

**Planning Board Meeting
7:00 p.m. Town Hall
Wednesday, June 27, 2018**

Members Present: Darcy Horgan, Margaret Sofio, Kate Murray, Rich Landry

Others Present: Pat Wilson, Matt Randall, Lorne Jones

Members Absent: Bill Stewart, Tom Hammer

Chair Darcy Horgan opened the meeting at 7:00 p.m. and noted the presence of a quorum; all members present will vote. Meeting observer, Mr. Lorne Jones, 314 Wentworth Road, is a prospective Planning Board Member.

1. Public Hearing on a Subdivision Review Application for applicants Patricia and Steven Wilson, 27 Colonial Lane, Map 17, Lot 15 for a lot line adjustment between the applicant's property and neighboring property owned by Sylvia Marple, 28 Colonial Lane, Map 17, Lot 16.

Ms. Pat Wilson, 27 Colonial Lane, applicant, described the proposed lot line adjustment. In preparation for a Building Permit application-- and anticipated setback variance documentation-- to construct a master suite above their existing, non-conforming garage, applicant conducted a property survey that revealed discrepancies between the deeded lot lines and those recognized in practice including the applicant's ownership of portions of the road and the driveway that serves neighboring property at 28 Colonial Way, owned by Jeffrey H. Marple Rev Trust, Sylvia Marple Trustee. The neighbors agreed to a resolution that provided a driveway easement to 28 Colonial Lane and the transfer of a portion of wetland property to 27 Colonial Lane in order for the garage and addition to conform to side setbacks. The driveway easement will be administered between the two neighboring parties, however the lot line adjustment requires Planning Board approval.

Ms. Wilson forwarded, and Chair Horgan read, a letter from Sylvia Marple, Trustee and owner of 28 Colonial Lane agreeing to the lot line adjustment as shown in the Ross Engineering plans as part of an agreement between the parties.

Chair Horgan opened the Public Hearing at 7:11 p.m. and, hearing no comment, closed it at 7:12 p.m.

Mr. Rich Landry asked whether there is adequate upland remaining on the donor lot to meet the lot coverage requirement; Chair Horgan had been told by the Building Inspector that the adjustment did not create any problems.

Ms. Sofio moved to approve the Subdivision Review Application for applicants Patricia and Steven Wilson, 27 Colonial Lane, Map 17, Lot 15 for a lot line adjustment between the applicant's property and neighboring property owned by Sylvia Marple, 28 Colonial Lane, Map 17, Lot 16. Ms. Murray seconded. Motion approved, unanimously.

Chair Horgan indicated that Ms. Wilson will need to follow the process for filing the lot line adjustment.

2. Public Hearing for a Conditional Use Permit for applicants Marilyn and Kenneth Walker, 32 Walbach Street, Map 18 Lot 57 for removal and replacement of an existing home and associated improvements within the 100 foot tidal land Setback.

Mr. Matt Randall, Civilworks New England, representing applicants Marilyn Walker, 32 Walbach Street, described the application.

Applicants began the approval process at the New Castle Historic District Commission (NCHDC) last December, then secured a Shoreland and Minimum Expedited Wetland permit-- with prerequisite approvals from New Castle Conservation Commission (NCCC) and NH Historic Resources -- from NH Department of Environmental Services (NHDES), and an NCCC letter of recommendation in advance of the current Planning Board application for a Conditional Use Permit.

Chair Horgan affirmed her receipt of a letter from the NCCC recommending approval of the plans as proposed (no conditions).

Plans are to tear down the existing 2200 sf structure which is primarily within the 100' tidal buffer zone (with a small portion inside the 50' wetland setback), surrounded on three sides by retaining walls, and situated 15 feet above the Highest Observable Tide Line (HOTL). Presently, approximately 60% of the 11,086 sf lot consists of impervious surfaces, resulting in its non-conformance with the current impervious surface ordinance.

The new structure will reduce the building coverage area to 1509 sf and won't impinge on building setbacks or the 50' wetland buffer. The driveway will be porous pavement. As a result, the impervious area will be reduced from 59% to 20%.

Mr. Randall described that the porous driveway will appear as typical asphalt but has 24" of filtration layers beneath.

Chair Horgan opened the Public Hearing at 7:30 p.m. and, hearing no comment, closed it at 7:31 p.m.

Chair Horgan attended both of the applicants' NCCC presentations and, given the change in project scope that resulted from the Commission's input, noted that the applicants are to be commended for their efforts. Ms. Kate Murray added that they were diligent and patient.

Mr. Landry moved to approve the Conditional Use Permit for applicants Marilyn and Kenneth Walker, 32 Walbach Street, Map 18 Lot 57 for removal and replacement of an existing home and associated improvements within the 100 foot tidal land Setback for the plan dated May 11, 2018. Ms. Sofio seconded. Motion carried unanimously.

3. Review and approve minutes to the meeting on May 23, 2018

Chair Horgan believes that members who were absent at a meeting may vote to approve those meeting minutes because they might be needed for a quorum.

Ms. Murray moved to approve the May 23, 2018 minutes of the Planning Board as written. Mr. Landry seconded. Motion carried, unanimously.

4. New Business

a. Lot Line Adjustments

Chair Horgan noted that the Zoning Ordinance does not include rules for lot line adjustments. Further, the RSA has little to say; it gives a Planning Board the authority to approve them and indicates that a Public Hearing isn't necessary. In Mr. Landry's experience, Subdivision Regulations should be applied to lot line adjustments. If an adjustment would result in a non-conforming, or more non-conforming lot, it would be a reason for the Board to reject an application.

b. Bonding Procedure

Mr. Landry indicated that the Planning Board determines the bond amount and is typically informed by a written estimate from the applicant for the scope of the bonded work. The funds could be held in one account or in separate escrow accounts. Chair Horgan will speak with the Town Accountant for a set of instructions that can be conveyed to applicants. The NCCC would likely determine the scope of the bonded work, but the Planning Board would set the amount and initiate the procedure.

c. Frontage Requirement

Ms. Murray asked whether the Board would consider tightening the ordinance to prevent subdivisions from creating a private road to meet the 100' frontage requirement. Mr. Landry suggested it might depend on how many lots are being created. Chair Horgan noted that it

would be a big change. She will add it as an agenda item and would like the full Board present for the discussion.

d. Wildlife Corridors

Hearing that two deer became impaled on a large fence installed at 350 Wentworth Road, Ms. Murray wondered whether anything can be done to preserve wildlife corridors. Members discussed a variety of concerns.

7. Adjourn

There being no further business, *Ms. Murray motioned to adjourn. Mr. Landry seconded the motion. Motion carried unanimously.*

The meeting adjourned at 8:11 p.m.

Respectfully Submitted,

Anne Miller, Secretary