

PLANNING BOARD PUBLIC MEETING

TOWN OF LITCHFIELD

Held on November 3, 2015

Minutes approved Nov. 17, 2015

The Litchfield Planning Board held a meeting in the Town Hall conference room 2 Liberty Way, Litchfield, NH 03052 on Tuesday, November 3, at 7:00 p.m.

MEMBERS PRESENT: Tom Young (Chair), Mike Caprioglio (Vice Chair), Russ Blanchette, Jason Guerrette, Matthew Shoemaker, Steve Perry (Selectmen's Rep)

ABSENT: Michael Croteau

ALSO PRESENT: Jen Czysz (Assistant Director NRPC, Circuit Rider), Joan McKibben (Admin. Assistant)

CALL TO ORDER

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

Public Input:

No members of the public wished to speak.

1) The Board will vote to accept an application by Pamela Lane and Heidi Miller at Tap Map 18 Lot 63, 375 Charles Bancroft Highway to subdivide one lot into two lots in the residential zone. If the aforementioned application is accepted, notice is hereby extended to application approval consideration and/or continuation to a date certain as required.

Joan stated that all fees have been paid and all abutters have been noticed.

Motion: by Mike Caprioglio to accept the application by Pamela Lane and Heidi Miller at Tax Map 18 Lot 63, 375 Charles Bancroft Highway.

Second: by Russ Blanchette

Vote passed: 6-0-0

Joan stated that the Engineer needs to explain the application. Jen mentioned that the Board needs to follow the checklist, right now they are on step 5, determining if the application is a development of regional impact. The hearing was just convened and identified that everything was in completeness and voted to accept the application as completed.

Motion: by Michael Caprioglio that there is no regional Impact

Second: by Russ Blanchette

Vote passed: 6-0-0

Mr. Nick Loring from Benchmark Engineering is in front of the Board to represent Pamela Lane and Heidi Miller for their application for a two lot subdivision, Map 18 Lot 63. Mr. Loring explained and showed where the property was. Mr. Loring mentioned that the lot is zoned residential and the property currently has an existing home with a garage attached and they are proposing to subdivide off that front portion with the house and garage, identified as map 18 lot 63-2 and it will have access on route 3A, there is an existing driveway and that driveway is going to be a portion of Lot 63's driveway easement over to lot 63-2. The existing house that is there is serviced by onsite sewer and well, also received state subdivision approval for the front lot. As part of the project they met with Kevin Lynch, the Town's Zoning Officer and it was determined that since our applicant is not proposing to build on Lot 63 at this time, no variances will be required. At this point there are no intentions of developing the back lot 63. They are doing this because it is a family owned parcel and they built a house for their son out front and know they are just trying to separate a house lot off for the son and just keep the backlot as an undeveloped lot. The applicant understands that any future development of this rear lot would require additional approval for zoning to make it a buildable lot or they would have to come back before the Planning Board. As far as the application goes, there are 5 waiver requests: 1) Wetland mapping: not proposing any new construction., 2) Topographic Survey: GIS data does not show steep slopes in the vicinity., 3) Amount of wetland area, 4) Site Specific Soil Mapping: no new development proposed, Soil mapping has been completed as needed. 5) Escrow Fee: no new engineering is required.

Joan stated that they have submitted \$2,000 escrow fee in lieu of the \$5,000.

Motion: by Steve Perry to approve the Subdivision Regulation, Section 530 H, E,D and G along with Appendix F, the escrow fee.

Second: by Matthew Shoemaker

Vote passed: 6-0-0

Mr. Loring wanted to point out to the Board that for the rear lot, they added notes stating that Map 18 Lot 63 is not to be considered a buildable lot until appropriate State and Local approvals are obtained. This will be the subdivision plan that will get recorded at the Registry of Deeds.

Condition of Approval: If Map18 Lot 16 is ever to be developed, it must comply with the zoning in effect at the time of development, or obtain a variance from the Zoning Board to allow the development. Approval of this plan shall not be deemed to create either a “hardship” or “unique circumstance” as those terms are utilized in Zoning.

Jen stated that they received the Driveway easement and the well radius easement yesterday and they have already gone to Town Counsel who did not have any concerns with the easement language. Jen Stated that it was a simple straightforward application with the exception of the frontage question.

Public Comment

No members of the public wished to speak

Motion: by Matthew Shoemaker to approve the application with the condition of approvals: Plan copies with professional seals and signatures, Original mylar with professional seals and signatures, Electronic submission per regulations, All fees paid and escrow maintained as required, Changes to the Plat as detailed to the minutes and this report: If the application is determined to conform with the Zoning Ordinance’s frontage requirements and no variance is sought, the following condition should be placed on the approval and added to note 8 on the Subdivision Plan “If Lot 18 Map 63 is ever to be developed, it must comply with the zoning in effect at the time of development, or obtain a variance from the Zoning Board to allow the development. Approval of this plan shall not be deemed to create either a “hardship” or “unique circumstance” as those terms are utilized in zoning.” State Permits - Curb Cut and Subdivision (Sub surface/Septic)

Second: by Steve Perry

Vote Passed: 6-0-0

2) Zoning Changes from the Code Enforcement Officer

Kevin Lynch Zoning Official came in front of the Board to propose a zoning change.

Kevin stated that there are two changes: one of the things is that we have a 20’ setback

for all structures including sheds. If a shed is under 100sq.ft. you do not need a permit, and is seeing a lot of these sheds in a 10' setback. Over 100 sq.ft. under the Zoning, a permit is required. Kevin is suggesting that we reduce the minimum setback for sheds no greater than 120 sq.ft.(because the average shed is a 10x12) from 20' setback to a 10' setback from the side and rear of the property, 50' off the front right of way.

Albuquerque required a 75' setback from the right of way of Albuquerque. Kevin is asking to have it changed to a 50' setback which will match what has been built on Albuquerque before 2005. Kevin stated he is just trying to keep everything consistent. Kevin also mentioned changing the wetland setbacks.

Mr. Caprioglio stated that they should move this to the next meeting for discussion, the Board agreed.

Jen stated that for the next meeting she will tweak the definition of structure, add to the housekeeping amendment document, the setback changes including Albuquerque, wetlands and sheds. Jen stated frontage will be put on the to do list for another day.

Approve Minutes of October 20, 2015

Motion: by Mike Caprioglio to approve the minutes of October 20, 2015 as written

Second: by Russ Blanchette

Vote Passed: 4-0-2.

Motion: by Jason Guerette to Adjourn

Second: by Russ Blanchette

Vote Passed: 5-0-0.

The Next Planning Board meeting will be held on Tuesday, November 17, 2015 at 7:00 pm. All welcome to attend.

The meeting adjourned at 8:20.

Minutes taken by: Donna Baril