Approved

Planning Board Meeting Minutes

April 28, 2020

Members present: Nancy Teach, Chair; Art Urie, Vice-Chair; Doug Phelps; Randy Monti; John Hodgson; Dave Powers; John Kinney, Ex-Officio; and Donna Duclos, Alternate

Also present for duration of appropriate item: Pat Moyer, Planning & Zoning Administrator, Colin Brown (licensed land surveyor for Barton); Michael Chiarella (attorney for A. Urie); Melissa Barton, and Jen Johnson (real estate broker for Barton)

Due to the COVID-19/Corona virus crisis and in accordance with Governor Sununu’s Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically. The public has access to contemporaneously listen and participate in this meeting through the video or by phone.

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

Minutes of 01-28-2020

Hodgson – Motion to re-approve as revised

Monti – Second

Unanimous – Vote to re-approve as revised

Minutes of 02-25-2020

Phelps – Motion to approve as amended

Urie – Second

Unanimous – Vote to approve as amended

Non-Binding Consultation – Update on Joe and Malora Rice for a vegetable stand at 72 Main Street, Tax Map 19, Lot 337,131 I the Forest / Agricultural Zone

As the property is now in the Village Zone due to proposed revisions and the approved Zoning amendments at the March 2020 Town Meeting, it was discussed as to whether a Site Plan Review is necessary. Urie stated the board should request the Rices to submit a Site Plan Review Application and Kinney, Phelps, Duclos and Powers agreed that it should be requested. Powers asked if the driveway is a legitimate access with the NH Department of Transportation. will advise the Rice’s that a Site Plan Review Application is requested by the board.

Completeness Review: Melissa and Paul Barton for a Lot Line Adjustment for a driveway to access their property. The property is located at 110 Switch Road, Tax Map 11, Lots 431,196 (12 acres) and

473,207 (8.53 acres)

A property survey was received from Colin Brown along with a Lot Line Adjustment Application. Hodgson asked if there were any deed restrictions relevant to the request. Brown stated he was not aware of any and Kinney agreed. Hodgson stated he was concerned with the 4:1 depth to width ratio. Brown stated that a new lot was not being created. Teach stated that a small section was being adjusted from the larger lot to the existing house lot and asked why. Brown replied in order to give more width to the house lot. Phelps, Urie and Powers stated they had no concerns with the proposal. Phelps made a motion to deem the application complete. Powers seconded the motion and the board voted unanimously in favor of deeming the application complete by voice vote. A public hearing was scheduled for Tuesday, May 12, 2020 at 7:00 p.m.

Completeness Review – Art Urie for a Minor Subdivision – Condominium at 164 Main Street, Tax Map 19, Lot 638,252 in the Village Zone

Urie recused as he is the applicant. Donna Duclos appointed. Urie appeared before the board on January 28, 2020 and the board determined that the application was not complete. The proposal is to create a condo-conversion ownership format for the Real Estate Office and the US Post Office building. This will change the form of ownership and not the use of the property and will also create a boundary line between the 2 buildings – condo units. Locations of the septic and parking areas with each building are noted on the Condominium Plan of 1/09/20 plan (Raymond Critch, LLS) Chiarella stated that condos are lots on the land and not the building. The application was reviewed for completeness. The physical addresses for the property are 164 and 166 Main Street. Monti asked what specific requirements does a Minor Subdivision require and Urie responded that a Minor Subdivision is for 2 lots and a Major Subdivision is for 3 or more lots and that this is for condominiums and not lots and there are no lot sizes for a condo transfer. Chiarella stated that condo units are parcels within the lot. Powers stated there are two tax identification numbers for the structures and one tax identification number for the land. Urie stated that the “condominium act” applies here. Kinney stated that 328 Main Street is the same concept. Teach stated she had spoken with Town Counsel regarding designation the area representing each condo unit. RSA Chapter 356B is the Condo Act and this proposal will be a condo conveyance. Moyer stated that there is a different address on the condo plan for the owner versus what is on the application. Urie stated the official address for the LLC is in Bedford and one of the owners resides in Bedford. Moyer stated that they should be consistent and Teach stated the correct address should be indicated on the plan. Phelps made a motion to deem the application complete. Powers seconded the motion pending the boards receipt of the condo documents. Phelps withdrew his motion. Phelps made a revised motion to deem the application complete and requests that the board receive a copy of the condo documents. Chiarella stated that he did not have to submit condo documents to the Sunapee Planning Board for a different subdivision. Powers seconded the motion and the board voted unanimously via voice vote in favor of deeming the application complete pending receipt of the condo documents. Andover’s legal counsel informed the PB that at some point he will need to review the condominium declaration and by-laws to ensure the Town is adequately protected. This can be done as part of the condominium conversion conditional approval. A public hearing is scheduled for Tuesday, May 12, 2020 at 7:15 p.m.

Other Business

1. Teach stated that the town zoning maps will need to be revised to include the expanded Village Zones. Phelps agreed to explore this with the Lakes Region Planning Commission.

2. Teach stated that the Commercial Zone and the Conservation Subdivision proposals need to be discussed at a future meeting.

There being no further discussion, Powers made a motion to adjourn at 8:30 p.m. Phelps seconded the motion and the board voted unanimously in favor of adjourning at 8:30 p.m.

Submitted by,

Lisa Meier,

Recording Secretary