

**TOWN OF NORTHFIELD
PLANNING BOARD
March 12, 2008**

MINUTES

Members present: Doug Read, Wayne Crowley, Bill Dawson, Christopher Hunt, Dick Maher, Michelle Bonsteel, Glen Brown, Fran LaBranche. Also present: Mike Izard, LRPC and Eliza Conde, Secretary.

Kenneth & Linda Partridge: Continuation of an application for a Major Site Plan review for a proposed supported residential care facility.

Mark DeGrace, Holden Engineering, reported the following updates on the project:

- On-site review will be with Louis Berger – plans have been submitted, waiting for an escrow amount.
- Off-site review will be with Quantum CC – plans have been submitted and an escrow amount established.
- Wetlands permit application for Scribner Road is in the works. Will need mitigation for disturbing over 10,000 sq. ft. of wetlands. Applicant proposes to put 34.1 acres into a Conservation Easement for the mitigation which will also satisfy the ZBA's condition for a variance. The sewer line will go through the easement, requiring verbiage to allow maintenance. The Conservation Commission has been asked to hold the easement. The easement is adjacent to the Winnepesaukee River trail which may allow some connecting trails.
- Stantec is reviewing the water system for the T-N Aqueduct.
- Have obtained a sewer connection permit. Other permits are pending.
- Site Specific permit is under review.
- Plans of Zion Hill intersections have been reviewed by the police department who recommend a blinking light.

After discussion relative to the Conservation Easement, Fran LaBranche moved, seconded by Glen Brown to continue the application until April 9, 2008. Motion passed.

James Doubleday: Continuation of an application for a 4 lot subdivision.

Christopher Hunt excused himself from this discussion. Terry O'Connor, representing the applicant, presented updated plans showing boundary markers and the "no cut" area between the road and the power line easement. It was determined that the improvement to the existing driveway would require a Special Use Permit as it is within the wetland buffer. This will require an application to be submitted for the next meeting.

The last concern was the non-conforming building belonging to the abutter which has actually encroached upon the Doubleday property. Mr. Doubleday had talked with the abutter about a lot line adjustment, giving the abutter enough land to bring the building into conformity, but no agreement has been made. The abutter has torn down most of the building and didn't seem to care about having additional land. Michelle Bonsteel explained that the Planning Board would be granting a

subdivision that has an encroachment situation that could cause problems with new owners. This situation has to be resolved before the plan can be approved. This can be solved either with a lot line adjustment requiring a new application and notice to the abutters, or with a statement from the abutter that the garage will be taken down and not replaced. Michelle explained that the abutter has used this property for many years and could claim adverse possession, therefore it needs to be resolved before approval of the plan.

Jim Doubleday arrived and explained that he had discussed this with the abutter who didn't seem to care about the subdivision. He has demolished the garage and doesn't plan to rebuild. Michelle Bonsteel explained that the law allows the rebuilding of a non-conforming building within a year and that a gentlemen's agreement is not satisfactory. She suggested that they seek legal counsel for the best solution, but there would either need to be a lot line adjustment or an agreement with the abutter stating that the garage is to be removed and not rebuilt.

Upon questioning of the need for a Special Use Permit, Mike Izard explained that the existing driveway has to be upgraded to meet the current regulations. Work on this driveway will be within the 50 wetland buffer, making the Special Use Permit necessary.

It was generally agreed that the only items needed for approval of the plan is the Special Use Permit and a resolution of the abutter's non-conforming building.

Dick Maher moved, seconded by Bill Dawson to continue the application until April 9, 2008. Motion passed.

Other:

- Wesley DeSousa, abutter to the Coburn/Wilson subdivision, explained to the board that he has a purchase and sale agreement to buy the lot adjacent to his. He questioned the need for the brush cutting easement for site distance as he had learned from Division III that the state already maintains and cuts the brush. He presented forms the state uses to inform landowners they will be cutting, but the state cuts the brush whether the landowner agrees to it or not. He did not see why the town would require a specific easement from the abutting landowner. Mike Izard responded that he had also spoken with Division III, and they had clearly stated that the state has no desire to maintain the cutting of the brush. That is why the Planning Board required the easement, in order to make sure the line of site is cleared. Fran LaBranche stated that Mr. DeSousa should be concerned about the safety for that driveway and want to have plenty of site distance. Mr. DeSousa stated he does not plan to put in a driveway and that the state always cuts the brush. Michelle Bonsteel stated that if Mr. DeSousa wants to merge the two lots together, there wouldn't be an issue, but if he wants to keep it as a separate lot, the easement from the abutter will be required.
- The Planning Board will recommend that the Board of Adjustment extend the time limitation for the Partridge/Coyne application.
- As Michelle Bonsteel has a conflict with the 2nd Wednesday of the month, she asked if the Board was willing to change its meeting date. It was agreed to try the 1st Wednesday of the month if the Cons. Commission will agree to change. There will be a public hearing at the April 9 meeting to change the meeting date. Doug Read moved, seconded by Dick Maher to change the Planning Board meetings to the first Wednesday of the month. Motion passed.

- The subdivision regulations have been sent to Attorney Mayer for review. If he has no changes, the public hearing to adopt the regulations will be set for April 9. If there are changes to be made, another workshop will be held.
- Michelle will ask that Wayne Crowley be appointed as a full member to replace Bill Dawson who is stepping down. The board will need 3 alternates. Discussion continued relative to the need for the alternates to attend the meetings and be involved.
- Glen Brown moved, seconded by Wayne Crowley to accept the minutes of February 21, 2008 as read. Motion passed.
- Wayne Crowley moved, seconded by Bill Dawson to accept the minutes of February 28, 2008 as read. Motion passed.

Meeting adjourned at 8:45 pm.

Respectfully submitted,

Eliza Conde, Secretary