TOWN OF LYNDEBOROUGH
PLANNING BOARD MINUTES
July 18, 2019
Approved Oct. 17, 2019

7:30 PM Call to Order & Roll Call

Member Present: Chairman Tom Chrisenton, Vice Chair Paul Best, Larry Larouche, Bob Rogers, Bret Mader and Selectmen's Representative Mark Chamberlain

Public present: Leroy Hutchinson, Art Siciliano, Ginny Chrisenton and Building Inspector/Code Enforcement Officer Leo Trudeau

New Business:
Lot Consolidation: Map 232, Lot 23 and Map 232, Lot 24 on Forest Road

Owner Leroy Hutchinson was present and reviewed his plan to consolidate his two abutting lots. The new parcel shall be referred to as **Map 230, Lot 24**.

Mr. Hutchinson provided a check for $16.55 written to HCRD. The check number is 1441 and dated July 18, 2019.

Moving forward, the document needs to be notarized then registered at the Hillsborough County Registry of Deeds. Planning Board Designee Bob Rogers as well as Leroy Hutchinson and his wife were instructed to see the notary at Citizens' Hall on Monday morning to finalize the paperwork.

Post Meeting Notes: The document was recorded on July 22, 2019. Docket: 9030653. Book and Page: 9190-1848.

Five Lot Subdivision – Pre-Application Meeting
Old Temple Road and Beasom Road , Map 241, Lot 12
Land Surveyor Art Siciliano presented a map and discussed the plan.

Chairman Tom Chrisenton recused himself because he is an abutter. The Town Office complied a thick file with the history on the property and information on previous subdivision applications for this parcel that were not approved. This is the former Dave Proctor land.

The property is 27.71 acres total and sits in both Rural Lands I (RRI) and Rural Lands II (RRII) zones. RRI has 250 feet of frontage and two acres of contiguous dry land. RII has 500 feet of frontage and five acres of contiguous dry land.

The lots are labeled 12-1, 12-2, 12-3, and 12-4. It was noticed that lot 12-2 is less than five-acres. The Board reviewed the lot size minimum.

According to the preliminary map presented tonight: Lot 12 would be 7.4 acres with over 500 feet of road frontage; 12-1 would be 5.01 acre with 258 feet of road frontage, lot 12-2 would be 3.74 acre with 250 feet of road frontage, 12-3 would be 5.18 acres with 387 feet of road frontage, and lot 12-4 would be 6.37 acres with 536 feet of road frontage.

There was a discussion on the contiguous dry land and to indicate it on each lot. It is noted there are wetlands and streams that go through this property. The Board discussed the acres on various lots that sit in both RRI and RRII. The Board suggested making a certain delineation line bold instead of having it shaded.

The Board inquired about the 4,000 square foot areas for a septic system and informed Mr. Siciliano that the Town regulations require rectangle shape instead of an odd shape. It was noticed that several of the 4,000 feet septic areas are not 100 feet away from the wetlands.

Add the wetland delineation date to map.

There was a discussion about Lot 12-4 and the wetlands problems on that lot.

Soils: It was asked if the entire site is Monadnock Stoney Fine. There was a discussion regarding the soils in the upper corner.

It is encouraged to have a shared driveway entrances, where feasible, to reduce the number of driveway cuts. The Board made a reference that Lots 2 and Lots 3 have driveways close together and to consider a shared driveway.

Lot 12-4 has wetlands in the well radius and there was a discussion if overlap is allowed. The septic to well should be 100 feet.

Add a date to the magnetic bases of bearings.

Change road name to Old Temple Road. On this map it was listed as Temple Road.

Discussed the high intensity soil survey required for more than three plus lots for a major subdivision to determine where the water flows go. There is a stream on the property. There is a high HISS requirement for that.

Paul Best reviewed the regulations for **test pit checklist policy** sections 9 and 10

#10: The designated 4K area is required to be set back from all areas specified in section 9 above as followed:

a. 75 feet if the designated 4K areas is entirely located in well-drained soil without a restrictive layer and slopes of less than 8%
b. 100 feet if the designated 4K area is entirely or partially located in somewhat poorly drained soils, moderately well drained excessively drained or soils with a restrictive layer and a slope of great than 8% or great (less 4%)

Add: 100 foot septic setback and reference plans, HISS plan

Show the grades on the road to assist them when reviewing the driveways. Line of sight may be required. It was discussed that paved roads are posted 30mph while gravel roads are posted 25mph in Town.

Tom Chrisenton said that **adequate ground control** is vital and recommends adequate ground control be laced for lot lines, leach fields, wetlands, intermittent streams and perennial streams. All drainage has to be shown on the plat. When all this is identified then the Town Agent can determine if it meets the standards. The controls allow people to see the 4K area.

The sight specific will show all the wetlands. Then the Town's Soil Scientist goes out and reviews it. Once all parties agree, the test pits can be schedule. This information can be found in the *Town of Lyndeborough Test Pits and Policy.*

403.00 "may require review of the town authority". There was debate if this is discretionary.

Mr. Siciliano asked when he can do test pits. He was informed that test pits are required to be scheduled at a regularly scheduled meeting. A Town Agent shall witness the test pits.

The applicant can do test pits on their own but they will have to be redone under the specifications listed above.

Planning Board members are encouraged to review the file that Dawn Griska compiled with information from previous subdivisions applications on this parcel. The file can be found in the Planning Board mailbox at Citizens' Hall.

In relation to threatened and endanger species, the applicant was asked to run a DHR and NHB check.

Need To Do:
Revised map
Soil scientist to report
Site analysis – ground control measures
Continue pre-application meeting on August 15, 2019

8:27p.m. Chairman Chrisenton returned to the Board and position of Chairperson.

Leo Trudeau said he would like to witness the test pits if that is allowed in his capacity for the Town. He has experience as a former septic installer.

Request for Information:

Chris Brown, Map 232, Lot 38, Old Quartz Quarry

Mr. Brown wanted to know if Map 232, Lot 38 was a buildable lot. He is considering purchasing the 20-acre lot which is off Locus Lane and has an access easement through the Town Barn past the sand piles.

The Board asked if it was recorded at the Hillsborough Country Registry of Deeds.

It was debated that the only thing a lot of record bypasses is setbacks and access.

This property is the old Quartz Quarry. Bob Rogers mentioned this is a historic site and it would be good for the Town to own it.

It's in the record that any lot of record that meets setbacks and septic can be buildable. The Board discussed the septic process and noted there are some concerns with the process where septic plans are approved by the State but do not meet local regulations. Mr. Trudeau discussed the zoning regulations language, "*No structure or associated use in the setbacks*." He feels strongly that a septic system is an associate use for a dwelling.

If this is a non-conforming lot it may have to go before the Zoning Board of Adjustment.

Detached Accessory Apartments Review
Bob Rogers submitted proposed zoning changes for Detached Accessory Apartments for the Board to review. What is in "bold" is the language change. *(See attached)*

It was discussed that accessory dwellings units require owner occupancy. There is some concern from various Board members that this goes against the spirit of the ordinance. Not everyone agreed with this proposal.

The Board asked where the oversight and policing comes from. Building Inspector/Code Enforcement Officer Leo Trudeau said he looks at the State approved septic system and the number of existing bedrooms when doing an inspection.

This topic will be on the August agenda for further discussion.

Bob Rogers brought up need to recodify the Accessory Dwelling Unit section in the Town Ordinance and felt the changes voted at Town Meeting were put in the wrong location because they were moved to the Special Exceptions section. The language in the affirmative vote at town meeting gave the Planning Board authority to recodify as they see fit. He proposed they should have a new section; 504 704 and 804.

VOTE: Bob Rogers made a motion, Mark Chamberlain seconded to make the necessary change to take Accessory Dwellings out of the Special Exception sections and to give Accessory Dwellings its own section of 504, 704, and 804 and include it in RL3 in section 903 in the recodification. Motion passed 6-0.

Subdivision Regulation Workshop
The Board agreed to continue the Subdivision Regulation Workshop until the next meeting.

<u>Election of New Officers</u>

Chairman
VOTE: Bob Rogers made a motion, Larry Larouche seconded to nominate Paul Best as Chairman. Motion passed 6-0.

Vice Chairman
VOTE: Larry Larouche made a motion for Bob Rogers and Tom Chrisenton to be Co-Vice Chairmen. Bret Mader seconded the motion. Motion passed 6-0.

Minutes:

The June minutes will be tabled until the August meeting.

Correspondence:

Driveway Permits and Intent to Cuts – None

Mark Chamberlain requested that Administrative Assistant Griska send the documents above to the Heritage Commission.

Next Agenda:

Continue with the five lot subdivision pre-application
Continue review of the subdivision regulations
Approve June and July minutes

Adjournment:

VOTE: Bob Rogers moved, Mark Chamberlain seconded to adjourn at 9:15 p.m. Motion passed 6-0.

Respectfully Submitted,

Kathleen Humphreys– signed electronically

Kathleen Humphreys
Planning Board Secretary