APPROVED

Planning Board Minutes

April 12, 2022

Members present: Nancy Teach, Chair; Donna Duclos, Vice-Chair; Dave Powers, Art Urie, Ken Wells; and Jim Delaney, Ex-Officio.

Also present: Bob Ward; Nicholas Robinson; Kristin Angeli; David Leak; Pat Moyer, Planning & Zoning Administrator; and Lisa Meier, Secretary

Teach opened the meeting at 7:00 p.m.

Minutes of February 22, 2022

Duclos – Motion to approve as amended

Powers – Second

Unanimous – Vote via roll call to approve as amended

Minutes of March 22, 2022

Duclos – Motion to approve as amended

Urie – Second

Unanimous – Vote via roll call to approve as amended

Completeness Review – Site Plan – Kristin Angeli, agent for Nicholas Robinson, Proposed new landscaping business at 112 Route 4A, Tax Map 28, Lot 386,337 in the Forest / Agricultural Zone

A Site Plan Review application was submitted to Moyer which she distributed to the board members. Robinson has been in business for eighteen years and has outgrown his current shop. Robinson indicated that this is not a large commercial business, he has no employees at this time and should he have any, there would be no more than five. The property is 1920’ up from Route 11 and there is 1600’ of frontage on Bog Pond. Angeli stated that Robinson will need to file a new driveway permit per her conversation with the Department of Transportation. Powers asked what his hours of operation would be and the response was they would be varied per season; however, he would follow Andover Noise Ordinance. Duclos asked what types of equipment would be on site and the response was dump trucks, box trucks for example. Duclos also stated she was concerned with the flood area and the response was the area he has designated for his building, which will be 120 square feet, is within the non-flood area in the higher elevation. Wells asked if the board needed to worry about septic location and Powers replied only that it would have to be 15’ off the property line. Teach recommended the board keep the packets for reviewing and coming up with any questions. The board reviewed the application and Urie made a motion to deem the application complete pending receipt of the addendum pertaining to the Noise Ordinance and hours of operation. Powers seconded the motion and the board voted unanimously in favor of deeming the application complete pending receipt of the addendum pertaining to the Noise Ordinance and hours of operation.

Non-Binding Consultation: Bob Ward for Tax Map 14, Lot 828,028 in the Forest / Agricultural Zone

Ward presented a map indicating he the location where owns 32.60 acres near the Kearsarge / Dawes Road intersection and the lot is split between the Forest / Agricultural Zone and the Agricultural / Residential Zone and he would like advice on whether or not it is a buildable lot. Delaney stated the town maintains up to Gary Curriers property and would need to confirm with Jon Champagne where the Class V Road ends. Moyer stated she will contact Champagne. Ward stated that the zoning map indicates that Kearsarge Mountain Road is town maintained; however, Dawes Road is not. Ward will come back before the board at a later date.

Non-Binding Consultation: David Leak of 135 Valley Road inquiring about the process to make changes to the Zoning Ordinance

Leak indicated he would like to see changes to the Zoning Ordinance done as the Master Plan and the Zoning Ordinance contradict each other. There are items indicating that the burden of proof is on the abutters currently and it needs to be on the applicant. Powers stated that the D1 is a catch-all Special Exception. Teach requested Leak put everything in writing and the board can discuss further and any changes would have to go before the residents of town at Town Meeting for approval. Powers asked if individual residents can do Warrant Articles for changes to the Zoning Ordinance and the response was yes; however, it has to be approved by the Planning Board.

Non-Binding Consultation: Ron Vary, 46 O’Neil Drive Tax Map 11, Lot 235,021 in the Rural / Residential Zone – Site Plan Review for Car Rental Business

This did not come before the board as Vary was not present.

Continued Review of Town Owned Properties

This was not discussed as the board needs more information.

Organization of the Board

Chair – Delaney nominated Duclos for one year. Wells seconded the motion and the board voted unanimously in favor of Duclos as Chair

Vice-Chair – Duclos nominated Wells. Powers seconded the motion and the board voted unanimously in favor of Wells as Vice-Chair

Secretary – Teach nominated Powers. Duclos seconded the motion and the board voted unanimously in favor of Powers as Secretary

Zoning Administrator

1. An inquiring came in for the Laflamme property on Tilton Brook Road. The property does not have any road frontage on a Class V or better road and therefore if they wanted to pursue building a home there, they must go through to process of NH RSA 674:41. The man stated that if he went through the process and did not receive a building permit, he would just homestead the property and that would not benefit the town because his property taxes would be 60% less for the town. Moyer researched homesteading and could only find it attached to the bankruptcy laws. Moyer questioned the board if they knew if NH was a homestead state and the board agreed that NH is not a homestead state.

There being no further discussion, the meeting was adjourned at 8:36 p.m.

Respectfully submitted,

Lisa Meier

Recording Secretary