

**PLANNING BOARD MEETING  
TOWN OF LITCHFIELD**

**Held on August 21, 2012**

**Minutes approved 10/2/12**

The Litchfield Planning Board held a meeting in the Town Hall conference room 2 Liberty Way, Litchfield, NH 03052 on Tuesday, August 21, 2012 at 7:00 p.m.

**MEMBERS PRESENT:** Leon Barry (Chairman), Bob Curtis (Vice Chair), Russell Blanchette, Thomas Young, Frank Byron, Michael Croteau, Steve Perry (alternate), Michael Caprioglio (alternate)

**MEMBERS ABSENT:** Joel Kapelson

**ALSO PRESENT:** Joan McKibben (Admin. Assistant), Jen Czysz (NRPC Senior Planner),

**CALL TO ORDER**

Mr. Barry called the meeting to order at 7:00 p.m. and joined the Board in the Pledge of Allegiance.

1. **Jason Hoch to speak re: Town Road Acceptance (Litchfield Regulations, Appendix A & C)**

Mr. Hoch stated that this has come up in some prior meetings and wanted to explain what it is that He was seeing and understand how we are going to use the ordinance that we have and perhaps change the language that we use. Mr. Hoch provided a memo that pulls out language from the Towns own sub-division regulations, that talks about the different Bonds and preparation for road acceptance. Mr. Hoch commented that he is not suggesting anything that has not already been written in the language of the ordinance. Mr. Hoch stated that when you approve a subdivision, you approve a road; you at that point have a construction bond that goes with that for the construction of the road, you have your contracted engineer who then periodically inspects the road and provides updates and at certain intervals may provide information back so the Board can recommend to the Selectmen to reduce the bond when work has been completed.. Built in at the end of what is the construction phase, there is a whole string of standards and conditions that need to be met for the recommendation to release the construction bond and shift to a maintenance bond. Mr. Hoch is suggesting that how that section is defined (appendix C, acceptance of road work), and what he is suggesting is at the end of that phase, once your engineer has signed off and the Board is making the recommendation to move from a construction bond to a maintenance bond; if that road is eligible for the Selectmen to consider for acceptance; that is interval to recommend acceptance. Basically, acceptance means we plow the road, and the school buses will go down accepted roads. The Town is still protected by the maintenance bond so if there are any construction defects; the whole reason you carry the maintenance bond is to protect yourself over those two years. Throughout the construction

phase the inspections are simply done by your consulting engineer. The recommendation to release the maintenance bond is the combined input of your consulting engineer and the Road Agent, which suggests that the Town has a stake in that road. When Mr. Hoch asked what has been done in the past, it was explained to him that the past practice had been when the road came off of a construction bond and moved to a maintenance bond, the Town would begin doing winter maintenance. When it came off the maintenance bond, the recommendation would be to accept it. Mr. Hoch is suggesting that "accepting" is stuck at what he thinks is at the wrong time of the interval; once the Towns snow plows starting going down that road; is pretty much acceptance so Mr. Hoch wanted to understand what the practice was and can we apply the term of acceptance at a different interval that meets the standard of this, rather than sitting out a two year maintenance bond. Mr. Byron asked the question why. Mr. Hoch stated because the road is eligible to be accepted once the Planning Board has made that recommendation to the Selectmen. The benefit on the Town's side is if the Town decides to accept it, which is a now eligible road mile for a highway block grant. Mr. Hoch stated that we have a development on Tanager Way, where he has been asked on and off over the past year, and the School Board has been asked on what it will take to get this road accepted, because the benefit is that they can have a school bus go down that road. Mr. Hoch stated that if we are going to go the route of waiting another two years, make sure we are all clear on that and also make sure that internally we are not starting the plowing of roads at the end of construction phase, which has been the past practice. Mr. Perry mentioned that Tanager is a great example because about 4 years ago, he was asked if we could get that road maintained by the Town so that the school bus could go down; when he asked the road agent at the time, he said he doesn't do anything unless the engineer says, so it is really up to the engineer. The real question is, is at what point can the road get accepted. Mr. Hoch stated that there are two things in play; using Tanager as an example. They are dotting there I's and crossing there T's so they would be at the end of the construction phase soon if not already, and what he is suggesting is that once they satisfy your engineer's requirements, and the Board makes the recommendation to the Selectmen to reduce the bond, that would come with the recommendation to consider acceptance. Mr. Hoch stated that there is a question and before the decision or advice from Attorney Buckley made reference to strategies that the Town could actually accept the road with greater bonding and funds before the final coat was down. Mr. Hoch stated that he is not ready to suggest this yet because this would require a change in your rules, he is just simply trying to figure out within the rules you have now, how are we applying them. Mr. Perry stated that this was a good point because a question was asked of the builder if he would be willing to go ahead and finish paving Tanager and not Heron; they were not willing to. Mr. Hoch stated that what he is simply asking is what is within your existing rules. Mr. Barry stated that he is not familiar with the area and asked if the acceptance of the road to where the last house has been built, or is the acceptance to the road is that the whole development has been paved. Mr. Hoch stated that right now it would be the whole road is complete and signed off at the point in which your engineer says yes this is done, move to maintenance. Mr. Curtis said he wasn't sure what the problem is with the current process. Mr. Hoch stated that the problem is twofold; if the recommendation is for acceptance has to wait until the end of the maintenance bond, then we need to make sure that developers understand that even though they have put the finish coat down, satisfied all of your engineering requirements, that they are still plowing that road for 2 more years,

which is apparently not been the practice in the past year. When it came off of construction previous road agents would start plowing roads. The other situation we have is the case where a project is built out, people have purchased homes and they are on a road and if we are waiting for acceptance to come at the end of maintenance; people who have purchased that home in a now completed development are sitting there for 2 more years waiting for a school bus to come down their completed road.

Chairman Barry asked Mr. Perry if he would like to be a voting alternate member of the Planning Board tonight. Mr. Perry stated yes.

**2. Robert Leary, 172 Charles Bancroft Highway, Tax Map 9 Lot 1 Application to subdivide one lot into four residential lots. Application accepted on 7/17/2012, Hearing continued on 8/7/2012 and 8/21/2012.**

- Jen Czysz, NRPC Planner, started out by updating the Board stating that on August 16<sup>th</sup> Jen DiNovo from NRPC met with Lou Caron, Chief Fraitzel, Captain Nichols, Joan McKibben, Russ Blanchette, Attorney Prolman and Greg Jeffrey to revisit the site and do an on-site staff meeting to iron out some of the remaining details that needed attention and resolution. The focus of the meeting was on the construction of the driveway, the turning radiuses to make sure that they met the Fire Chief's needs, also looking at construction of the apron where the driveway enters onto 3A. Potential for access between the lots where there was supposed to be emergency access and how that would be enforced or managed. They also looked at some erosion control and came up with some subsequent changes to the plan that all thought would better resolve some of the remaining questions or concerns. What we now have is a shorter common driveway and the common driveway is only being utilized and built for lots 2 and 3. Lot 1; there is absolutely no change that is going to happen, there will be no connection from lot 1 to the common driveway. Separating it out, resolves a lot of issues of having to navigate through this tricky area where there was several existing constraints that were making that connection a little difficult; it will also in the end save the Leary's a little bit of construction money by disconnecting it. They focused on having the easement so that it was just on lot 3 with a small turnaround on lot 1 which will allow a fire truck to get in and have its turnaround so they can get back out. Also, by having the drive way just service the 2 lots, it no longer triggers the E911 provision we were looking at before. There is a provision that was added into the easement to resolve this revocable license issue; since the last meeting, Jen has sent the license as well as the declaration of common driveway to Attorney LeFevre who does not recommend the license as good planning policy, because it is revocable. Should someone other than Dr. Calawa live there, Mr. Leary can end up without access to his house and having to build a whole new driveway. What happened in the resolution was to add a contingency piece in the declaration of common driveway that if for any reason that license was revoked, Mr. Leary could then connect into this common driveway.
- Jen stated that in terms of do they have all the pieces of the puzzle here now; all of the things we have asked for are here. There are some minor technical corrections or revisions that are still needed. As far as driveway construction; Jen stated that on cross section AA notes that the gravel depth is 6-8", the minimum depth required is 8". NRPC recommends that the driveway be shifted a couple of feet at the southern end of the wetland to maintain the slightly greater distance between the driveway and the wetland provided at the north

end of the wetland. Jen stated that the other issue is where there is that midpoint, there is a little bit of the shoulder coming up to the wetland; you have less space when you get down to the southerly corner of the wetland and you're not likely going to have adequate room to complete it and have some intersection. What NRPC proposes is that the road gets slightly shifted so that it runs parallel to the wetland to give the same amount of space between the wetland and the driveway at the southerly end of the wetland as there is at the northerly end of the wetland.

- In regards to sprinklers in which Attorney Mr. Prolman will be discussing; Attorney LeFevre recommended adding another sentence to the plan note so that it says that in the event that the sprinklers are not installed, no certificate of occupancy shall be issued until the plan is amended providing a credible water source for fire suppression.
- Jen stated that Attorney Prolman will also go over sequencing of filing for this, and Attorney LeFevre was fine with the sequencing as proposed and simply added an additional contingency which states that the declaration of common driveway be recorded on the transfer of the lots and that a building permit will not be issued until the applicant had verified that the easement has been recorded.
- Mr. Lou Caron of L.C Engineering went over some notes he had. Regarding the basement floor elevations, what we have traditionally tried to do is give a little more guidance to the contractors and put a minimum elevation based on the 100 year flood elevation.
- Mr. Caron also mentioned that Note 15 on plan sheets 1 and 2 reference a NHDOT bench mark (elevation reference point). He does not see this on the plan, and wants to know where it is located and how close it is to the project. Mr. Caron stated that in talking to Mr. Jeffrey, the benchmark is located at Wilson Farms, which is not too far away, so Mr. Caron recommends putting a little note on the site plan sheet stating that this benchmark is located at Wilson Farm or putting a temporary benchmark on site. Mr. Jeffrey proposed that near the red barn there is a tree with a little spike in it, he can list that elevation.
- Mr. Caron mentioned that he didn't see any reference to who delineated the wetland on the plan, so that information should be on there alone with their certification number, seal and signature. Mr. Jeffrey stated that if you look at note 13; there is a note saying who did it and when and his seal has his signature and number on it.
- Mr. Caron also mentioned that the surveyor stamp and signature should have as a check list item on the final plans.
- Mr. Caron stated regarding the driveway permit there had been some conversation whether one was need or not. Mr. Caron stated that it is his understanding that this has been resolved and the surveyor has met with DOT, and a permit has been issued. Mr. Caron would recommend that the DOT drive permit number and date be added to the plan set.
- Regarding the new sheet 3 which is detailed for the construction of the drive at the north end, there was a pretty good explanation on how this project evolved from this long through driveway to a truncated drive, which was something discussed at the site plan last week. What Mr. Caron noticed on the plan view card, there is a grey shaded area along 3A, with a note that says "Bit Apron" and if you look real close there are some dash lines within that grey shaded area that represent the driveway part; from Lou's perspective it was a little confusion between what is proposed. Mr. Caron is assuming the grey area is proposed to be paved, so whatever gravel driveway is to be constructed should connect to that paved areas, and as shown does not. Mr. Caron recommends that dimensions be added to that paved

area; the widths, and the notation made is to how long it is going to be which is 20' shown in the detail. As far as the "BIT Apron" it should be noted somewhere that that is 3 ½" of pavement.

- Mr. Caron pointed out on the driveway section detail: the Litchfield Driveway Regulations requires 8" of crushed gravel for unpaved drives, not the 6-8" as shown. Mr. Caron recommends correcting this detail along with note on the profile. Also, dimension the proposed roadside ditch detail on this section. Mr. Caron also asked to add inverts and pipe length to the proposed 12" RCP cross culvert.
- Mr. Caron recommends that a ditch line be provided along the east side of the driveway to prevent storm water runoff from washing over the new driveway.
- Mr. Caron also recommends that a note be added to this plan sheet that references driveway construction to be in compliance with Appendix J of the Litchfield Planning regulations.
- Mr. Caron also mentioned that on the note about the sprinkler system; it just says per Attorney Letter. Mr. Caron stated that it should say which Attorney from what firm and a date.
- Mr. Jeffrey stated that he agreed with a lot of what was said. He stated that on the DOT benchmark, what they are proposing is a bench mark by the barn as well as the bench mark at Wilson farm. Mr. Jeffrey stated that the survey stamped signature is required for recording the plan. They do have the DOT permit, they are proposing a note so it is consistent with the State subdivision approval number. The permit number will be listed right below that. Mr. Jeffrey has no problem with tweaking the roadway, even though it is very slight. Mr. Jeffrey also stated that in regards to the "Bit. Apron" that they will say how wide and deep it is. Mr. Jeffrey also wanted to comment on what Mr. Caron mentioned and what he was looking for is to have the dirt meet cleanly at the corner of the apron. Mr. Jeffrey stated that the 3 ½ of pavement "is no problem and he is going to eliminate the 6-8" to be 8" of crushed gravel. Mr. Jeffrey stated that you will see that there is a little bit of a ditch line, it gets greater as you go up the hill, but agrees with Lou on just showing a ditch line which will facilitate drainage. Mr. Jeffrey also stated that he agreed with Lou on the detail sheet with what they are intending to build is going to conform to Appendix J, in the Litchfield Regulations.
- Mr. Croteau asked if there were any issues in terms of emergency access vehicles that would impact this roadway where the wetland is. Mr. Jeffrey stated that he met with the Chief yesterday and showed him the plan and his main concern was that we are going to meet the minimum access and radius coming off 3A both ways. He didn't express any concern about driving past the wetlands. Jen stated that what Jennifer reported back from the site visit last week, was that the Chief was okay with the driveway being just 12' wide, as long as the right of way for the driveway has 20' clear from tree branches and other things that might project into that clearance area.

**Chairman Barry opened this to the public for comment:**

**Mr. Andy Prolman Attorney for applicant Bob Leary and the Leary/Parent Family.**

Mr. Prolman stated that on the last point of the Fire Chiefs approval that they met in detail last week and plans revised, he asked the Chief about the sprinkler system and as of 3:58 this afternoon after receiving the last set of plans from Jen, the Fire Chief's comment came back saying that all of his concerns have been addressed. Mr. Prolman stated that they have

the DOT permit, which he passed around. Andy stated that they also have two letters from Him; one is an affirmation that they are voluntarily doing the sprinkler systems, because it's the best option, and the fire chief stated this was fine. In addition to this letter; Attorney LeFevre has seen this and had some specific language to note on the plan. On Jen's report, item no. 15, there is going to be an additional note regarding the sprinkler system on the plan. Andy also stated that he wanted to talk about two waivers: there was a waiver request Pending with the respect to the topo, and this has gone away because the topo has been provided. There was a topo request for a waiver request for a portion of the driveway in which they were not going to do anything. This topo has been done. Jen stated that her recommendation to the Board was to actually approve the waiver request because the back portion of lot 9-1-1 still does not have topo provided on it, but the applicant has addressed the Boards concern and provided the topo in the area of the driveway which was the remaining concern. There is still a portion of the lot that has no topo, but there is no need for topo in that area. Mr. Prolman stated that this has been provided and was the first approval item on Jen's memo to the Board. The second waiver issue Mr. Prolman wanted to address was a new waiver request, which is part of the driveway regulations. The driveway regulations require that driveways access, the roadways in front of the home and in this instance we have a unique situation where the driveway access to lot 9-1-1, is going to remain as it is today, so we don't necessarily comply with the driveway regulations. Jen stated that the waiver request was a recommendation from Attorney LeFevre. Mr. Prolman stated that he is requesting that the declaration of driveway easement is covered, typically we would record all these things with the recording of the plan, but in this instance, because of the nature of the ownership of this property, Andy is asking that the recording of the driveway easement be recorded prior to the first building permit being issued. What we are going to propose is that we have the plan recorded, thereby creating the 3 lots, and then he can have the entire Leary/Parent family sign a deed to Bob Leary and it is at that point we would record the driveway easement. This was run by Attorney LeFevre and he was okay with this process. Jen stated that his one comment was that it not simply when the 3 parcels are conveyed to Leary, but when parcel 2 and 3 are then intern conveyed to someone other than Mr. Leary, because you cannot grant an easement to yourself.

Mr. Croteau asked if they were going to be putting in some kind of contingency where if something happens in terms of fire suppression in terms of having some kind of water supply. Mr. Prolman stated that his understanding is that there is at least a 300 gallon tank in the basement that provides the pressure and supply to the fire suppression right to the sprinkler system. Mr. Prolman suggested to the Board that this is their third meeting along with a couple of site visits and they don't have any problems with the comments Lou Caron had in respect to the plan, they are asking for conditional approval tonight. Mr. Barry stated that the plans that they have are not up to date, then there are things that were covered by Lou that need to be added. Mr. Curtis stated that driveway has to be modified so it runs parallel, so the southern end of the driveway by the wetland is equal to the distance that is at the north end. Mr. Barry asked if the list that Lou has given them require a lot of changes to the drawings. Jen stated that there are numerous small changes. Mr. Barry asked if the changes that need to be made are going to affect the acceptance tonight. Lou stated that only thing he is concerned about is moving the road over and the ditch line of the driveway and 3A, and the location and elevation of the pipe, would he be able to get it to drain out. The profile of the drain has to change. Jen agreed and stated that this would be easy to get

done and have it at the next meeting. Mr. Jeffrey stated that the detail sheet is not being recorded, and is under the opinion to move towards conditional approval because the tweaks are so small that he can supply the non-reported sheet. The detail sheet is not part of the recorded package. Jen stated that the easement location is. If the driveway moves, does the easement move? Mr. Barry stated that he prefers to have a full set of clean drawings that take care of everything that need to be done, especially when we are talking about the area about the wetland and the driveway. Mr. Jeffrey stated that he doesn't see the merit in waiting two weeks to present a sheet that isn't going to be recorded with the plan set. Mr. Prolman asked Mr. Barry if they could act on the waiver requests.

Mr. Barry closed the public comment.

The new waiver request is for Driveway Regulations 1.6.2.1 figure 1, states that no part of any driveway shall be constructed outside of the applicant's frontage. In this case the existing driveway configuration is outside of the applicant's frontage and there are no proposed changes to this, therefor it is recommended by NRPC and Attorney LeFevre that they submit a waiver request to cover their basis.

**MOTION:** *Frank Byron to the Litchfield Planning Board waives Driveway Regulation 1.6.2.1 figure 1 requiring that no part of the driveway can be constructed outside of the applicant's frontage.*

**SECOND:** by Mr. Blanchette

**VOTE:** 7-0-0

Jen stated that the next waiver to act on is the Topography; the motion at the last meeting only addressed lot 9-1; it did not address the sub lots of 9-1-1 which was the other lot the waiver was requested. At that time the waiver was requested to exempt topo from being provided for approximately  $\frac{3}{4}$  of the parcel. At this time that  $\frac{1}{4}$  at the southeast quadrant where the driveway was where we were looking for additional information has been provided, however the back half of the lot still does not have topo, it does not need topo. The staff recommendation is to approve the waiver as submitted at this point.

**MOTION:** *by Mr. Byron to waive the requirements for topography data in the Subdivision Regulations Section 530.00e for lot 9-1-1.*

**SECOND:** by Mr. Curtis

**VOTE:** 7-0-0

Jen stated that the Board at the last meeting also tabled the waiver request for sub division regulation 530 k & m for sedimentation and erosion control plan; at this point while sedimentation and erosion control plan has not been submitted, your sheet of details does address the sedimentation and erosion control provisions. Therefore, staff recommendation was to waive it in light of the details being provided in its place.

**MOTION:** *by Mr. Byron that the finding of the Planning Board is that a waiver for Subdivision Regulation 530 k & m is no longer necessary as the detail is provided.*

**SECOND:** by Mr. Curtis

**VOTE:** 7-0-0

***MOTION:*** by Mr. Curtis that the Leary Subdivision, Case Number 1206 LIT M9L1 SD be continued to the next planning Board Meeting which will be Tuesday, September 4, 2012 at 7:00 p.m.

**SECOND:** by Mr. Young

**VOTE:** 7-0-0

**3. Andy Prolman to discuss commercial development in the Northern Commercial District**

Mr. Andy Prolman, 31 Chasebrook circle, Litchfield, NH spoke to the Planning Board to discuss commercial development in the Northern commercial district here in Litchfield. Mr. Prolman stated that he thinks the Town has a good opportunity, but it is going to take some work from the Planning Board. Andy stated that we didn't get the grant application from the State. Jen stated to follow up that one of the agenda items the Board has to discuss further on in the meeting, item #4, which is talking about keeping that scope of work moving forward despite not having the grant, and start with the future land use conversation and still do it. Jen stated she still has funding from NRPC that she was going to let the Board now they can utilize to get some of that going, and then the second round of that application will open up in January, which will be much sooner so the zoning revision piece, if we could reapply, we could then start on that. Jen also stated that the other update she had was out of those not funded, we have the highest score. Mr. Prolman stated that his suggestion to the Board which he would like to talk about is a very discrete and finite change to the zoning ordinance in the northern commercial district that will not take a full blown study, grant application, and it doesn't take a lot of time. It does take some thought working through, but there is nothing that can't be done before the next Town Meeting. Mr. Frank Byron asked Mr. Prolman if he was here as a private citizen or was he representing a client. Mr. Prolman stated that he has no claim in this; he is just a concerned citizen. Andy spoke about the frontage requirement in the northern commercial district is out of whack and need the Planning Board to take a look at it. Mr. Prolman stated that about two weeks ago he was representing the road development before the Litchfield Zoning Board; there was talk about bringing a gas station/convenience store into the north end of town. The application required a number of variances and we were denied our first variance with respect to the aquifer. The second variance was the frontage requirement; currently Litchfield frontage requirement is 500 feet of frontage on the Charles Bancroft Highway, plus an additional 200 feet of frontage if you want to do anything that involves a drive through service; this is a lot of frontage. Mr. Prolman strongly suggests that the Board does something about this, because Litchfield has a very negative reputation in regards to commercial development. Mr. Prolman recommended that one of the things the Board can do is lower the frontage requirement. Mr. Prolman passed out a chart that showed what other communities require for frontage, and the other thing he passed out was a tax map. Andy stated that the tax map he put together is a compilation of tax maps 20, 21 and 22 and the outline area represent the northern commercial district. Mr. Prolman stated that on the maps he has circled the lot numbers that have the 500 feet of frontage on the northern commercial district and believes there are only 7 or 8 lots that meet code that he could come to the Planning Board without having to go the Zoning Board first to bring a commercial business in town. Mr. Prolman stated that it is not a good thing that you have a commercial district with only small amount of lots that actually meet the zoning code. Jen asked Andy of those that he

has circled and identified as having the minimum frontage; how many of those are agricultural properties right now? Andy stated that none of these are agricultural. Mr. Prolman stated to the Board that if they do nothing, they will get more of the same in regards to commercial development. The other exhibit is a comparison of zoning requirements from all the other towns. Mr. Prolman stated that no other town in our area whether it be a city or small town comes close to us in comparison, and the only way he can reconcile this is if the ordinance was written when we didn't want commercial, because 500 feet plus 200 feet is saying to future business, not Litchfield. Mr. Prolman suggest to the Board that they can pick a number, but if the Board were to propose an ordinance that reduced the frontage down to 300 feet and 250 feet, it would be a positive statement to the business community. Mr. Perry stated that he has been looking at the Town as a whole trying to find space for workforce housing, one of the things he has noticed is that when you start talking about the aquifer district in this town, 90% of this town falls in the aquifer district. Nothing is allowed in an aquifer district; nothing that is business oriented. Mr. Prolman agreed with Mr. Perry's comment; the aquifer protection district is enormous, it really does not allow for this development and the northern district is in a high yield aquifer district.

#### **4. Planning Board Budget for 2013/Expenses for 2012**

Members of the Planning Board went over their budget and made a few suggestions on things they could change or add. The Board also talked about going to workshop sessions.

#### **5. Survey of Litchfield Residents future land use vision and location of multi-family housing and workforce housing.**

Jen stated she was going to generally going to address surveying Litchfield residents for future land use vision, but not necessarily limited to multifamily; but multifamily and workforce housing being one of the pieces of that. Jen handed out a bunch of different ways and techniques that the Board can go about surveying residents and get a feel for what interests are. Jen stated that what she has heard from the board, is that each time they start to think about a zoning change; the question of where comes into play; and the biggest hesitation is agreeing to that piece. The idea of handing out these brochures was to give the Board food for thought and ideas for how about the Board may want to approach this and sampling and getting an idea for what the residents of Litchfield agree to and what are they thinking. By surveying the residents it gives the Board a chance when they go to Town Meeting and say that they surveyed their community and they stand behind this idea. It gives the Board a little more confidence that they are making the right choice and will also help the Board make the right choice. Jen stated to the board the thing they need to decide, is of these tools, which will be the most useful for getting the board the information they need to make the ultimate planning decision.

#### **6. Submittal time for plan changes for cases before the Board. (The Wednesday before the next Tuesday meeting).**

Jen passed out drafts of site plan and subdivision. Jen stated that looking at the subdivision draft; section 320.01, its putting in and formalizing the 21 day submission requirement; we have this on a calendar in which we ask applicants to send their materials in 21 days before the date it is to be heard so that staff can do a completeness review in time before the notices have to go out. On the next page 320.05; adding a line in that says any plan revisions subsequent to acceptance

must be filed the Wednesday or at a minimum 7 days prior to the scheduled public hearing. Jen stated that there is a provision already that says if they don't have everything in 15 days before that completeness hearing; it does not go on the agenda. Jen also stated that there is another small change she put in to the submission requirements; this is trying to line things up with the checklist. Mr. Byron made a comment that when you're proposing changes to these regulations, if Jen could put on some type of tracking note so the Board can see where the actual changes are made over what exists today. Jen stated that in the future she will post as a pdf., instead of a word file. Jen stated that in regards to the site plan regulations is that the submission procedures were not good, so she took the subdivision regs as a model and made proposals for what should go in the site plans to make the submission procedures match. Mr. Byron stated that the only other suggestion he would make is that the Board should take a look at its rules to order. Jens recommendation to the board is to read through the proposed changes, think about whether they sound good and if they do, in some point in the near future we could schedule a hearing and the board could make these changes at the hearing. Mr. Barry stated that the meeting of the 18<sup>th</sup> will be blocked out as a work session.

**7. Refund of escrow account to LaMontagne Builders for Stage Crossing site plan**

Joan stated that this is for escrow money for Stage Crossing for \$1,400.00.

**MOTION:** *by Mr. Barry to refund to LaMontagne Builders for Stage Crossing, the escrow account of \$1,400.00.*

**SECOND:** Mr. Curtis

**VOTE:** 7-0-0.

Other Business and approval of the minutes of August 7, 2012 will be scheduled for the next Planning Board Meeting.

**Election of Planning Board Chairman**

Mr. Leon Barry stated that he would like to step down as Chairman of the Planning Board, because of commitment to his business and does not feel like he can perform as Chairman to his best capacity. Mr. Barry asked if there was any other member who would like to take the Chairmanship of the Planning Board for the remainder of the time. Mr. Russell Blanchette stated that he would like to take this position.

**MOTION:** *by Mr. Curtis to nominate Russell Blanchette to the position of the Chairman of the Planning Board.*

**SECOND:** Mr. Croteau

**VOTE:** 6-0-1. (Mr. Blanchette abstained)

**MOTION:** *by Mr. Blanchette to adjourn*

**SECOND:** Mr. Young

**VOTE:** 7-0-0.

**The motion carried unanimously.**

There being no further business before the Board, the meeting adjourned at 10:00 p.m.

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Leon Barry, Chairman

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Bob Curtis, Vice Chairman

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Frank Byron, Selectman

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Michael Croteau

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Thomas R. Young

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Russell Blanchette

**Minutes taken by: *Donna Baril***