

1 **TOWN OF LITCHFIELD PLANNING BOARD**

2
3 **MEETING Held on June 21, 2011**

4
5 Minutes approved – July 5, 2011

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7 The Litchfield Planning Board held a meeting in the Town Hall conference room, 2
8 Liberty Way, Litchfield, NH 03052 on Tuesday June 21, 2011 at 7:00 p.m.

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10 **MEMBERS PRESENT:** Leon Barry (Chairman), Bob Curtis (Vice Chairman), Barry
11 Bean, Frank Byron (Selectmen’s Representative), Michael Croteau

12
13 **MEMBERS ABSENT:** Jayson Brennen (Clerk), John Miller (Alternate), Joel Kapelson
14 (Alternate)

15
16 **ALSO PRESENT:** Steven Wagner (NRPC Senior Planner)

17
18 **CALL TO ORDER**

19 Mr. Barry called the meeting to order at 7: 07p.m. joining the Board in the Pledge of
20 Allegiance.

21
22 **1. Carrie R. Colby 318 Charles Bancroft Hwy. Map 15 Lot 7**

23 The applicant’s septic system designer, Penny R. Wright of The Wright Choice
24 presented a plan to subdivide Map 15, Lot 7 into two lots. Ms. Wright highlighted
25 the following points:

- 26
- 27 • The owners are proposing access over the existing farm access way.
 - 28 • The farm easement should remain.
 - 29 • The driveway to access the lot would go across the farm easement.
 - 30 • There is a 17ft wide area to be used for the access way which has an existing
31 culvert in place.
 - 32 • The owners are requesting not to have to make any change to the culvert.
 - 33 • The response letter addresses the different requests from each town department
34 which has provided input on the plan.
 - 35 • The Conservation Commission has no objection as far as the aquifer zone is
36 concerned.
 - 37 • If approved, the changes will be incorporated onto the plans.
 - 38 • Adjusted fees are included in the plans.
 - 39 • The owners are requesting that impact fees not be charged until the building
40 permit has been obtained.
 - 41 • The Fire department requested the approach and driveway should be 14 feet wide
42 which can be accommodated without disturbing the culvert.
 - 43 • The owners do not wish to disturb the wetlands or change the culvert.
- 44

45 ***Discussion:***

1 Mr. Barry clarified that a wider driveway can be accommodated and Ms. Wright
2 agreed to update the drawings to indicate the width of the driveway.
3 It was clarified that the plan shows an access way of 14 feet wide to accommodate a
4 fire truck.

5
6 There was a brief discussion for clarification with respect to the driveway and the
7 curb cut.

8
9 Ms. McKibben confirmed the application paperwork is complete, and there was a
10 discussion about acceptance, in which Mr. Wagner explained the difference between
11 acceptance and the approval process for the benefit of the audience.

12
13 **MOTION:** by Mr. Curtis

14 ***Move that the Litchfield Planning Board does hereby accept the sub division plan***
15 ***for tax map 15, lot 7 submitted by Carrie R. Colby of 318 Charles Bancroft***
16 ***Highway, Litchfield NH 03053***

17 **SECOND:** Mr. Bean

18 ***Discussion:***

19 Mr. Byron queried whether the waivers should be considered before acceptance, and
20 the Board reviewed the waivers indicated on the plan and the cover letter of May 17,
21 2011.

22 **Messrs. Curtis and Bean moved and seconded to rescind the motion on the floor.**

23 **VOTE:** 5-0-0

24 **The motion carried unanimously.**

25
26 Ms. Wright confirmed she had also received a waiver from the state with respect to
27 topography, soils and wetlands, and Mr. Curtis requested proof of this. Mr. Wagner
28 noted the waiver number quoted was incorrect and Ms. Wright agreed to do the
29 following:

- 30
- Amend the waiver reference number to 530 (e), (d) and (g) of the Town's Sub
31 Division Land Use Regulations and
 - To obtain a letter from Chris Moore of the state stipulating what the state gave
32 the waiver for.
33

34
35 Ms. Wright clarified that waiver #2: (reference 710 (b), (c) is only for those bounds in
36 the field which would interfere with summer plowing. She requested that they not
37 have to set bounds and pins in part of the area which she indicated on the drawings.
38 There was a discussion for clarification and it was confirmed the waiver is for one
39 bound and two pins marking the easement due to the impracticality of setting these.

40
41 Waiver # 3 (reference 850.10.2 - critical datum): Ms. Wright explained the intent of
42 the waiver, explaining they have put the information onto the same datum as the sub
43 division on the other side of the street for cost reasons. It was explained there would
44 be no impact of doing this and it is common practice. There was a discussion for
45 clarification.

1 Waiver from Appendix J 1.6.2 1 c & d of the Litchfield Residential Driveway
2 Regulations: Ms. Wright reported a wetland scientist confirmed there is no evidence
3 of water flowing over the existing culvert, and based upon this existing culvert size it
4 is adequate as the house will be sufficiently far enough away. There followed a
5 discussion about the use of corrugated metal pipe, and Mr. Wagner recommended that
6 if the Board approve the plan it should request a note that confirming the culverts
7 should be compliant with the Land Use Regulations options at that time if the culvert
8 is ever replaced.

9
10 Mr. Barry asked for public input:

11
12 Kevin Lynch queried as an abutter to the property in question whether an 8 inch pipe
13 will it be sufficient with respect to drainage. There followed a discussion by the
14 Board with respect to how this can be assured. Brian O'Neil (also representing the
15 applicant) commented on the drainage of the lot historically. There followed
16 discussion with respect to the drainage, with input from Steven Calawa.

17
18 The Board discussed how they should deal with the waivers

19
20 **MOTION:** by Mr. Byron

21 ***Move that the Litchfield Planning Board does hereby accept the application of***
22 ***Carrie R. Colby for sub division of tax map 15, lot 7***

23 **SECOND:** Mr. Croteau

24 **VOTE:** 5-0-0

25 **The motion carried unanimously.**

26
27 Mr. Wagner explained what the next step in the process will be for the benefit of the
28 applicant and audience. Mr. Barry explained it is customary for the Board to walk the
29 land to assist it in making a decision with respect to approval.

30
31 Mr. Barry stated he was concerned about the waiver relative to Appendix J and would
32 prefer to table the waivers until after the site walk. He also stated he would like the
33 town engineer to review the plan with respect to drainage, and suggested there be an
34 additional meeting scheduled after the site walk. It was agreed the site walk would
35 take place at 6:00 p.m. on June 28, 2011 and the next meeting of the Board will take
36 place on July 5, 2011.

37
38 Mr. Barry reviewed for the benefit of the applicant what the Board will do on the site
39 walk and discussed things the applicant can do to ensure it is most effective.

40
41 **MOTION:** by Mr. Byron

42 ***Move that the Litchfield Planning Board will continue consideration of its approval***
43 ***of this application with a site walk of the lot in question on June 28, 2011 at 6:00***
44 ***p.m. followed by a Planning Board meeting on July 5, 2011 at 7:00 p.m. at the***
45 ***Town Hall***

46 **SECOND:** Mr. Bean

1 **VOTE: 5-0-0**

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3 **The motion carried unanimously.**

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5 **2. Approval of Minutes**

6 Mr. Byron requested the following amendments to the minutes of May 10th:

- 7 • Page 1, line 24 – state that this is a conceptual review for clarification
- 8 purposes
- 9 • Page 4, lines 22 – 29 – state that Mr. Barry was to communicate with
- 10 members, not that the Board of Selectmen was to communicate with Board
- 11 members.
- 12 • Page 5, line 12 – should read ‘Litchfield is an MS4 and part of the urbanized
- 13 area of Manchester and Nashua’

14
15 Mr. Barry stated he would speak to Mr. Brennan again to ascertain whether he intends

16 to be on the Board.

17
18 **MOTION:** by Mr. Croteau

19 *Move to approve the minutes of the May 10, 2011 Planning Board meeting as*

20 *amended*

21 **SECOND:** Mr. Bean

22 **VOTE: 5-0-0**

23 **The motion carried unanimously.**

24
25 Ms. McKibben reported she has received a letter of resignation letter from John

26 Miller.

27
28 **3. Escrow Releases**

29 Mr. Barry reported he has received a letter from the Board of Selectmen requesting

30 that the Planning Board ensure they are releasing funds on time. Ms. McKibben

31 reviewed her list for those whose escrow funds can be released at this time. Mr.

32 Byron explained why the Board of Selectmen had raised this matter with the Planning

33 Board.

34
35 **MOTION:** by Mr. Bean

36 *Move that the Planning Board does hereby refund escrow funds to Boucher on*

37 *Hillcrest, a/c number 07-1010.05 in the amount of \$3, 722.98 plus interest*

38 **SECOND:** Mr. Curtis

39 **VOTE: 5-0-0**

40 **The motion carried unanimously.**

41
42 **MOTION:** by Mr. Curtis

43 *Move that the Planning Board does hereby refund escrow funds to Larach-*

44 *Amendment Paradise, a/c number 07-1010.20 in the amount of \$1,742.36 plus*

45 *interest*

46 **SECOND:** Mr. Croteau

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VOTE: 5-0-0

The motion carried unanimously.

The Board members held a discussion with respect to the funds being continued and the minimum balance which should be in the accounts. There was also a discussion about Tim’s Turf and Mr. Wagner suggested the Town engineer be requested to sign off on this account. It was agreed that Ms. McKibben would talk to Kevin Lynch regarding Tim’s Turf.

It was also agreed Ms. McKibben should request an ‘as built’ plan for the cell tower which is now complete.

Mr. Barry clarified that the Town engineer should sign off on the accounts in the above mentioned motions prior to releasing the funds.

4. Proposed Zoning Changes

Mr. Wagner provided the Board with a status report on the amended regulations regarding Accessory Dwelling Units and Workforce Housing.

Mr. Barry handed out copies of booklets he had brought from the conference previously attended by him and Mr. Croteau.

Mr. Barry clarified he would like the Board to complete the review of one set of regulations before moving to another.

Mr. Byron suggested they add a severability clause and it was agreed that Mr. Wagner should action this.

Mr. Byron queried variances and the Board discussed the matter. Mr. Wagner agreed to obtain feedback from town counsel and Kevin Lynch.

MOTION: by Mr. Bean

Move to adjourn the meeting

SECOND: Mr. Curtis

VOTE: 5-0-0

The motion carried unanimously.

There being no further business before the Board, the meeting adjourned at 9:45 p.m.

Leon Barry, Chairman

Frank Byron, Selectman

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Bob Curtis, Vice Chairman

Minutes taken by: *Sandra Maxwell, Recording Secretary*