

**TOWN OF EPPING, NEW HAMPSHIRE
PLANNING BOARD MEETING**

THURSDAY October 28, 2010

PRESENT – Mike Morasco, Steve Colby, Selectmen’s Representative Karen Falcone; Alternates Brian Reed & Dave Reinhold; Planner Brittany Howard.

CALL TO ORDER: Vice Chairman Morasco opened the meeting with the Pledge of Allegiance and called the meeting to order at 6:05 p.m.

DISCUSSION: Luis Catinchi (Property on Birch Rd.)

Luis Catinchi spoke about his property on Birch Road that he would like to put a home on. He understands that he would have to maintain the road because it is a Class VI road. Howard stated that the road is not closed subject to gates and then explained that after this meeting Catinchi would have to go before the Board of Selectman for file approval. If Catinchi gets approval from the Board of Selectman he would then need a Building Permit from the Building Department.

Morasco motioned that Catinchi can bring his proposal before the Board of Selectman. Colby seconded it. The motion passed 5-0.

DISCUSSION: New England Dragway – Jones & Beach

Wayne Morrill and Joe Lombardo came before the Planning Board to discuss a wetland violation that happened in 2008 on the Brentwood side of the track. Morrill stated that wetland violation has been mitigated and been through the Brentwood Planning Board process. However, since the track is located in Brentwood and Epping the Epping Planning Board must also sign the Mylar.

There was some discussion about how the new lights, haunted acres, and the motor-cross were working out for the track.

Selectman Falcone made a motion to sign the plan, seconded by Colby, the motion passed 5-0. The Mylar was duly signed.

Morasco appointed Dave Reinhold and Brian Reed to sit in for Greg Tillman and Dave Crowell.

PUBLIC HEARING: Lot Line Adjustment
Owner/developer: Virginia Bell & Southeast Land Trust of NH
Location: 100 Blake Road **Tax Map 020 – Lot 017 & Tax Map 20 – Lot 008**

Vice Chairman Morasco read notice of a hearing for a Lot Line Adjustment by Virginia Bell & Southeast Land Trust of NH. Abutters present: O’Leary & Richardson, Matthew Jensen, Philip Primack, and Eunice Miller.

Brian Hart, the Executive Director of the Southeast Land Trust, is one of the applicants. Unfortunately Virginia Bell passed away on Friday, October 22. Hart handed the Board two letters, one from Ms. Bell’s Family’s lawyer, Daniel Jones out of Exeter and one from the Southeast Land Trust. Hart then spoke about the sales agreement between the Land Trust and Bell that has been in place for over a year. He then spoke to the process of getting an Administrator for the estate. They have a closing date of no later than December 31, 2010 because of the funding source available to them. It can take 6-8 weeks to get an administrator, the family is aware of the lot line

adjustment. Hart is looking for a conditional approval from the Board with the condition being written confirmation from the administrator of the estate that the sale can go forward. Hart said if the Board wants to wait for the Administrator to be appointed, the application will probably not be heard until January because of the Holidays and the time that must be given for noticing meetings.

Bill Doucet from Doucet Survey then discussed the lot line adjustment. He then passed out a color coated map to show where the old and new lot lines will be. Yellow and light green are currently owned by the Bell family. The dark green is what Southeast Land Trust currently owns. After the lot line adjustment happens the light and dark green will become one lot. Southeast Land Trust will have 96 acres and the Bells will have 12 acres. Both lots have frontage on Blake Road. The land will be going to conservation.

Brian Hart then spoke to what the land will be used for. The funding is coming from LCHIP (Land Community Heritage Investment Program) therefore an executory interest deed will be in place which restricts the use of the property from development; if Southeast Land Trust violates this the State then takes the property. The deed also requires the land to be open to the public, hiking, fishing, hunting, etc.

Howard then asked about the uses. Hart said that motorized vehicles are not compatible with the use of the property, they do however allow snowmobile use.

Access of the property was then discussed. Currently people park along Blake Road or Folsom Mill Lane and walk to the property. In the future they may come back before the Board to discuss an actual parking place but that is not in the current plan.

Morasco Open to Public Comment.

Matthew Jensen wanted to know if the land would always be in conservation or if 50 years the trust may change it bylaws and the use may change. Hart then explained what Southeast Land Trust stood for, they are a nonprofit with a mission to conserve land, if they cannot live up to this mission the land will be dispersed to other entities that would protect the land.

Eunice Miller spoke about dealing with the Southeast Land Trust and how they have not responded to the flooding caused to her property by a beaver dam that is on their property. Hart then addressed the issue surrounding the beaver dam and that they brought in Fish and Game. Fish and Game did not see it as the main issue for the flooding. A landowner has the right to take down a beaver dam but they cannot bring in any equipment to do so.

Phil Primack wanted to state his support for the lot line adjustment and that his land currently has a conservation easement on his property with the Southeast Land Trust, which would be creating an exciting conservation corridor along the river.

Bob O'Leary is concerned about the uses allowed on the property and how it is going to affect him and his property. Morasco stated that all land is huntable with permission of the home owner and that there is a setback for hunting; he recollects that it is 500 feet from a dwelling.

Matthew Jensen wanted to know how the property is maintained. Hart then spoke about a forestry management and habitat plan that the Trust will be undertaking after they own the land.

Morasco closed the Public portion

Selectman Falcone wanted to know about the forestry and habitat plan and why they were not presented to the Board. Hart addressed this question, because the Board does not have jurisdiction over it. The Board would have

jurisdiction if they were going to build on the property. Once the trust owns the property LCHIP and the Board of the Trust.

Morasco motioned to grant the Lot Line Adjustment by Virginia Bell & Southeast Land Trust of NH with the condition of written confirmation from the administrator of the estate. Seconded by Reed. Motion Failed 3-2. Selectman Falcone, Colby, and Reinhold voted no, Morasco and Reed voted yes. The Board was then polled.

Selectman Falcone didn't believe it was in the best interest of the Town. She would like to see plans and would be more comfortable if someone in the town was monitoring it as well.

Colby would like to see some kind of mechanism that the resident's issues would be addressed.

Reed agrees with the conditional approval.

Reinhold would like more information from the board.

Howard then recommended that the Board may push the public hearing off to the next meeting so that they can get more information from the Land Trust.

Morasco withdrew his motion and made a new motion to rehear this application on November 16. Motion was seconded by Colby. Motion passed 5-0.

PUBLIC HEARING: Lot Line Adjustment
Owner/developer: Timothy McNeil
Location: 72 Olde Bridge Lane **Tax Map 020 – Lots 26-26 & 26-27**

Vice Chairman Morasco read notice of a hearing for a Lot Line Adjustment by Timothy McNeil. Abutters present: There were no abutters present.

Joe Coronati from Jones and Beach was representing both Timothy McNeil and Arcus Homes. The driveway and propane tank are over the property line. The adjustment will make the propane tank and driveway complaint with the setbacks. The acreage will remain the same for both lots after the adjustment. Since the lot line has changed an as-built will be need for the neighboring lot which is under construction for the well and septic location.

Open to Public Discussion

Luigi Sera wanted to make sure that he will get his as-built before the plan is recorded.

Selectman Falcone motioned to approve the lot line adjustment with the condition of an as-built being submitted to Arcus Homes prior to final approval. Colby seconded the motion passed 5-0

PUBLIC HEARING: Lot Line Adjustment
Owner/developer: 100 Oaks Development, LLC
Location: 60 Olde Bridge Lane **Tax Map 021 – Lots 14 & 15**

Vice Chairman Morasco read notice of a hearing for a Lot Line Adjustment by 100 Oaks Development, LLC. Abutters present: Jeffrey & Cathleen Francis

Joe Coronati from Jones and Beach was representing both 100 Oaks Development, LLC. The propane tank was over the property line. The adjustment will make the lot complaint with the setbacks. There will need to be a well

release easement. The acreage will remain the same for both lots after the adjustment.

Open to Public Discussion

Jeff Leombruno wanted to make the Town aware that there are builders who do not know where their lot lines are and they are building house on them. There was more discussion about lot lines and prior to building that monuments should be in place.

Howard stated that the Building Department is requiring meets and bounds to be placed prior to Certificate of Occupancy. They are also looking into Foundation Certification.

Reed motioned to approve the lot line adjustment for lot 14 & 15 on Olde Bridge Lane with the condition of a well easement on lot 14. Colby seconded the motion passed 5-0

PUBLIC HEARING: Two-Lot Subdivision

Owner/developer: Irving C. Hoag, Jr. Trust

Location: 260 Main St. **Tax Map 022 – Lot 062**

Vice Chairman Morasco read notice of a hearing for a Two-Lot Subdivision by Irving Hoag, Jr. Trust. Abutters present: There were no abutters present.

Joe Coronati showed and discussed the proposed subdivision. The lot is wooded and does have some wetlands on it. It is in the High Density Residential Zone and the new lot will be served by Town water and sewer. The lot will be subdivided into two lots, the house will have 0.52 acres and the new lot will be 1.62 acres. He submitted a waiver request for HISS mapping and topography, due to the fact the lot is relatively flat and the property will be served by water sewer.

Opened to the Public.

Closed to the Public.

The Board talked about drainage and that they would address the water coming off of Main Street when the new lot applied for a driveway permit.

Colby made a motion to accept the waivers as stated in the letter 10.2 D and 10.2 K. Reed seconded the motion. Motion passed 4-0 with Selectman Falcone abstaining.

Colby made a motion to accept the plans seconded by Reed Motion passed 4-0 with Selectman Falcone abstaining.

Reed made a motion to approve the plans Colby seconded the motion passed 4-0 with Selectman Falcone abstaining.

DISCUSSION: Rick St. Jean – Map 034 – Lot 044 Property off Witham Rd.

Rick St. Jean handed out plans and a letter on what their intent was for the property. St. Jean and Richard Fisher have gotten permission to cross Witham Road from the Board of Selectman. There was some discussion surrounding the Town Road Regulations and how wide a road would have to be to use the property.

Howard stated that they would have to come before the Board to obtain a waiver if they wanted to build a road that was not up to Town Regulation.

There was some discussion about whether the road was going to be a private road or a town road. Fisher wants it to be a private road and wanted to poll the Board to see if they could have a 16 foot grave road with 2 foot shoulders and more. Howard stated that would be done through the waiver process. There was more discussion about the length and width of the road.

Howard stated the property in the Aquifer Protection District; there are some wetlands issues on the property that need to be resolved. There was some discussion surrounding the wetlands issues on the property and if the wetlands were delineated.

Planner Report

Walgreen's is going to be putting in a RedBox.

Two Bills need to be paid – Appledore Engineering Bill was for the work that was done on Sydney Lane and Jones and Beach bill was for the work that was done on the water tower. Both of these bills will be paid out of their respective escrow accounts.

Selectman Falcone motioned to pay the bills and move the remaining money from the water tower account into the general fund. Colby seconded motion passed 5-0.

The Board discussed warrant articles and that the Board of Selectmen would like to see them by the November 29 meeting.

The Board discussed the Planning Board Budget and that the Board needs to have a representative at the Board of Selectmen's meeting to discuss the budget.

Colby then spoke about the meeting with DOT about the intersection of 27 and 125. The meeting was televised so anyone in the public can view it. The DOT has two plans that at the Town Hall if anyone would like to see it. Colby gave a brief synopsis of the meeting and the different proposals.

ADJOURNMENT: The meeting adjourned at 8:05 PM.

Respectively Submitted,

Brittany Howard
Town Planner

NOTE: THE NEXT MEETING WILL BE HELD NOVEMBER 16, 2010 at 6:00 p.m.

102810pbmin.doc pg.1-5