

TOWN OF JAFFREY
Jaffrey, New Hampshire
PLANNING BOARD
Meeting Minutes
May 10, 2016

Present: Chairman McKenzie, Members, Deschenes, Devlin, Farmer, Gordon, Kresge, Merrell and Selectmen's Representative MacIsaac

Absent: Member Despres

Staff: JoAnne Carr, Director of Planning and Economic Development

MEETING MINUTES APPROVAL

On a motion by Kresge, seconded by Deschenes the minutes of the April 12, 2016 meeting minutes were approved as amended. (5-0)

PRELIMINARY CONCEPTUAL

No Action

CALL TO ORDER

Chairman McKenzie called the public hearing to order at 7:00 p.m. Notice of the public hearing was posted in the Town Office building, the Library; copies were sent to the Planning Board, the Conservation Commission, and the Board of Selectmen. Member Despres was absent. Member Gordon will vote on PB 16-05 (DePaul) and Member Farmer will vote on PB 16-06 (Ramey).

Chairman McKenzie recognized and welcomed new board members Tim Gordon and Patty Farmer.

APPLICATION ACCEPTANCE

1. PB 16-05 DePaul, James, Fitzwilliam Rd., Map 206/Lot 10.2, Zone: Rural (without town water)

Technical Subdivision – The applicant proposes a lot line adjustment between Map 206 / Lot 10.2 and Map 206 / Lot 10.1.

On a motion by Kresge, seconded by MacIsaac the board approved the requested waivers. (7-0)

On a motion by Merrell, seconded by Kresge the application proposing a lot line adjustment between Map 206 / Lot 10.2 and Map 206 / Lot 10.1 was accepted. (7-0)

2. PB 16-06 Ramey, Ross & Lisa, 88 Prospect St., Map 206/Lot 10.2, Zone: Rural (without town water)

A) Minor subdivision – The applicant proposes a minor subdivision of Map 237 / Lot 24.

B) Technical Subdivisions – The applicant proposes two lot line adjustment between map 237 lot 24 and lots 20 and 28.

On a motion by Kresge, seconded by MacIsaac the board approved the requested waivers. (7-0)

On a motion by Kresge, seconded by Deschenes the application proposing A) minor subdivision of map 237 / lot 24 and B) two lot line adjustments between map 237 / lot 24 and lots 20 and 28 was accepted. (7-0)

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PUBLIC HEARING – NEW

1. PB 16-05 DePaul, James, Fitzwilliam Rd., Map 206/Lot 10.2, Zone: Rural (without town water)

Technical Subdivision – The applicant proposes a lot line adjustment between Map 206 / Lot 10.2 and Map 206 / Lot 10.1.

Presentation: James DePaul

Appearances:

Mr. DePaul would like to construct a house on his property and he is proposing to swap an equal amount of land, 6,393 sf, with his neighbor. If approved the lot line adjustments will allow Mr. DePaul a better building envelope further from his neighbor.

Member Deschenes feels it's a good land swap and the approval would make the parcel more useable giving the opportunity for better placement of the septic and well.

There being no further questions Chairman McKenzie closed the public hearing.

2. PB 16-06 (A) Ramey, Ross & Lisa, 88 Prospect St., Map 206/Lot 10.2, Zone: Rural (without town water)

Minor subdivision – The applicant proposes a minor subdivision of Map 237 / Lot 24.

Presentation: Jed Paquin, Paquin Land Surveying

Appearances: Ross and Lisa Ramey

Mr. Paquin stated that the Ramey's are proposing to subdivide their property and construct a new home on the newly created lot while maintaining enough land to remain in current use. Mr. Paquin stated that he would be rescinding the plans previously submitted and reviewed. The original plan shows a hammer head turn-around at the end of Prospect St. If that were constructed it would take away from the curb appeal of the Ramey property. The current plowing situation is that there is no place to turn around and the Town is doing so on the Ramey's property. A revised plan set was distributed along with a letter from Mr. Paquin dated May 10, 2016. The letter explains that the Ramey's have chosen to not proceed with a subdivision plan that includes a hammerhead turnaround on any portion of their property. Instead they propose a turnaround easement to the Town over their existing driveway.

Mr. Ramey added that since they have owned the property town trucks have used their driveway for a turn-around and the process seems to work fine. They are now being asked to build a turn-around which adds additional expense to both them and the town and puts potential risk relative to drainage onto neighboring properties. Mr. Paquin asserted that recommendations were sought through their Counsel and the Town's Counsel relative to providing an easement that would allow town trucks to maintain the current process of using the Ramey driveway for turning around and the Ramey's will maintain the driveway to current standards.

Planner Carr stated that she does not know what easement is being proposed but she does recall a past meeting with the DPW Director and the Town Manager to discuss this. Alternatives were brought

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back to Mr. Paquin because they didn't feel at the time that an easement would satisfy the needs of the town. One of the immediate concerns was there were no provision for maintenance. If town equipment broke down on that easement who would be liable? If they needed to pull equipment out would there be an issue? From the Town's standpoint there was a list of concerns with regards to an easement, the one they read, not being the most satisfactory way. Ms. Carr stated that she is not prepared to respond to the questions and she would like to confer with the Town Manager and Town Counsel. Mr. Paquin stated that those issues were addressed in a revised easement. Planner Carr reminded him that she was unaware of the revised document.

Member Deschenes stated that submittal of plans is done a month in advance and in time for the application review. The revised plan is new to the board and he does not see how an approval could be given tonight without the normal plan review. Up to this time the board assumed the original plan, submitted well in advance, is what they would act upon.

Planner JoAnne Carr has a couple of concerns. The hearing was posted based on the information provided and in good faith they proceeded with the hearing and notice to abutters. Also, a plan similar to this was previously reviewed and rejected for a number of reasons. The first is the proposed frontage for the existing lot and house – there is a small sliver of land that is not consistent with the subdivision regulations and this was relayed to the applicant back in October. The second issue is they had discussed the possibility of an easement and it was unresolved. Looking back to the subdivision regulations –a turnaround is required. A number of alternatives had been offered in addition to the easement. Mr. Paquin recalled a “K” turn option on the Ramey property and it was not agreed to because it's a general obstruction having town trucks turning around in your front yard. Mr. Paquin stated that the reason they have delivered a revised plan tonight is so they can communicate with the board directly and ultimately the board is responsible for the decision. Chairman McKenzie stated that plan review was three weeks ago and this plan was not reviewed. Mr. Paquin understands but they wanted the opportunity to speak before the board and this was the way Attorney Crocker advised they could do that. Planner Carr reminded him that they could come for a preliminary at any time. Chairman McKenzie added that they had come for a preliminary and this plan was not brought up at any time. There was discussion amongst the board as to whether they could continue the hearing or would they have to re-advertise and re-notice.

Chairman McKenzie asked why they are proposing to continue to allow town trucks to turn around in their front yard when the reason for rejecting a “K” turn option was because it's a general obstruction having town trucks turning around in the front yard. Mr. Ramey replied that it's the current process and in looking to find a solution that's beneficial to both the town and them they felt that this was it. Mr. Ramey asked if there was an opportunity to act on the technical subdivisions tonight and save the minor subdivision for another application.

Planner Carr stated that the minor subdivision and the technicals had been called out individually in the advertisement so they could address them separately provided a separate plan set is submitted. Mr. Paquin asked if they move forward with the technicals could they have a preliminary discussion to gain the boards sentiment regarding the minor subdivision.

Chairman McKenzie asked about separating the two requests. It was decided that the requests could be addressed individually and the minor subdivision would be referred to as A and the two technical subdivisions would be B.

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The board discussed whether or not they wanted to have a preliminary conversation regarding the minor subdivision. Member Farmer feels it is the board's goal to have due diligence on the subdivision. In her opinion any discussion should be held until after the proposal goes through the normal review process hence continuing the minor subdivision portion of the application. The remaining board members agreed.

On a motion by Merrell, seconded by Deschenes the board moved to continue PB 16-06 A (Minor Subdivision – Ramey) to the June 14, 2016 public hearing.

There being no further questions Chairman McKenzie continued the public hearing.

2. PB 16-06 (B) Ramey, Ross & Lisa, 88 Prospect St., Map 206/Lot 10.2, Zone: Rural (without town water)

Technical Subdivisions – The applicant proposes two lot line adjustment between map 237 lot 24 and lots 20 and 28.

Presentation: Jed Paquin, Paquin Land Surveying

Appearances: Ross and Lisa Ramey

Mr. Paquin presented the proposal for the two technical subdivisions. Beginning with lot 20 (McConnell) it was explained that access and utilities to this parcel is achieved via a private easement attached to the Ramey lot. The idea is to provide Ms. McConnell with frontage and fee ownership of the driveway by transferring .287 acres of the easement to Ms. McConnell. It's an existing non-conforming lot and it will become less non-conforming with the lot line adjustment. The second technical is on lot 28 (Devlin). The proposal is to add a fifty by one hundred foot square to the back of the lot which will remove a random jog and square off the lot.

Chairman McKenzie agreed with the Planner that in the technical subdivision if the required frontage per zoning is not achieved then that is an issue. Mr. Paquin believes it is achieved with one hundred and seventeen feet along Prospect St. and thirty-three feet at the front of the lot totaling one hundred and fifty feet.

Planner Carr reminded the applicant that technical subdivisions do not take effect until there is a transfer of deed. The mylar will not be recorded and property will not be transferred until new deeds are recorded. It was also noted that a new plan set showing the technicals will be needed now that they have been separated from the subdivision.

There being no further questions Chairman McKenzie closed the public hearing.

PUBLIC HEARING – CONTINUED

No Action

DECISIONS

1. PB 16-05 DePaul, James, Fitzwilliam Rd., Map 206/Lot 10.2, Zone: Rural (without town water)

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Technical Subdivision – The applicant proposes a lot line adjustment between Map 206 / Lot 10.2 and Map 206 / Lot 10.1.

On a motion by Gordon, seconded by Merrell the application proposing a lot line adjustment between Map 206 / Lot 10.2 and Map 206 / Lot 10.1 was approved as presented and per testimony given. The plan submitted is on file with this office with a date of April 14, 2016, revised on 4/27/16 and stamped by Paul F. Grasewicz, LLS.

2. PB 16-06 (A) Ramey, Ross & Lisa, 88 Prospect St., Map 206/Lot 10.2, Zone: Rural (without town water)

Minor subdivision – The applicant proposes a minor subdivision of Map 237 / Lot 24.

On a motion by Merrell, seconded by Deschenes the minor subdivision was continued to the June 14, 2016 meeting.

2. PB 16-06 (B) Ramey, Ross & Lisa, 88 Prospect St., Map 206/Lot 10.2, Zone: Rural (without town water)

Technical Subdivisions – The applicant proposes two lot line adjustment between map 237 lot 24 and lots 20 and 28.

On a motion by Deschenes, seconded by Kresge the application proposing two lot line adjustment between map 237 lot 24 and lots 20 and 28 was approved as presented and per testimony given subject to the following condition. (7-0) The original plans submitted are on file with this office with a date of April 25, 2015 and stamped by Jedadiah Paquin, LLS. A new plan set reflecting solely the two technical subdivision must be submitted and recorded.

Condition precedent:

1. All pins to be set.

OTHER BUSINESS

Master Plan Update – subcommittee:

Planner Carr reached out to three different types of professionals to aid in updating the master plan – 1) communications, 2) someone who has helped develop visions 3) a well-known planning organization. A review of the two responding candidates (Jane LaPointe and Steve Whitman) was given. Ms. Carr feels it is important that if they bring in a third party that person needs to survey and listen to the community; a new outlook. The person should get a sense of the character of the community – what do we love about our town; what do we need to change about our town; what are we concerned about? This type of information could also be useful for many of our boards. We need more than data driven results. Ms. Carr would also like to include the Franklin Pierce community. Although that could be viewed as external because they are in Rindge Ms. Carr feels that Jaffrey could be a destination for Franklin Pierce. Ms. Carr will reach out to the two candidates who were interested.

CIP –

The last update was 2013. Ms. Carr explained for the new members how the CIP works and the planning board's role. The plan for the committee is to have 2 members from the planning board, 2 from the

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budget committee and 2 citizens at large. Member Merrell and Chairman McKenzie will serve from the planning board. Budget Committee member Jack Belletete has expressed an interest and possibly Kevin Chamberlain. Resident Steve Meyers has shown interest as a citizen at large. No more than four meetings are anticipated.

Plan Review:

- Selectmen's Representative MacIsaac will sit in for Member Gordon at the May 18 review.
- Member Deschenes will be attending the August review in the capacity of Building Inspector. An alternate board member may be needed.

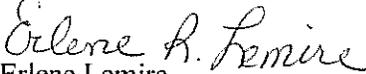
Member Kresge:

His relocation is moving forward and the June meeting will be his final meeting.

ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Submitted:


Erlene Lemire
Recording Secretary

Attest:


Laurel McKenzie
Chairman, Jaffrey Planning Board