

**TOWN OF NEW HAMPTON
PLANNING BOARD
MEETING MINUTES**
Fire Department Training Room
26 Intervale Drive, New Hampton, NH 03256

August 20, 2024

CALL TO ORDER

Chairman Mr. Broadhurst called the meeting to order at 6:00 p.m. and led the Board in the Pledge of Allegiance.

MEMBERS PRESENT

Regular Members: Mr. Broadhurst, Mr. Shea, Mr. Hays, Mr. Mertz, Mr. Vachon, and Mr. Drake. Alternate members: Mr. Katz, Mrs. Bruning, Mr. Van Lenten, and Mr. Ehmann.

Mr. Broadhurst appointed Mrs. Bruning to serve in place of Mr. Anderson.

OTHERS PRESENT

Planning Assistant Mr. Pollock and reporter from Laconia Daily Sun

MINUTES

Mr. Mertz made a motion, seconded by Mrs. Bruning to approve the minutes of 7/16/24 with the following changes:

- Under Members Present remove the appointment of Mr. Katz for Mr. Vachon as Mr. Vachon was present.

Vote was unanimous.

CORRESPONDENCE

There was none.

**PRELIMINARY
HEARING/SUBMISSION OF
APPLICATION (cont.)**

*Wes Hays, on property
belonging to John Sarabia &
Maribell Jimenez, 2 Cabin
Drive, Tax Map U9, Lot 9-1, Site
Plan review for Condominium
document revision*

Mr. Hays recused himself from the Board and Mr. Broadhurst appointed Mr. Katz to act on Mr. Hays' behalf. Mr. Hays advised he should have all documents needed for 9/17/24, so he is requesting a continuance. Mr. Mertz made a motion, seconded by Mr. Katz to continue this application to 9/17/24 at 6:00 pm. Vote was unanimous.

Mr. Hays returned to the Board and Mr. Katz returned to his alternate position.

**PRELIMINARY
HEARING/SUBMISSION OF
APPLICATION**

*Moore Family 2008 Trust, 191
Gordon Hill Road, Tax Map R3,
Lot 29, 2-lot subdivision*

Brown Engineering Mario Focareto and Andrew Moore were present. Mr. Focareto advised the applicant is looking to subdivide off a 2-acre parcel, with 428' of road frontage. The State subdivision application and Town driveway permit have been approved.

Mr. Mertz made a motion, seconded by Mr. Hays that this subdivision did not have a regional impact. Vote was unanimous. The Board reviewed the subdivision submission requirements. Mr. Mertz made a motion, seconded by Mrs. Bruning to waive the requirement that the plan show a proposed house location as this has already been addressed by the NHDES's subdivision approval. The Police Chief and Public Works Director had no concerns, but the Fire Chief did say further development on the road may require a cistern. Mr. Mertz made a motion, seconded by Mr. Hays to accept the application as complete. Vote was unanimous. Mr. Hays made a motion, seconded by Mr. Shea to approve the application. Vote was

unanimous.

OTHER BUSINESS

The Board agreed to hear from the public present ahead of other agenda items. Real Estate agent Tracey Higgins was present, who represents the seller of a lot on Smoke Rise Road. Also present were possible buyers and their agent. Mr. Mertz made a motion, seconded by Mr. Shea to hear from Ms. Higgins ahead of agenda items #7 & #8. Vote was unanimous.

Ms. Higgins said they have two lots listed on Smoke Rise Road, which are somewhat landlocked due to the subdivision being approved, but a portion of the roadway was never constructed. She said between where the road ends and the two parcels begin (Map U8, Lots 35 & 36), its approximately 350 feet of woods. She noted the Town sent a letter to the current property owner, advising that the road needs to be completed with a proper turnaround to those lots, in order to obtain building permits. She asked what was necessary to get these lots buildable and whether it could be handled by a shared driveway. Mr. Mertz confirmed it is lot #36 that the potential buyers are interested in. As several Board members have visited the site, it was recognized that what is currently in place was not sufficient for a turnaround. John Tansey, potential buyer, said if a proper turnaround was created and based on the approved subdivision land and the new requirements for a turnaround, it appears some land may need to come from the lots belonging to the Town and some from the seller's lots. He asked if he needs to engage a surveyor to determine how to lay out this roadway. He expressed concerns with some of the sloping of the parcels and whether it would require any culverts for water diversion. Mr. Drake said his opinion was that the road be constructed per the 1979 subdivision plan but it would have to meet current Town standards. Mr. Pollock advised that the Conservation Commission would likely not have an issue a new cul-de-sac encroaching onto the Town's conservation parcels (Lot #'s 33 & 34). Mr. Drake said it would also require the Selectmen to agree to the resulting affect to the 2 Town parcels. Mr. Mertz said the last discussion on this issue showed that any taking of land from lot 36, would likely cause it to fall below the 1 acre minimum for lot sizing. Ms. Higgins asked if they could have a deeded right-of-way to both lots and Mr. Mertz said the Fire Chief already has concerns with what currently exists, and this would potentially add even more homes past a poor turnaround.

It was the consensus of the Board that the roadway needs to be completed to Town spec prior to issuing any building permit, but it was up to the Selectmen to decide as they approve the permits. Mr. Drake said it has been a problem in the past with development being allowed, and subsequent access is never completed. Mr. Katz said that relative to meeting Town specs (contained in subdivision regulations) and as the road is private, it would be up to the seller and buyer to determine who would improve the road to develop these lots.

Discussion on Subdivision & Site Plan Review Regulation amendments

Mr. Mertz made a motion, seconded by Mrs. Bruning to return to Agenda item #7. Vote was unanimous.

Site Plan Review Regulations

In the Site Plan Review Regulations, the Board reviewed the proposed

language under **Section IV. Definitions**, related to substantial completion being “Active and Substantial Development”, “Dormant Subdivision”, and “Substantial Completion”. Relative to “Active and substantial completion” where it says “sustained on-site construction of systems or structures”, Mr. Pollock asked if there needs to be some definition defining construction, for example someone may say “I’ve graded the site and am ready to pour concrete”. Mr. Katz said if something is put in the ground that is considered permanent – he would consider that substantial construction.

In the Site Plan Review Regulations, to match a change in RSA 674:39: Under **Section XI. Revocation of Planning Board Approval** the Board changed the language under (3) from “four” to “five” years and under (4) from “four” to “five” years. Under **Section XII. Administration and Enforcement, Expiration of Approved Plans**, the Board changed all 3 references in the paragraph from “four” years to “five” years.

Mr. Hays made a motion, seconded by Mrs. Bruning to accept the amendments as discussed and agreed upon, under the Site Plan Review Regulations under **Sections IV, XI and XII** as amended and move them to a Public Hearing on 9/17/24. Vote was unanimous.

Subdivision Regulations

The same definitions were proposed in the Subdivision Regulations under **Section III. Definitions** being: “Active and Substantial Development”, “Dormant Subdivision”, and “Substantial Completion”.

In the Subdivision Regulations, to match a change in RSA 674:39, under **Section XII. Revocation of Planning Board Approval** the Board changed the language under (C) from “four” to “five” years and under (D) from “four” to “five” years.

It was noted there was no **Expiration of Approved Plan** under **Section XIII Administration and Enforcement** in the subdivision regulations, as there was in the Site Plan Review Regulations. After discussion the Board agreed to add this section, including the amendments from “four” to “five” years, for consistency within the regulations.

Mr. Mertz made a motion, seconded by Mrs. Bruning to accept the amendments discussed and agreed upon, under the Subdivision Regulations under **Sections III, XII and XIII** as amended and move them to a Public Hearing on 9/17/24. Vote was unanimous.

Mr. Katz said relative to **Section II: Requirements for Soils and Wetlands Data in Subdivision/Site Plan Review Regulations** the Board should accept the changes and instead of referencing a specific version of a publication, include the words “or most current version or as amended” to reduce constant updates.

Mr. Mertz made a motion, seconded by Mrs. Bruning to accept the amendments discussed and agreed upon, under **Section II: Requirements for Soils and Wetlands Data in Subdivision/Site Plan Review Regulations** with the addition of the words “or most current version or as amended” after the specific citations and to eliminate the tables in the

regulations, now being referred to by on the NSDA NRCS website and move these amendments to a Public Hearing on 9/17/24. Vote was unanimous.

There was discussion on **Section XI. Performance Guarantee** and the confusing language under **B. Inspection 3**. Mr. Mertz made a motion, seconded by Mr. Vachon to strike the words: “parcel or” in the sentence and move it to a Public Hearing on 9/17/24. Vote was unanimous.

The Board discussed possible amendments to **Appendix C: Road and Driveway Design and Construction Standards II. Driveway Standards** deciding to table discussion and possible action to 9/17/24.

REVIEW OF STANDING COMMITTEES – Ordinance & Regulations subcommittee

Mr. Broadhurst said the Master Plan subcommittee met with Planning Consultant Tara Bamford via Zoom. She reviewed what the Town currently has, some recent chapters and language drafted, and will start with the Master Plan. They determined a schedule for future meetings with Ms. Bamford, who would propose amendments for consideration by the entire Board in sections. She is willing to look at the Master Plan in its entirety to ensure it flows well. Relative to a Housing Section she thought that issue could be addressed in the Land Use section.

Mr. Katz advised the 1st draft of the CIP will be discussed by the subcommittee on 9/10/24 at 10:00 am, and presented at Public Hearing on 9/17/24.

Mr. Mertz advised the next Master Plan subcommittee meeting would be 9/9/24, posted as a Planning Board meeting.

OTHER BUSINESS

There was none.

ADJOURNMENT

Mr. Hays made a motion, seconded by Mr. Mertz to adjourn the meeting at 7:55 pm. Vote was unanimous.

Respectfully submitted,
Pamela Vose