

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

March 19, 2024

CALL TO ORDER

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

MEMBERS PRESENT

Regular Members: Mrs. Hiltz, Mr. Broadhurst, Mr. Shea, Mr. Drake, Mr. Mertz, Mr. Hays, and Mr. Katz via Zoom. Alternate members: Mr. Anderson & Mrs. Bruning.

OTHERS PRESENT

Planning Assistant Mr. Pollock, Fire Chief Cathy & Land Use Administrator Mrs. Vose.

MINUTES

Mr. Mertz made a motion, seconded by Mr. Shea to approve the minutes of 2/20/24 with the following changes:

1. Pg 3, 4th sentence; inserting “of” as shown: “... and used some of their language.”

Vote was unanimous with an affirmative vote by Mr. Katz via Zoom.

CORRESPONDENCE

- Copy of Notice of Decision from ZBA to Melissa Emery 2008 Rev. Trust granting their Variance request to construct a septic system within the 20’ setback to a property line.
- Copy of Notice of Decision from ZBA to Christina Smith, granting two Variances for a shed to be within the setback distance to a side property line and the front right-of-way, and a Denial for a new carport to be located within the setback to a side property line with concerns as to impermeable area percentages being over the regulation amount.
- Copy of letter from Planning Board to Douglas & Doreen Tehan asked them to be present tonight, which Mrs. Hiltz noted they were.

PUBLIC HEARING/Confirm conditions are met (cont.)

Keri Camarigg & Mary Ann Coughlin, Cedar Lane, Tax Map R7, Lot 22B, Amendment to previously approved subdivision for John & Allia Connors, Map R7, Lot 22.

Mr. Hays recused himself from this proceeding and advised that he drafted a document that could be signed by Ms. Camarigg and Ms. Coughlin and then registered. The draft document states that they acknowledge that the condition of approval for their amended subdivision plan for John & Allia Connors (original landowner) requires that - should the existing 15’ culvert near their driveway fail, a larger culvert shall be installed to create 18’ of culvert and to widen the road at that same location to 18’. The document also specifies a 20’ by 35’ open driveway access to be kept clear of vehicles, to allow for emergency vehicles to pass each other. Mrs. Vose recommended the addition of the Map/Lot number.

Mr. Mertz made a motion, seconded by Mr. Broadhurst to continue this discussion to 4/16/24. Vote was unanimous with an affirmative vote by Mr. Katz via Zoom.

Mr. Hays returned to the Board.

PUBLIC HEARING/Confirm conditions are met (cont.)

Douglas & Doreen Tehan on property belonging to Filomena Rossi & CP Rossi Trust, 322 NH Route 104, Tax Map R11, Lot 10, Site Plan review

Mr. & Mrs. Tehan were present and advised that they've engaged a new engineer who anticipates some feedback from NHDES on utilizing 2 kitchens for the septic system, in the following week. The engineer is hopeful approval will be given so they can move forward with state licensing and open the storefront for sales, possibly May 1st.

Mr. Drake made a motion, seconded by Mr. Hays to continue this discussion to 4/16/24 for another update. Vote was unanimous with an affirmative vote by Mr. Katz via Zoom.

PRELIMINARY HEARING/SUBMISSION OF APPLICATION

Katina, Jason & Linda North, 532 Coolidge Woods Road, Tax Map R14, Lot 11, 3-lot subdivision

Mr. North was present and reviewed that there is an existing home on one of the lots (10.12 acres). The other lots are 2.92 acres and 14.44 acres.

Mr. Katz asked if a portion of the lot was in current use, and Mr. North said it was. Mr. North said the driveway and developed homesite is not in current use, but the remainder is. He said ownership will remain in the same name until something is developed, recognizing that some land would come out of current use in the future. Mrs. Vose advised that a proper map of the areas not in current needs to be submitted as the Town was unaware of the structure shown on the plan as "cabin under construction". Mr. Pollock had noted that there was no building permit for this cabin shown on the plan. Mr. North said it is a shed, possibly 14' X 14'. Mrs. Vose advised that with this structure being on the new lot created, based on the ordinance, no other structures could be placed on this lot without a primary structure. Mr. Mertz advised that the Town needed to know the size of the structure to determine whether an after-the-fact building permit is needed.

It was the consensus of the Board that this subdivision did not have a regional impact. The Board reviewed the subdivision submission requirements.

Relative to easements, abutter Dale Wheeler advised that he has rights to a well if he needs it, which would be located on the North lot. The Board confirmed a proposed well was indicated on the plan.

Mr. Pollock advised that state subdivision approval and driveway permits have been provided as well as confirmation of review by Fire, Hwy and PD, with no concerns.

Mr. Broadhurst made a motion, seconded by Mr. Hays to accept the application as complete as submission requirements were met. Vote was unanimous with an affirmative vote by Mr. Katz via Zoom.

Mr. Drake advised that it should be determined exactly what this added structure is. Mrs. Vose said she would contact the assessing firm to have them visit the property and to assess the structure.

Mr. Broadhurst made a motion, seconded by to approve the plan as submitted with the issue of the shed being resolved first. Mrs. Vose advised she did not know when the assessing firm can get to the property to list the shed. The Board agreed this did not need to be a condition. Mr. Broadhurst amended his previous motion to approve the subdivision as presented. Mr.

Hays seconded the motion. Vote was taken and as Mr. Katz advised he could not hear the proceedings Mrs. Hiltz appointed Mrs. Bruning to act on his behalf. Vote was unanimous.

PRELIMINARY
HEARING/SUBMISSION OF
APPLICATION

*Jessica Morgan, 178 Cross
Road, Tax Map R1, Lot 31, 2-lot
subdivision*

Engineer Craig Bailey and Jessica Morgan were present. Mr. Bailey reviewed the subdivision saying one lot will be 29 acres, and the other at 12.25 acres. The smaller lot has frontage on Coolidge Woods and Cross roads, is bisected by Wallace Brook, has a sugar shack, and has an Eversource easement through it. He said a driveway permit has now been obtained, with the driveway proposed off Coolidge Woods Road. Mr. Bailey said this location is not shown on the plan.

Mrs. Hiltz asked where a proposed house could be located and Mr. Bailey said he doesn't show that. He said they have performed test pits and perc tests but are not showing a 4K septic area or house location as this subdivision did not need a state approved subdivision plan. He said the only location for a house is between the brook and the intersection of Cross and Coolidge Woods roads.

Mrs. Hiltz advised the applicant was looking for waivers from:

1. Soil lot sizing calculations due to its size of 12.25 acres.
2. No roads proposed
3. Driveway profiles as it will be the responsibility of the landowner to construct the driveway in accordance with Town regulations.
4. Driveway permit, though it was noted it has now been obtained. Mrs. Hiltz noted that the permit must still be processed through the Selectmen's Office.
5. NHDES AOT permit.
6. Stormwater management/erosion control plans as this can be handled through BMP's during any construction.

Relative to waiver #1, Mr. Bailey said that based on county soils and test pit data, the lot can support a septic system.

It was the consensus of the Board that due to the size of the subdivision this does not have a regional impact.

The Board reviewed the submission requirements. It was noted there should be more lines for member's signatures. Mr. Mertz recommended submittal of a new set of plans which shows the permitted driveway location, possible septic area and well. Mr. Bailey noted that relative to the cemetery shown on the plan, the state requires a setback of 100' to any septic area and a 25' no build zone around it.

The Board reviewed the waivers:

1. Lot size calculations waived due to county soil types and test pit data and testimony by Mr. Bailey.
2. Waiver granted as no new roads are proposed so this is not applicable.
3. Waiver for driveway profiles was granted as driveway will be installed per Town requirements.

4. Waiver for driveway permit, no longer needed as the driveway permit has been approved by the Public Work Director.
5. Waiver for NHDES AOT granted, as it was not needed.
6. Stormwater management/erosion control plans waived as it does not apply.

The Board asked for updated plans to include possible septic area and well, the new driveway location, and additional lines for signatures. Mr. Mertz made a motion seconded by Mr. Broadhurst to continue this hearing to 4/16/24 at 6:00 pm. Vote was unanimous.

Other Business

As there was someone present to discuss other business Mr. Mertz made a motion, seconded by Mr. Hays to hear from them prior to discussing the next agenda item. Vote was unanimous.

John & Katy Mitchell advised they were looking to purchase the last lot on Baldwin Avenue and wanted information on what the Board knew about lot development for that location. Mrs. Mitchell said they were aware of a past subdivision planned on this lot. Mr. Mertz said a subdivision was approved, lots were created, but it was never finished and the lots were merged back together. He said that same subdivision would not be approvable based on current regulations due to the length of the road that was proposed. Mr. Mitchell said he would like to construct one home with a future possibility of subdividing further lots. Mr. Mitchell said work was done work on the road on this the lot. Mr. Mertz recalled that the developer was going to perform the work in phases, but it is not known to what standard this work was done. Mr. Broadhurst cautioned the Mitchells that the regulations could change over time, which could affect what they may be able to do. Mrs. Mitchell expressed concerns with easements but the members present didn't know anything about them. Mrs. Vose told the Mitchells that there were Town files relative to the subdivision, which may be helpful to review.

Resident Scott Provencal was present, stating he was just observing. Mr. Broadhurst made a motion, seconded by Mr. Mertz to return to the next agenda item and vote was unanimous.

Proposed Amendments to Subdivision Regulations

Mrs. Vose provided to members copies of proposed language to add to Appendix C: Road & Driveway Design & Construction Standards; C. Dead-end Streets/Cul-de-sacs, specifying criteria for cul-de-sacs and hammerhead turnarounds. The Board discussed and revised some of the language. Mr. Broadhurst made a motion, seconded by Mr. Hays to move this Subdivision Regulation amendment to public hearing on 4/16/24 at 6:00 pm.

There was further discussion and some additional minor changes were made. Mr. Broadhurst withdrew his motion, making a new motion to include these changes for public hearing. It was seconded by Mr. Hays and unanimously approved.

The Board reviewed and discussed proposed language to Section XI. Performance Guarantee, the regulations regarding escrows, to match recent changes to State statute. Mr. Broadhurst made a motion, seconded by Mr.

Mertz to move this Subdivision Regulation amendment to public hearing on 4/16/24 at 6:00 pm. Vote was unanimous.

The Board reviewed and discussed proposed language to Section VII. Subdivision Design Standards, C. Fire Protection, as recommended by Fire Chief Cathy. There was discussion that as these requirements relate to a subdivision of 5 or more lots - how could this be addressed if someone created a subdivision, for example, into 2 lots, then in a subsequent year, subdivided into 3 or more, additional lots. This could compound the issue with fire protection. Chief Cathy pointed out that the fire chief and Planning Board have the authority to require sufficient fire protections in this case, even subdivisions under 5 lots.

Mr. Broadhurst made a motion, seconded by Mrs. Bruning to move this Subdivision Regulation amendment to public hearing on 4/16/24 at 6:00 pm. Vote was unanimous.

Mrs. Vose provided a draft amendment, which changes how notification is done, as it currently states publication in the Laconia Citizen, which no longer exists. Mr. Mertz made a motion, seconded by Mr. Hays to move this amendment to public hearing on 4/16/24 at 6:00 pm. Vote was unanimous.

Mrs. Vose pointed out that the Board had previously considered whether to reduce the limitation for dead-end roads from 1,500 feet in length to 1,000 feet in length. Chief Cathy advised that fire trucks carry 1,000 feet of hose. Mr. Drake expressed his opinion that he would prefer only cul-de-sacs, but sees that under certain circumstances a hammerhead may be reasonable, and with this new language, 1,500 feet is suitable. It was the consensus of the Board to take no action on the length, at this time.

**REVIEW OF STANDING
COMMITTEES** – Ordinance &
Regulations subcommittee

Mr. Mertz said the Master Plan subcommittee have not met and are waiting for the outcome of the RFP for a Planning Consultant.

Mr. Shea advised that the Regulations and Ordinance Subcommittee met and have been discussing the GR district, the Table of Uses and possible changes.

OTHER BUSINESS

There was none.

Mr. Drake said the Selectmen made a final review of the RFP for a Planning Consultant, which has now been advertised. It includes a flexible timeline.

Mr. Katz came back via Zoom and advised that the CIP subcommittee will begin meeting again and asked for interested participants.

ADJOURNMENT

Mr. Hays made a motion, seconded by Mr. Mertz to adjourn the meeting at 9:00 pm. Vote was unanimous.

Respectfully submitted,
Pamela Vose