

**Raymond Planning Board Minutes
January 28, 2010**

Approved 02/04/2010

Place: Raymond High School; Media Center
Call to Order: 7:00 p.m.

Members Present: Jonathan Wood, Chairman; Carolyn Matthews, Vice Chairman; Jim Kent, Secretary; Bill Hoitt, Selectmen's Ex-Officio; Gretchen Gott.

Staff Present: Ernest Cartier Creveling, Community Development Director; Robert Price, Planning Technician.

Pledge of Allegiance

Approval of Minutes

Members Sitting for January 14, 2010 Approval of Minutes: Jonathan Wood; Carolyn Matthews; Jim Kent; Bill Hoitt.

MOTION: Carolyn Matthews made a motion to approve the minutes of January 14, 2010 as drafted. Jim Kent seconded. The motion passed with a unanimous vote of 4-0-0.

Gretchen Gott arrived to the meeting at this time.

Members Sitting for January 21, 2010 Approval of Minutes: Jonathan Wood; Carolyn Matthews; Jim Kent; Bill Hoitt; Gretchen Gott.

MOTION: Carolyn Matthews made a motion to approve the minutes of January 21, 2010 as amended. Gretchen Gott seconded. The motion passed with a vote of 4-0-1, with Jim Kent abstaining.

Public Hearing – “Clematis Court” Subdivision

Members Sitting for this Hearing: Jonathan Wood; Carolyn Matthews; Jim Kent; Bill Hoitt; Gretchen Gott.

Application #2007-030 – An application for an amended subdivision known as “Clematis Court” has been submitted by Jones & Beach Engineers, Inc. on behalf of Blackbriar Woods, LLC. The applicant proposes to consolidate Map 29, Lots 58-5, 58-6, 58-7, 58-8, 58-10, 58-11 & 58-12 into one lot, and then re-subdivide, creating nine lots out of the original seven lots listed above. Additionally, the applicant is proposing to perform a lot line adjustment between Map 29, Lot 58 and Map 29, Lot 57 to resolve an existing fence and septic encroachment. Lastly, the applicant has noted that proposed newly created lots 58-11, 58-12 & 58-14 can support duplex units. This subdivision originally received conditional approval on July 23, 2009 and was amended September 24, 2009. The properties are shown on Raymond Tax Map 29, Lots 57, 58, 58-5, 58-6, 58-7, 58-8, 58-10, 58-11 & 58-12; Prescott Road & Clematis Court.

Community Development Director Cartier Creveling noted the application can be accepted as complete for review purposes.

MOTION: Gretchen Gott made a motion to accept amended Application #2007-030 as complete for review purposes. Jim Kent seconded. The motion passed with a unanimous vote of 5-0-0.

Mr. Cartier Creveling read the Zoning Determination into the record, a copy of which is on file at in the Community Development Department.

Joe Coronati of Jones & Beach Engineers, Inc. and Keith Martel of Blackbriar Woods, LLC outlined how the plan has changed for the Planning Board. He noted when the original subdivision was approved, the applicant took note that if the lot lines were adjusted, the applicant could gain an additional two lots. Therefore, they would like to consolidate several of the lots, and re-subdivide them to create the additional lots.

Additionally, following the original approval, the applicant was approached by Paul McCoy, who owns abutting Map 29, Lot 57. Mr. Coronati explained that there is an existing fence encroachment onto Mr. Martel's property, and there is also confusion as to where the septic system for the house on Lot 57 is located. Mr. Coronati stated Mr. McCoy feels that the septic system is likely located on Mr. Martel's property as well, adding that Mr. McCoy has a septic easement in place. Mr. Coronati noted that they could not locate the septic system as it is quite old, and likely the original system servicing that property.

Mr. Coronati explained as a means to correct the fence and septic issue, Mr. Martel would like to conduct a lot line adjustment to give some land to Mr. McCoy. This action will put the fence entirely onto Mr. McCoy's property, and should also eliminate the need for the septic easement.

Mr. Coronati next noted that the drainage at the end of the cul-de-sac now has more capacity, in order to accommodate the additional lots. He noted that the roadway has already been constructed, and it has not changed in any manner. He also noted that the detention pond located alongside Prescott Road also has not changed.

Mr. Cartier Creveling noted that Altus Engineering, the Town's peer review engineer, has not yet completed its review of the plans due to a miscommunication; however a review should not take long to complete.

Carolyn Matthews asked if the swale shown on the new lot 58-10 was shown on the original plan. Mr. Coronati noted that the grass swale was shown on the old plan.

Mr. Coronati noted the lots suitable for duplex units as 58-11, 58-13 and 58-14. He added that there were some lots suitable for duplex units on the original approval,

however they did not bring that up at the time, meaning Mr. Martel would have had to come back to obtain Planning Board approval, as he did with his "Stone Creek Village" subdivision.

The Planning Board next went through each of the items listed in RSA 36:55, addressing each one individually to determine if the project has regional impact. Those criteria are as follows:

- I. Relative size or number of dwelling units as compared with existing stock;
The Board found this project did not have regional impact for this criterion.
- II. Proximity to the borders of a neighboring community;
The Board found this project did not have regional impact for this criterion.
- III. Transportation networks;
The Board found this project did not have regional impact for this criterion.
- IV. Anticipated emissions such as light, noise, smoke, odors, or particles;
The Board found this project did not have regional impact for this criterion.
- V. Proximity to aquifers or surface waters which transcend municipal boundaries; and
The Board found this project did have regional impact for this criterion.
- VI. Shared facilities such as schools and solid waste disposal facilities.
The Board found this project did not have regional impact for this criterion.

MOTION: Gretchen Gott made a motion to declare this project to have regional impact, with notification to be sent to the Town of Epping, Southern NH Planning Commission and Rockingham Planning Commission. Jim Kent seconded. The motion passed with a vote of 3-2-0, with Bill Hoitt and Jonathan Wood opposed.

Bill Hoitt noted during the original approval, the Planning Board requested that one of the lots be eliminated. Mr. Coronati noted that lot is now lot 58-10, which is a 5 acre lot on the new plan. He stated no development will occur near the wet area on this lot, or near the house located on abutting lot 57.

Carolyn Matthews stated she recalls a vote during the last approval process where the Planning Board determined that then-lot 58, now lot 58-10, is not buildable. Mr. Coronati stated he removed a different lot, then called lot 58-16, and combined it with

then-lot 58, now called 58-10. He stated the original lot 58-16 was determined to be too wet to build upon.

The Planning Board expressed concern with having a mostly-wet buildable lot that consisting of five acres. Mr. Martel stated he understands the Board's position, and is open to suggestion. Jonathan Wood suggested cutting off the buildable area from the mostly-wet area, and donating that unbuildable lot to the Town, which would require an action by the Board of Selectmen.

Carolyn Matthews stated on sheet E1, she does not recall having seen Note 10 on the previous plan. Mr. Coronati explained that note was not on the plan last time, adding that it is a standard note to comply with the new Alteration of Terrain regulations. He added that this project is not subject to Alteration of Terrain, but their system automatically generates these standard notes for every plan they draw. He stated the note should have been removed, and he would remove it from the plan.

Carolyn Matthews stated on sheet A1, Note 12 indicates that the Town will be responsible for the maintenance of the drainage. She stated she seems to recall this would not be the case. Mr. Coronati stated following the approval, in discussions with Public Works Director Dennis McCarthy, Mr. McCarthy indicated he would accept maintenance of the drainage.

Jonathan Wood asked about the proposed houses for this subdivision. Mr. Martel explained he intends to use the same type as was used in his "Stone Creek Village" subdivision – approximately 28' x 32', 1,700 square foot homes.

Jonathan Wood stated he sees houses crossing wetland setbacks on lots 58-9, 58-10, 58-11 and 58-14. He requested a residential site plan for each of these lots. Mr. Coronati explained he has septic designs for each of these lots, and submitted them to the Board. Mr. Cartier Creveling noted this would be acceptable in place of a residential site plan for each of the lots. Mr. Martel stated he is happy to submit these plans to the Board, provided, however that they are merely used as an exhibit to illustrate a point, and not as something he will need to hold to, as field conditions can change plans. The Board agreed.

The Board noted that it has placed on the ballot a residential sprinkler zoning amendment. Mr. Martel stated he will adhere to zoning as it stands after Town Meeting in regards to the homes he has not yet started building. He noted he has started construction on a few homes, and, as is required by law, these homes will have residential sprinkler systems installed.

PUBLIC COMMENT

There was no public comment.

Mr. Martel stated he would like this process to take as little time as possible, as he would like to take advantage of the homebuyer tax credits, while they are still available.

MOTION: Gretchen Gott made a motion to continue this hearing to February 18, 2010 at 7:00 p.m. at Raymond High School. Jim Kent seconded. The motion passed with a unanimous vote of 5-0-0.

Work Session – Excavation Regulations

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Jim Kent; Bill Hoitt; Gretchen Gott.

The Planning Board continued its work on revising its Excavation Regulations. Mr. Cartier Creveling reviewed the additions made to the draft regulations, as were requested by the Board during its January 21, 2010 meeting.

On the topic of length of permits...

- Gretchen Gott stated she feels five years is too long. She would prefer a two year maximum.
- Carolyn Matthews stated she feels a four year maximum is appropriate, but would approve of five years. She feels two years is not long enough.
- Jim Kent agrees that two years is too short a time. He feels three years is appropriate. He also would like to see permit length mesh with RSA 155:E regarding abandonment and reclamation.
- Bill Hoitt feels that permits should be at least four years, adding he is also comfortable with five years.

The Board next went page-by-page reviewing each proposed change.

Other Business

The Board heard reports from its members serving on other Boards and Committees.

Adjournment

MOTION: Jim Kent made a motion to adjourn. Bill Hoitt seconded. The motion passed with a unanimous vote of 5-0-0. The meeting adjourned at 9:39 p.m.

Respectfully submitted,

Robert Price
Planning Technician