

PRESENT: Vadney, Chairman; Sorell, Vice-Chairman; Brothers, Selectmen's Rep.; Dever, III; Kahn; Touhey; Lapham, Alternate; LaBrecque, Town Planner; Harvey, Adm. Asst.

Touhey moved, Sorell seconded, I MOVE WE ACCEPT THE MINUTES FOR APRIL 27 AND MAY 22, 2010 (SITE INSPECTION) AS PRESENTED. 6 voted in favor, Brothers abstained (absent w/notice).

### PUBLIC HEARINGS

1. Pursuant to RSA 231:157-158, the Meredith Planning Board will conduct a Public Hearing to consider a request to remove five (5) dead trees along Pinnacle Ridge Road (Scenic Road) in Meredith.

Mike Faller, DPW – About 2 years ago we received a request from the Roesch's that live out on Pinnacle Ridge. They own 2 large tracts of land pretty much both sides of the road and 4 of the dead trees front within their frontage. It's within the Town ROW and there is concern of debris falling and we've been cleaning it up and this year we determined its time to take those 4 down. When I was out there, I found one down by the Town line that should come out as well. About 3 or 4 years ago, the Roesch's spent a lot of money to put all the electricity underground so there are no wires and can be done by the Town crew fairly easy. We would like to cut them down and dispose of the dead wood and our goal is to make the roads a little safer. LaBrecque – I would just like to reinforce that it's a Scenic Road and a public hearing is required prior to removing any trees. No public comment.

Dever moved, Sorell seconded, MR. CHAIRMAN, I MOVE WE GRANT PERMISSION TO CUT THE 5 TREES ALONG PINNACLE RIDGE ROAD AS REQUESTED BY MEREDITH DPW. Voted unanimously.

2. **ALBERT & DONNA DUCHARME** – Continuation of a public hearing held on 4/27/10 for a proposed major 2-lot subdivision of Tax Map R30, Lot 4, into two (2) lots (16.0 and 143.69 acres) located at 16 New Road, in the Forestry/ Conservation District. Application accepted 3/23/10.

Albert Ducharme – I just wanted to say a few things that didn't get said at the last meeting where we're actually coming from with this. Since the last time we were here all this land has been put into current use. We had no intention of actually subdividing this again. We were approached recently by a couple about buying a lot. At first we said no, but they continued to ask so we said we would go forward with a single lot subdivision. Since we were last here, we are organically certified by the State of New Hampshire to have a farm out there that we've started, all things that clearly show we have no plans of doing a major subdivision. We did at one point have a 9-lot approval from this Board, we opted to not go forward with it, that was our decision. I think it would be pretty foolish to do it one lot at a time and I just wanted to make it clear that we had no intention of doing it further. We've been in

the process of growing the farm and using the land for that. This is an opportunity for us because the last go-around here cost us \$100,000.00 and this is an opportunity for us to try and recoup some of that and give the farm we're building a boost. Carl Johnson – I want to make a couple of notes based on our previous hearing. We have added a few notes to the plan as per Angela's staff review regarding the NHDES Dredge and Fill Permit, as well as the Town of Meredith's Special Exception and the Driveway Permit number that was issued for the driveway back during the original subdivision process. Angela would like the note on the plan revised to state the driveway will be reviewed in connection with the Building Permit rather than prior to occupancy. As with most driveways, the Fire Chief would take a look in terms of the terminus to make sure there's sufficient area to turn around an emergency vehicle at the end of the driveway and that would happen prior to a Certificate of Occupancy. I believe there's been a site walk regarding road work taking place in there and I'll let Angela address that. The pins have not been set yet but that would be a condition of the approval. This is a fairly straightforward two-lot subdivision, one lot being 16 acres and the other lot being 143 acres. LaBrecque – We did accept this back on April 27, 2010 and there was a public hearing which was continued. I was asked to go out with Mike and have a look at the condition of the road and Y-Corner. We went out and had a look at the road and basically its pretty much in the same condition as it was in 2006, however, some routine maintenance has been done and gravel has been added, a couple of culverts that were failing were replaced, some ditching and maybe some trees had been removed that were a safety hazard. Other than that the road hasn't been widened and Y-Corner does remain the same so per the Board's request, I am reporting on the status of the road. Additionally, I don't believe Mike's work plan has any plans for re-doing Y-Corner or improving New Road at this point just because of the amount of traffic there and the precedent that other roads in Town take over that, I don't think he sees that in the 10-year plan. I did put some language in the staff report that addresses the possibility of the Board putting a condition into the approval that references future subdivision may have to be evaluated by the Board to incorporate off-site road improvements into that approval. If the Board wishes, they could incorporate that into a decision. Vadney – There was some gravel put on New Road about 2006. Faller – We did some ditching out there and we did add some gravel as we do to most of our gravel roads in the springtime so since 2006 we've been slowly trying to increase the gravel base out there. This is a low volume road, it doesn't see a lot of traffic and Angela's correct in the sense it's not within the 10-year plan and there's no forecast to do any major construction out there. We did look at some off-site improvements with some added gravel and some possible upgrades to Y-Corner because of the previous 9-lot subdivision approval, but I think the one lot is consistent with zoning out there and I don't see one lot providing any impact to the road we see currently. Vadney – I saw this note that Angela had added about evaluating the extent or proportionate share of road improvements, you wouldn't know how to do that today and I think any future Planning Board would look at that based on the rules and ordinances in effect at the time so I'm not really in favor of trying to put a statement in there that I can't really define. Others agreed. Dever – I was out there the other night and did 50 miles on my motorcycle and New Road

was one of the better roads I rode on and is in very good condition. Carol Hart – My husband and I approached Albert & Donna Ducharme about buying a lot. They had no thoughts of anymore subdivision, they had a hard time with that the last time around so I just wanted to reiterate that we asked them and the first answer was “no”. I also want to address the traffic issue you’re concerned about. I could have sworn something had been done to Y-Corner in the last two weeks, it seems like it’s been built up and I’ve always been impressed with the road maintenance there. Touhey – Mr. Chairman, I would like to comment that I think we were concerned about incremental subdivisions out there, one at a time. That indeed will put pressure on the roads as time goes on. These are all 10-acre lots out here and I think it should be recorded in the minutes that we’re concerned about any further subdivision, it doesn’t appear to be in the plans at this time but that it would trigger road improvements. Vadney – That would trouble me too, Ed, I don’t think we should tie the hands of a future Board. The fact they’ve said they don’t plan to subdivide is nice, but I don’t believe it would be in any way binding and it shouldn’t be binding, it’s still 140 acres of land and 10-acre zoning and sooner or later 100 years from now somebody will come along and want to do something to it, I don’t want to put a stipulation that would try and control that. I’m not sure it’s something that we should try and reach that far into the future. No question about it, any Board we have in the foreseeable future is going to be very observant of the highway conditions out there. We always look at it no matter who comes in. Touhey – In this case we’re talking about one 16-acre lot being broken off, I certainly don’t think this is the time for it, I just wanted to bring it up so it’s recorded in the minutes of this meeting. Hearing closed at 7:20 p.m.

Kahn moved, Touhey seconded, MR. CHAIRMAN, I MOVE WITH RESPECT TO ALBERT AND DONNA DUCHARME, FOR A TWO-LOT SUBDIVISION, MAP R30, LOT 4, LOCATED AT 16 NEW ROAD IN THE FORESTRY/CONSERVATION DISTRICT, THAT WE APPROVE THE PROPOSED SUBDIVISION SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) THE NHDES DREDGE AND FILL PERMIT (#2006-0183) SHALL BE REFERENCED ON THE PLAN.
- (2) THE FINAL PLAN SHALL HAVE THE WETLAND SCIENTIST’S STAMP AND SIGNATURE.
- (3) THE NOTE ON THE PLAN SHALL BE REVISED TO STATE THE DRIVEWAY WILL BE REVIEWED IN CONNECTION WITH THE BUILDING PERMIT RATHER THAN PRIOR TO A CERTIFICATE OF OCCUPANCY.
- (4) THE ACCESS EASEMENT ON LOT 1 TO ACCESS LOT 2 SHALL BE SUBMITTED TO THE TOWN FOR REVIEW AND APPROVAL.
- (5) THE SURVEYOR OF RECORD SHALL PROVIDE WRITTEN EVIDENCE THAT ALL PINS HAVE BEEN SET PRIOR TO RECORDING THE MYLAR.
- (6) THIS CONDITIONAL SUBDIVISION APPROVAL IS VALID FOR A PERIOD OF 24 MONTHS, AT WHICH TIME FINAL APPROVAL MUST BE OBTAINED OR A PUBLIC HEARING MUST BE HELD FOR THE PLANNING BOARD TO GRANT ADDITIONAL TIME. Voted 7-0 in favor of the motion.

3. **PATRICIA ENOCH** – Continuation of a public hearing held on 4/27/10 for a proposed 3-lot subdivision of Tax Map U38, Lot 1, into 3 lots (3.00 ac., 3.38 ac., and 19.91 ac.), located at 49 Veasey Shore Road, in the Shoreline District. Application accepted 4/27/10.

Carl Johnson – This is a 3-lot subdivision and during the last hearing the Board heard some testimony from an abutter regarding some drainage issues along Veasey Shore Road and I think the Board also wanted to take a look at the driveway entrance coming off of Veasey Shore Road onto the lot. Since then I know that Mike Faller has gone out with Angela and looked at the driveway entrance and indicated the entrance is acceptable provided a couple of trees be removed. I've added a note to the plan that says a driveway permit for access to Lots 1 and 2 shall be required prior to conveyance and shall comply with the recommendations of the Town of Meredith DPW which includes removal of trees to improve sight distance. The sight distance is greatly improved with the removal of those trees. There also was some concern regarding the further subdivision of the lots so I've added a note to the plan that says "due to terrain and access, lots 1-3 on this plan may not be further subdivided." When the draft deeds are prepared for Lots 1 and 2, the language regarding no further subdivision would also be included in the deeds. We still need to determine where the well radius is on Lot 3. I know it's behind the house so it doesn't conflict with the lot lines of the two lots but I will locate the well and show it on the plan. Draft deeds will be provided showing the easement over Lot 1 for the benefit of Lot 2 to be submitted to staff for review and approval. The Fire Chief will inspect the accessibility with respect to emergency vehicles and prior to issuance of occupancy on either one of the lots, the Fire Chief will determine whether or not there's sufficient turnaround at the terminus of the driveway for emergency and service vehicles. Written evidence will be provided that the pins have been set prior to the mylar. LaBrecque – The Board did accept this application on April 27, 2010, and a public hearing did follow. On May 22, 2010, the Board went out to the property for a site walk; we had a look at the driveway entrance and a look at an old logging road that gradually cuts side hills. It's not nearly as steep as shown on the plan it's probably doable but some cutting and filling would be required. Its not an unreasonable access. With respect to emergency vehicles, I think they would be able to access both of the lots being proposed. There was an abutter's concern about drainage and we had a look at the grade and slopes and it looks as though a house on either of these two lots probably would not contribute any additional drainage to her lot or in between her and her neighbors where some of the drainage goes. There might be a little bit off the larger lot (Lot 2) but I don't see that being the area where a house would be situated. Mr. Robert Knowles (an abutter) was at the site walk. It's a steep slope that goes down to the lake and that's the way the water flows. Even without any development, they would probably have issues with water. The site was evaluated and looked at and there doesn't appear to be any wetlands so the first condition on Page 24 has been addressed. When you go down the two driveways which are about 200 feet apart by the time it gets down toward the houses, they come very close together. Mr.

Knowles indicated the drainage is very close right between their houses. Vadney – Why is the driveway to the far corner of Lot 1, it looks like the logging road might be easier. Johnson – We looked at several different driveway locations and this one with the benefit of the trees had the most sight distance and you would have to come off one place or the other. If you are able to walk out that driveway, you come off the road relatively flat for a period of a couple car lengths before there is any change in elevation at all and then head up the old logging road to the left. The developable portions of each one of these lots is really not down towards the south, its more towards the north so just by the layout of the lots themselves, it would be highly unlikely that anybody would choose to build down near the drainage situation. There is a well on Lot 3 but it's in back of the house and I'll have to add that to the plan per Angela's note. Public hearing closed at 7:40 p.m.

Touhey moved, Kahn seconded, MR. CHAIRMAN, I MOVE WE GRANT CONDITIONAL APPROVAL FOR THE PROPOSED 3-LOT SUBDIVISION ON TAX MAP U38, LOT 1, 49 VEASEY SHORE ROAD IN THE RESIDENTIAL AND SHORELINE DISTRICTS, SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) THE FINAL PLAN SHALL INCLUDE A NOTE STATING "NO FURTHER SUBDIVISION" IS PERMITTED.
- (2) SUBDIVISION APPROVAL IS REQUIRED FROM DES AND THE PERMIT NUMBER SHALL BE CROSS-REFERENCED ON THE FINAL PLAN.
- (3) THE SURVEYOR SHALL CONFIRM IN WRITING THAT THE WELL RADIUS ON LOT 3 DOES NOT ENCROACH ONTO LOTS 1 OR 2.
- (4) A DRIVEWAY EASEMENT OVER LOT 1 FOR THE BENEFIT OF LOT 2 SHALL BE SUBMITTED FOR STAFF TO REVIEW AND APPROVE.
- (5) A DRIVEWAY PERMIT FROM THE DPW IS REQUIRED AND SHALL BE NOTED ON THE FINAL PLAN.
- (6) THE FIRE CHIEF SHALL REVIEW THE ACCESSIBILITY WITH RESPECT TO EMERGENCY VEHICLE ACCESS.
- (7) THE SURVEYOR OF RECORD SHALL PROVIDE WRITTEN EVIDENCE THAT ALL PINS HAVE BEEN SET PRIOR TO RECORDING THE MYLAR.
- (8) THIS CONDITIONAL SUBDIVISION APPROVAL IS VALID FOR A PERIOD OF 24 MONTHS, AT WHICH TIME FINAL APPROVAL MUST BE OBTAINED OR A PUBLIC HEARING MUST BE HELD FOR THE PLANNING BOARD TO GRANT ADDITIONAL TIME. Voted 7-0 in favor of the motion.

4. **HOWARD & LOUISE GUYOTTE** – Proposed major 2-lot subdivision of Tax Map S12, Lot 6, into two lots (3.08 ac. and 10.22 ac.) located at 12 Meredith Neck Road, Meredith Neck District. Application accepted 4/27/10.

Harry Wood – This is a 13 ½ acre lot located on Meredith Neck Road south of the Pleasant Street intersection. The application would create a new 3-acre lot in a field not visible from the road. The principle building site is very similar to the Guyotte residence in that to the rear you have open views in both directions because of the open fields and also a view of the brook frequented by wildlife. The State road is

the beginning of our problems. We're asking for a condition approval of this proposal and Angela has given you a number of things that need to be updated on the plan and I concur with all of her comments. The driveway is not yet permitted by the state. We would hope you grant us a conditional approval and if it does not work out, in the end we will be providing an alternate, either an easement over the neighbor's lot along with a written easement or some other alternative. The issue hinges around a policy the state has developed that says since 1971 any property should not have more than 3 driveways. That works fine if you subdivide a large parcel into many little lots but if you're subdividing a large parcel into other large lots, it doesn't work too well. In 1941 there were 2 driveways on this property, one goes to the barn and the other one goes to the principle residence. The principle residence used to be immediately adjacent to that driveway and it was picked up and moved to the rear of Lot 2 where it currently exists. The house on this property was the parent owner and they sold off to the adjacent parcel. Our approach to them was that we would give up the driveway to the barn if they would give us the other one. Unfortunately, they are currently applying this in a very strict manner as far as the Districts are concerned so we have to appeal to Concord. I think it would be of some consolation to the owner if he knew the Board was satisfied with the subdivision itself. The proposed driveway would be located in the 50' strip adjacent to the property line. There is another plan that was prepared for the state showing all the sight distances and everything. When we applied to them, we said we had 375' of frontage; however, all of the brush should be cut along the fence line on the curve to Pleasant Street. As far as looking up and down Barnard Ridge Road or Meredith Neck, we have well in excess of 400' in either direction and we indicated if we cut the brush, we would be over 400' and they said we don't have 400'. I cut the brush and measured and we have more than 400' so we must go to Concord. The soils analysis shows that the proposed house location, well, and leachfield are acceptable. We have had test pits dug by Ames Associates and the wetlands were also designated by them; Nicol Roseberry was the Wetland Scientist who marked them. We have a similar request to verify that the well on Lot 2 does not intrude on Lot 1. None of the improvements on Lot 2 have been shown. Vadney – Could you make the property work if they gave you the barn driveway? Wood – We could. The state wants each driveway 200' apart. The new one meets that, the old ones don't. Dever – Despite the fact this will become a new lot, because the original lot had two driveways, it doesn't matter that there's a new lot being created. Wood – They are saying we shouldn't create another one unless we use our existing driveway and double up on it. LaBrecque – Is the barn driveway a permitted driveway or does it predate their permitting requirements. Wood – They acknowledged it was there. They counted them and as far as the state's concerned, there are 7 driveways. LaBrecque - This 50' wide driveway access, this is the 50' of frontage needed on a road to create the lot so this would belong to Lot 1 and you would have to grant an easement an easement until one gets sold. The property lines would probably not change. The 50' strip will still come out to the road even if the driveway is not there because that would fulfill the frontage requirement.

Dever moved, Lapham seconded, MR. CHAIRMAN, IN THE CASE OF HOWARD AND LOUISE GUYOTTE FOR A PROPOSED TWO-LOT SUBDIVISION, MAP S12, LOT 6, 12 MEREDITH NECK ROAD IN THE MEREDITH NECK DISTRICT, I MOVE WE CONDITIONALLY APPROVE THE MAJOR SUBDIVISION WITH THE FOLLOWING CONDITIONS:

- (1) THE FINAL PLAN SHALL ELIMINATE THE PREVIOUS SOILS ANALYSIS THAT DOES NOT APPLY THE WORST CASE SOILS.
- (2) THE PLAN SHALL NOTE THE FRONT, SIDE AND REAR SETBACKS.
- (3) THE NON-DESIGNATED WETLAND SHALL INCLUDE THE 75' BUFFER SETBACK AND THE FINAL PLAN SHALL HAVE THE WETLAND SCIENTIST'S STAMP.
- (4) THE SURVEYOR SHALL VERIFY IN WRITING THAT NO EXISTING WELL RADIUS ENCROACHES ONTO LOT 1.
- (5) TO THE EXTENT A DRIVEWAY PERMIT IS GRANTED BY THE STATE, IT SHALL BE CROSS-REFERENCED ON THE PLAN.
- (6) SHOULD AN ALTERNATE MEANS OF ACCESS OVER LOT 2 BE DETERMINED NECESSARY, IT SHALL BE INDICATED ON THE PLAN AND A DRAFT EASEMENT SHALL BE SUBMITTED FOR STAFF TO REVIEW AND APPROVE AND HANDLE THIS ADMINISTRATIVELY.
- (7) THE SURVEYOR OF RECORD SHALL PROVIDE WRITTEN EVIDENCE THAT ALL PINS HAVE BEEN SET PRIOR TO RECORDING THE MYLAR.
- (8) THIS CONDITIONAL SUBDIVISION APPROVAL IS VALID FOR A PERIOD OF 24 MONTHS, AT WHICH TIME FINAL APPROVAL MUST BE OBTAINED OR A PUBLIC HEARING MUST BE HELD FOR THE PLANNING BOARD TO GRANT ADDITIONAL TIME. Voted 7-0 in favor of the motion.

Meeting adjourned at 8:00 p.m.

Plan Signatures: Howard Guyotte – Home Occupation Site Plan  
Meredith Public Health Nursing Assn. – Site Plan

Respectfully submitted,

Mary Lee Harvey  
Adm. Assistant, Community Dev.

The above minutes will be reviewed and approved at a regular meeting of the Planning Board on June 22, 2010.

s/A. William Bayard  
A. William Bayard, Secretary