

## HENNIKER PLANNING BOARD

September 15, 2010

*Draft Minutes*

**Members Present:** Kristin Claire, Chairwoman; Ed Miner; Rick Patenaude, Vice-Chair; Jeff Roach; Leon Parker, Selectman, ex-officio; Dale Jennings, Alternate; Kellie Dyjak

**Others Present:** Mark Fougere, Town Planner; Tracy True-Allen; Peter D. Mellen, LLS; Jennifer Astholz, Recording Secretary

### *Call to Order*

Chairwoman Claire called the meeting to order at 7:00 pm.

### *Review and Approve August 11, 2010 Meeting Minutes*

Minutes of the August 11, 2010 meeting were reviewed and corrected. Leon Parker *moved* to approve the minutes as corrected. Jeff Roach *seconded* the motion. Motion *passed* 6-0.

### *Board Discussion*

A. Conceptual Consultation: The Applicant is proposing to subdivide an existing 56 acre parcel into four lots. The property is located at the corner of Hemlock Corner Loop and Ray Road, Lot 77-X, owned by Tracy True-Allen and located in the RR Rural Residential district.

Rick Patenaude recused himself from the Board for this discussion.

Mark Fougere, Town Planner, stated that he met with the surveyor for a few minutes to discuss the plans. Mr. Fougere stated that the applicant would need a waiver from the Subdivision Regulations for the dog-legged configuration of Lot 77-X-3. A brief outline describing the project was distributed to the Board.

Lot 77-X is the lot where the existing house is located. Mr. Mellen showed the subdivided parcels that the applicant would like to create. Mr. Mellen explained that part of the reason for the oddly shaped lots has to do with wetlands on the property. He questioned whether a waiver from Section 207 of the Town Subdivision Regulations would be necessary. Mr. Mellen stated that he understands this type of requirement is oftentimes used when a developer is creating a road with development on both sides of the road. He asked the Board to give their opinion as to any potential problems that they may see with the plans.

Ms. Claire showed the areas on the plans that were of concern to her (ie, the excessive narrow dog-legged lot and irregular boundary line between Lot 77-X-4 and Lot 77-X-5).

(Ms. Dyjak arrived at 7:11 pm.)

Mr. Mellen stated that the owners would like to keep the lot on the lake for now. Ms. True-Allen stated that they are planning to keep some of the property for family reasons, but they would like to sell proposed Lot 77-X-4 and Lot 77-X-5. If they want to add acreage to Lot 77-X-3 in the future, it could easily be redistributed from Lot 77-X.

Mr. Parker stated that if that is the desired plan, then two regular-shaped, 10-acre lots could be created another way. Ms. True-Allen asked if he was familiar with the land. She stated that Lot 77-X is originally part of an old farm, and they are trying to maintain the natural boundaries and maintain the frontage along Long Pond as well as meet the 250' frontage along Ray Road. She stated that the intent is to keep the two lots connected while maintaining the fields and natural boundaries that are already there.

Mr. Parker stated that it is difficult to see the entire picture without the wetlands being shown on the plans. Mr. Mellen distributed plans depicting wetlands. He showed that the majority of the backland is wet. He stated that allowing for the contiguous upland acreage accounts for the dog-leg configuration of the lots. There was some discussion about access to the various lots. They may be able to straighten out some boundary lines but would need a right-of-way to access Lot 77-X-4.

Mr. Mellen suggested that a site walk may be helpful during the application process. He stated that test pits have been done, and there is sufficient area for three building sites.

Ms. Claire stated that utilizing the natural boundaries makes sense, and she understands the applicant's desires; however, there may be other ways to create more desirable lot configurations.

Mr. Parker stated that it would be advantageous to see more detail on the plans. Hearing no further comments, the conceptual consultation was finished.

Mr. Patenaude rejoined the Board at 7:29 pm.

Kellie Dyjak requested to re-open discussion of the 8/11/10 meeting minutes. She stated that her vote for approving the July 14, 2010 meeting minutes was incorrectly recorded. She stated that she abstained from the vote as she did not attend the July 14, 2010 meeting. The change was noted. Mr. Parker *moved* to approve the 8/11/10 minutes as corrected; Mr. Roach *seconded* the motion. Motion *passed, 7-0*.

B. Sign proposed Lot Merger form – 685 Craney Hill Road (PB2010-09), Lots 648A & 650X, Brian and Dawn Sanel

Mr. Parker *moved* to have the Planning Board Chair sign the Lot Merger form. Mr. Patenaude *seconded* the motion; motion *passed, 7-0*. Ms. Claire signed the form.

*Miscellaneous Business*

Mr. Fougere informed the Board that a subdivision plan that was approved in 1987 may be coming before them at an upcoming meeting. He stated that the plan was approved and included on the Town tax maps; however, the plan was never recorded. He stated that the plan needs to get State subdivision approval, and the applicant has hired a surveyor to begin the State process. He stated that if the board reconfirms the vote from 1987 approving the subdivision, then it can legally be recorded properly. There is nothing in the subdivision regulations that state that this type of condition would have lapsed. Mr. Jennings clarified that taxes have been paid on the two lots since 1987. Mr. Fougere stated that the Town has represented this as two lots since the Planning Board vote in 1987.

Mr. Fougere stated that this will be put on a future agenda if it meets State approval.

*Other Business*

Mr. Fougere announced that the Law Lecture series is coming up and asked Board members to register if they are interested in attending.

*Adjournment*

Mr. Miner *moved* to adjourn at 7:53 pm. Ms. Dyjak *seconded* the motion. Motion *passed, 7-0.*

Respectfully submitted,

Jennifer Astholz  
Recording Secretary