

**TOWN OF NORTHFIELD  
PLANNING BOARD  
MINUTES**

**November 4, 2013**

**Members present:** Doug Read, Kim Robichaud, Mike Murphy, Jason Durgin, Wayne Crowley and Kevin Waldron. **Members absent:** Glen Brown. **Also present:** Dari Sassan, LRPC.

**Minutes:** Mike Murphy moved, seconded by Jason Durgin to accept the minutes of October 7, 2013 as read. Motion passed with one abstention.

**Alan Clark – document review:** Wayne Crowley reviewed the revised plan as submitted by Alan Clark for the relocation of the driveway on Tax Map R6 Lot 35-4. The sheet reference was changed as requested, however the plan does not specifically state that this is a revision to the original REI subdivision plan # 17962. Alan Clark explained that because REI no longer owns the lots the current owners do not have the right to make revisions to the original subdivision. The only revision is for the location of the driveway on lot 4 and the new plan as submitted updates the current owners and easements. It does make reference to the recorded subdivision. Dari Sassan commented that the Board needs to make sure this plan is tied to the original subdivision to clarify the relocation of the driveway. After discussion the Board agreed that the plan as submitted is sufficient and Mr. Clark will submit a mylar to be signed and recorded.

**Kevin & Deborah Sturgeon: Application for a minor subdivision to create 2 lots on 31.75 acres at 376 Shaker Road (Tax Map R15 Lot 54) in the R1 and Conservation zones.** Kevin Sturgeon explained that he would like to separate 5.1 acres with his house and create a 26.65 acre remaining lot. He has no plans for any structures or roads on the large lot and both lots have frontage on Shaker Road. Because of the size of the lots he has requested waivers from the Subdivision Regulations requirements for wetlands and topographic delineations. After discussion, Mike Murphy moved, seconded by Kevin Waldron to grant 3 waivers from the following requirements:

1. 4.3C: Ponds, streams and other site features
2. 4.3D: Wetlands Delineation
3. 4.3G: Topographic information (contours)

Motion passed. Kevin Waldron moved, seconded by Mike Murphy to accept the application as complete. Motion passed.

Public hearing was opened and Richard Bardellini stated he had no objection to the plan. Public hearing closed.

Wayne Crowley pointed out that by Northfield's Subdivision Regulations there should be a potential subdivision plan submitted for the 26.65 acre lot. Mr. Sturgeon would need to either submit such a plan or put on the plan that there would be no further subdivision of that lot. Dari Sassan explained that this was submitted as a minor subdivision which

creates a problem because it does not meet the criteria for a minor subdivision. The applicant would either need to guarantee that there would be no further subdivision or no additional building on the lot or submit it as a major subdivision. Another issue is that the large lot does not meet the 4-1 ratio. Wayne Crowley noted that the lot does not currently meet the 4-1 ratio anyway. Doug Read added that the regulations allow a back lot with only 50 feet frontage so that it would not be necessary to grant a waiver for the 4-1 ratio requirement.

The Board discussed at length whether it had the ability to grant waivers to allow this application to be considered as a major subdivision and approve it as submitted. Dari Sassan was concerned that the abutters have not been noticed specifically for a design review and major subdivision, but Board members were comfortable with the abutters notification that was sent and the fact that no one has objected. Kevin Sturgeon agreed that it should have been submitted as a major subdivision. Kevin Waldron moved, seconded by Kim Robichaud to waive the Subdivision Regulation requirements for a Design review for a major subdivision. Motion passed. Mike Murphy moved, seconded by Kevin Waldron to waive the Subdivision Regulations requirement for a potential future subdivision plan requirement for a minor subdivision. Motion passed.

With these waivers, the Board now considered the application as a major subdivision application with 5 waivers. Mike Murphy moved, seconded by Kevin Waldron to approve the application submitted by Kevin and Deborah Sturgeon for a minor subdivision to create 2 lots on 31.75 acres at 376 Shaker Road (Tax Map R15 Lot 54) in the R1 and Conservation zones with the following waivers:

1. 4.3C: Ponds, streams and other site features
2. 4.3D: Wetlands Delineation
3. 4.3G: Topographic information (contours)
4. Design review for a major subdivision
5. Potential future subdivision plan for a minor subdivision

Motion passed.

**Other:** The Planning Board received a letter from Paul and Wendy Lavallee requesting a change to the site plan previously approved for 23 Elm Street. The original site plan was approved as a facility for women only as requested by the applicant. The building is now being used for men and the Selectmen have received complaints. A letter will be sent to the Lavallee's informing them that they will need to submit a formal site plan application with the abutter's list and the appropriate fees. The Board discussed whether this is technically a change of use and Doug Read suggested that Wayne Crowley should seek legal advice on whether a new site plan is required since the plan was approved for women only and now it is being used for men only. Dari Sassan added that if the Lavallee's do not submit a formal application, then the Board is obligated to take action on their letter as submitted on October 24, 2013, noting that it would be an incomplete application.

**Review Article 7 “Uses” of the Northfield Zoning Ordinance:** Dari Sassan has reviewed and confirmed that all RSA numbers referenced in Articles 1 through 7 of the Ordinance are still correct. Members reviewed the article thoroughly. Article 7.7 was questioned because the town has not adopted a building code and this states that building construction must meet the “most current” State of NH adopted 101 Life Safety Code. Research will be done to determine how this item was included in the Zoning Ordinance.

In reviewing the permitted uses in each of the 4 zones, it was noted that B&Bs are not allowed in the Conservation zone. It was agreed that they should either be permitted or require a special exception and the definition of B&B needs to be reviewed.

Meeting adjourned at 9:05 PM.

Respectfully submitted,

Eliza Conde, Secretary

*Minutes approved 12-02-2013*