

1 Mr. Barry asked about the maintenance of the access road and Mr. O’Neil responded
2 that he would keep the access road clear.

3
4 Time stamp 7:34 p.m.

5
6 **Public input:**

7 Kevin Lynch, 312 Charles Bancroft Highway commented on local septic setback
8 regulations stating that the 75 ft setback could be changed to 25 feet, citing as his
9 reason that the area was not wetlands, but a swale instead. There followed a
10 discussion upon review of the regulations. Ms. Wright explained that the wetland
11 scientist had defined the area as a manmade vegetated swale. There was further input
12 from Mr. Lynch and Ms. Wright.

13
14 **Discussion:**

15 There followed a discussion between Messrs. Curtis and Wagner to clarify the
16 difference between a buffer and a setback. Mr. Lynch provided further input as an
17 abutter with a conflict of interest with respect to man made buffer zones.

18
19 Mr. Wagner and Ms. Wright provided further input on the subject then Mr. Barry
20 closed the meeting to public input

21
22 The Board discussed whether it needed to vote and what details it felt should be
23 included in the motion.

24
25 **MOTION:** Mr. Curtis

26 *In the matter of the C Colby Subdivision of Tax Map 15, Lot 17, case number*
27 *1106LIT SD M15-L7, the Litchfield Planning Board hereby conditionally approves*
28 *the plans presented incorporating the prior statement of its interpretation of the*
29 *swale (as permitted in section 1207.3 of the Litchfield Zoning Ordinance which*
30 *states “the wetlands conservation buffers shall be encouraged but not required next*
31 *to manmade vegetated swales”). The Litchfield Planning Board after hearing the*
32 *wetland scientist define the area as a “swale and the only reason it is a wetland is*
33 *that it had not been maintained” determined that they would only require a setback*
34 *of 25 feet from the natural wetland delineation as shown on the plan; and further*
35 *the Board feels that this act shall bring the flood zone of the building further from*
36 *the flood zone of the Merrimack River. The Board also requires it be noted on the*
37 *plan that vegetation be maintained for 400 feet along the roadway with an*
38 *easement to be granted if required to ensure maintenance.*

39 **SECOND** Mr. Croteau

40 **VOTE:** 4-0-0

41 **The motion carried unanimously.**

42
43 Time: 8:03p.m.

1 There followed a discussion, with clarification being provided for the benefit of the
2 applicant, with respect to what the ordinance means regarding active and substantial
3 development.
4

5 It was agreed that the draft minutes should be sent directly by the Recording
6 Secretary to Ms. Wright.
7 Time: 8:20 p.m.
8

9 **2. R & D Londonderry Development, LLC, Map, 17 Lot 47, 12 Heron Drive –**
10 **Subdivision of Lot**

11 Scott Murphy of Hayner-Swanson Inc., Engineer introduced himself as representing
12 the applicant, Rich Lannen of R&D Londonderry Development. Mr. Murphy
13 explained the applicant is seeking approval to sub divide one lot into two single
14 family building lots. He went on to provide the Board with details of the size of the
15 lots, their access ways and frontage.
16

17 Mr. Murphy referred to a letter dated May 26, 2011 as provided to the Board from the
18 Litchfield Fire Department which outlined the conditions of the Fire department's
19 approval of the lot sub division, one of which relates to a waiver with respect to
20 distance to a fire hydrant.
21

22 Mr. Murphy confirmed he had received Mr. Wagner's review of the plan, and he
23 reported he has drafted the four waivers which are required.
24

25 Members of the Planning Board discussed with Mr. Wagner the acceptance process at
26 this point. There followed a discussion relative to the waivers from the Town Sub
27 Division regulations as follows:
28

- 29 1. Sub Division Regulation 530, sections k and m (design drainage and erosion
30 control to 25 year storm): It was confirmed neither the Town engineer nor Mr.
31 Wagner had any problems with the plan. The Board requested additional details
32 relative to the sizing of the culvert pipe to be added to the plan notes.
- 33 2. Sub Division Regulation 407 (fire protection): additional signs and requirement of
34 a waiver for distance to the fire hydrant of 600 feet. Mr. Murphy directed the
35 Board to note 16 on the plans.
- 36 3. Sub Division Regulation 415 (irregular shaped lot): Mr. Barry voiced his concern
37 as to whether there would be sufficient dry land for the home owners to add such
38 things as a deck or pool. Mr. Murphy confirmed they are not using the access
39 'fingers' to make up the sizing requirements and reported both areas for building
40 are large enough to meet the requirements. There was also a discussion
41 regarding the frontage size of the lot.
42

43 Time: 9:00 p.m.
44
45
46

1 **Public input:**

2 Arthur Lynch of 338 Charles Bancroft Highway introduced himself as an abutter. He
3 pointed out the land he owns in the area is land locked and this should be corrected.
4 There followed a discussion relative to Mr. Lynch's problem and Mr. Wagner
5 reported this had been discussed in the preliminary consultation.
6

7 Mr. Lannen reported his company is not responsible for land locking Mr. Lynch's
8 property and an easement through or across the driveway for the homes could present
9 a liability issue and therefore they could not provide an easement. There was further
10 discussion of the situation.
11

12 Mr. Barry stated the Planning Board will accept the application and walk the land.
13 Ms. McKibben agreed to check whether the access area is part of the airport
14 mitigation land.

15 **Action: J McKibben**

16
17 **MOTION:** Mr. Curtis

18 **Move that the Litchfield Planning Board does hereby accept the plans for the**
19 **Heron Drive Subdivision Amendment to sub divide Map 17, Lot 47 as submitted by**
20 **Rich Lannen, R&D Londonderry Development LLC, Case number 1107 LIT**
21 **School District M17-L47**

22 **SECOND:** Mr. Croteau

23 **VOTE:** 4-0-0

24 **The motion carried unanimously.**
25

26 Other issues which were raised by members of the Board, and answered by Messrs.
27 Lannen and Murphy were as follows:

- 28 ○ Electricity will be run underground
- 29 ○ A waiver for the septic is pending with the state
- 30 ○ The Fire Chief should be asked to confirm in writing that he is not concerned
31 about the shared access for emergency equipment, and Mr. Lynch will be
32 consulted on this due to new appendix J of the regulation.
33

34 Mr. Barry asked at 9:20 p.m. for public input, and seeing none he moved on to
35 discussing the site walk. A date of July 12, 2011 at 6:00 p.m. was set for this.
36 It was also agreed that the matter should be continued until the next meeting
37 scheduled for July 19, 2011.
38

39 **MOTION:** Mr. Curtis

40 **Move that the Litchfield Planning Board does hereby agree to a continuance in the**
41 **case of 1107 LIT School District M17-L47, Heron Drive Subdivision Amendment**
42 **until July 19, 2011**

43 **SECOND:** Mr. Croteau

44 **VOTE:** 4-0-0

45 **The motion carried unanimously.**
46

1 Russell Blanchette of the Litchfield Cable Committee introduced himself, offering to
2 record the Planning Board meetings. Mr. Barry responded that Ms. McKibben would get
3 back to him on this matter after the Board has discussed it.
4

5 **3. Approval of Minutes**

6 The following amendments to the minutes of June 21, 2011 were proposed:

- 7 ○ Wording on page 2, line 1 should be amended for clarification
- 8 ○ Ms. Wright's job title should be added next to the first reference of her name.

9 **MOTION:** by Mr. Bean

10 *Move to approve the minutes of the Litchfield Planning Board's meeting on June*
11 *21, 2011 as amended*

12 **SECOND:** Mr. Curtis

13 **VOTE:** 4-0-0

14 **The motion carried unanimously.**
15

16 **4. Any Other Business**

17 It was agreed that the Board would put the following matters onto its agenda for
18 discussion at future meetings:

- 19 ○ A possible general zoning change with respect to property access only being
20 taken from legal frontage.
- 21 ○ The Board's options with respect to defining 'active and substantial
22 development' in the absence of a definition by the legislature.
23

24 Time: 9:40 p.m.
25

26 Ms. McKibben distributed an application for Board membership from Thomas Young
27 of 20 Watts Landing. It was agreed that she should arrange for him to attend the next
28 meeting.

29 **Action: J McKibben**
30

31 **5. Proposed Zoning Changes**

32 Mr. Wagner provided an update on an amendment to the ADU regulations, 507.02 j,
33 as suggested by David LeFevre. He stated that once he has received comments from
34 Mr. Lynch the matter can then be tabled until November when a public hearing
35 should be scheduled.
36

37 There followed a discussion on the necessity for developing workforce housing
38 regulations. Mr. Wagner suggested the Board needs to address family units larger
39 than five and he handed out documentation he had prepared. There followed some
40 discussion.
41

42 The following matters were also flagged by Mr. Wagner as matter for future
43 discussion:

- 44 ○ Storm water update
- 45 ○ A possible I-Track project for the Route 3 corridor.

1 The Board discussed other possible Route 3 corridor issues, and Mr. Wagner
2 suggested the Board think about development of the southern side of Town in light of
3 a second bridge over the Merrimack being put back on the table. Mr. Wagner agreed
4 he would move forward on the storm water and 3A study to see if he can obtain
5 financial assistance. He also offered to obtain information on heritage districts for the
6 Board.

7
8 **MOTION:** Mr. Bean
9 *Move to adjourn the meeting*

10 **SECOND:** Mr. Curtis

11 **VOTE:** 4-0-0

12 **The motion carried unanimously.**

13

14 There being no further business before the Board, the meeting adjourned at 9:55 p.m.

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Leon Barry, Chairman

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Bob Curtis, Vice Chairman

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Frank Byron, Selectman Rep

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Barry Bean

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Michael Croteau

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34 **Minutes taken by: *Sandra Maxwell, Recording Secretary***

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