

PRESENT: Vadney, Chairman; Bayard, Secretary; Worsman, Selectmen's Rep.; Kahn; Finer; Touhey; Dever; Edgar, Community Development Director; LaBrecque, Town Planner; Harvey, Clerk

Chairman Vadney announced that Ed Touhey had been appointed as a full-time member.

Chairman Vadney also announced that John Edgar was recently honored as Planner of the Year in New Hampshire.

Kahn moved, Touhey seconded, THAT WE APPROVE THE MINUTES OF OCTOBER 23RD AND NOVEMBER 13TH, 2007, AS PRESENTED. Voted unanimously.

PUBLIC HEARINGS

1. **RONALD C. AND ANN C. BRIENZA AND PAUL J. CASAZZA** – Proposed Major Subdivision of 22.01 acres into two (2) lots (4.08 ac. and 17.93 ac.), Tax Map U01, Lot 50, located on Neal Shore Road and Needle Eye Road in the Shoreline District. Application accepted October 23, 2007.

Frank Yerkes – Ronald, Ann and Paul Casazza are joint owners of this entire parcel. We are proposing to create a two-lot major subdivision, Lot 1 is 4.08 acres which has Ron and Ann's house on it and Lot 2 is 17.93 acres which is the remaining land. Lot 1 is accessed from Needle Eye Road, Lot 2 has several access points on Neal Shore Road. We've shown a proposed house site and driveway on Lot 2 and the purpose of this subdivision is to divide off the house. The house will be put up for sale and sold with 4 acres. We agree with all the conditions listed in the Staff Report. LaBrecque – We made a site visit and walked the site a couple weeks ago. We looked at the wetlands and the current location for the building site on Lot 2 seems to be a pretty easy access with 260 linear feet off of Neal Shore Road for the driveway. A note will be added to the plans that prior to any construction a driveway permit will be required. There are a couple of existing sewer stubs available to the site, a well will have to be drilled to provide water to the site and there are existing utilities (electric, telephone, cable). The proposed land use is consistent with the zoning. Vadney – The proposed house is 50-60' off of Neal Shore Road and then there are roughly 18 acres winding behind it and then going down toward the railroad tracks. Yerkes - No plans at this time for further subdivision. Vadney - With that long peninsula there, it looks like it would be pretty hard to get in to this land up here anyway. Kahn – Is this a major subdivision with the prospect of further subdivision? Edgar – Mr. Chairman – It is a major by virtue of its acreage. What you have in front of you is a 2-lot subdivision; we can't contemplate approving something that's not in front of us. We do anticipate that at some point in the future, it could be re-subdivided. There's a plan note to that effect that flags the fact that any other building sites or any additional subdivision may require additional permitting or mapping. Vadney – I'm just noting it would be problematic to get additional access to it. Edgar – As Angela indicated, there are

about 4 different access points along Neal Shore Road. The only one we're relying upon to demonstrate a building site is the proposed driveway location on the 260' of frontage that Mike has indicated is fine. Touhey – I just need clarification, John, you're saying there are 4 access points to this acreage along Neal Shore Road, I can see 2 maybe. Vadney – Way down by the railroad track, see that dotted line that runs back to the other properties is an easement, I suspect that is one of the access points. We don't know what it would do but it is an easement at least. Where it goes and what it traverses, we don't know. Touhey – This looks like a significant wetland. Edgar – We don't have a proposed house site in that area. If anyone wanted to force feed development in that lower area all bets are off, what we are doing tonight is looking at a house on 17.9 acres with driveway and sewer access off Neal Shore Road. In a case like this when we have a lot that we know the probability of it being re-subdivided is high some day in the future but that's not in front of us. The stem of the flag lot if you will is a fairly moderate slope for anybody that walked where that stand of pine is, that is certainly doable in today's day and age for a house site which is all that's in front of us and if and when a road is proposed we'd evaluate that when it's proposed. Edgar described the 4 access points to Lot 1 from Neal Shore Road on the plan. We are not approving the use of the access points to building sites because they would involve other issues, potential wetland issues and so forth so we are looking at the high and dry side up on the other end of the property. Paul Reese asked where the entrance was off Needle Eye Road to the driveway on the other lot. Edgar – It's the existing driveway that goes to Brienza's. Vadney – That is the only access off of that road, is that correct, John? Edgar – That is correct. Mr. Reese, essentially what they are doing is carving a lot line around that house and there would be one access to one driveway which is the status quo and they are not proposing anything else out through there. That would be my concern if I lived where you live. Reese – I didn't know if there was a road going behind my house. Edgar – Not at this point, if there was any development to occur on the back of that 18-acre piece other than the house, any development beyond a house would have to come back through the permitting process which would include notification to you. Vadney – The location where they say proposed house is notional only, they could move that as long as they stay with one house. They could move that around as long as they don't have to cross any wetlands. Bayard – There's a note here about a stone well and it's near the thin point of the land between the two major pieces, are you familiar with that? Is that like a dug well? It's an abandoned dug well. Bayard – Do you know the condition of it because in my own opinion, I like to see them filled? Paul Casazza – It's not deep, it's just a stone circle up about 4 feet. It doesn't really fill up with water. Hearing closed at 7:20 p.m.

Kahn moved, Worsman seconded, I MOVE WITH RESPECT TO RONALD C. AND ANN C. BRIENZA AND PAUL J. CASAZZA FOR A PROPOSED MAJOR SUBDIVISION, TAX MAP U01, LOT 50, LOCATED ON NEAL SHORE ROAD AND NEEDLE EYE ROAD, THAT WE APPROVE THE PROPOSED SUBDIVISION SUBJECT TO THE FOLLOWING:

- (1) FINAL PLANS SHALL INDICATE THE BALANCE OF THE SETBACKS ON LOT 2 AND THE SETBACKS FOR LOT 1.
- (2) THE FINAL PLANS SHALL INCLUDE A STAMP AND SIGNATURE FROM THE WETLAND SCIENTIST.
- (3) A PLAN NOTE SHALL BE ADDED THAT STATES A DRIVEWAY PERMIT IS REQUIRED AT THE TIME OF CONSTRUCTION.

Voted 6-0 in favor of the motion.

2. **MSS REALTY TRUST OF 1995** – Compliance Hearing to determine amount of performance guarantee associated with conditional site plan approval granted on October 9, 2007, Tax Map S17, Lot 16, located on Upper Mile Point Drive in the Shoreline and Route 3 South Districts.

Angela LaBrecque – The Notice of Decision dated October 9, 2007, required that the Performance Guarantee amount come back to the Board. We received a cost estimate from Paul Fluet, the engineer, on November 8, 2007. I sent it out to Mike Faller and Bob Hill, they commented and that was incorporated into a revised cost estimate which we received on November 20, 2007. Based on the estimate we recommend the amount of the Performance Guarantee to be set by the Planning Board be \$110,429.49. Worsman asked if Angela was comfortable with the information received. Angela – Yes, Bob and Mike both reviewed it carefully and their recommendations were considered and incorporated into the cost estimate. Hearing closed at 7:22 p.m.

Bayard moved, Finer seconded, I MOVE WE ACCEPT THE PROPOSED COST ESTIMATE AND THAT THE MSS REALTY TRUST OF 1995, TAX MAP S17, LOT 16, SHALL PROVIDE A PERFORMANCE GUARANTEE FOR (1) SATISFACTORY SITE STABILIZATION DURING CONSTRUCTION, (2) CONNECTION TO THE MUNICIPAL UTILITY(S) AND (3) FOR RIGHT-OF-WAY RESTORATION. THE FORM OF THE GUARANTEE SHALL BE ONE THAT IS ACCEPTABLE TO THE TOWN AND THE AMOUNT SET SHALL BE \$110,429.49 AND ALL OTHER CONDITIONS OF APPROVAL SHALL REMAIN IN EFFECT AS PER THE PLANNING BOARD DECISION DATED 10/9/07. Voted unanimously.

DISCUSSION – ZONING AMENDMENTS

Edgar had made some edits to the proposed Conservation Subdivision Design Ordinance based on a previous workshop. One of the areas of confusion the way it was laid out the last time was the Yield Plan components were indistinguishable from the conservation subdivision plan components. That section was pulled out and given its own section title so it should be clearer as to what the yield plan deal is and then the general requirements for conservation subdivision as a separate matter. After a great deal of discussion, the Board agreed to hold another workshop session on Tuesday, December 4, 2007, to review the edits proposed by the Board. Once the edits are made, copies will be forwarded to Board members,

Town Counsel and interested parties for review and comments. If the Board feels comfortable with the proposed Conservation Subdivision Design Ordinance after the work session on the 4th, a public hearing will be scheduled.

Meeting adjourned at 10:05 p.m.

Respectfully submitted,

Mary Lee Harvey
Adm. Assistant, P & Z Department

The above Minutes were read and approved at a regular meeting of the Meredith Planning Board held on _____.

William Bayard, Secretary