the costs to obtain the equipment to present the plans, etc., in the meeting room. Cheryl noted a process on how this would be done and who would handle the submission would need to be put in place.

Kathy adjourned the meeting at 9:06 PM.

Respectfully Submitted,

Betsy Bosiak
Recording Secretary