

Town of Jefferson
Office of the Planning Board

Minutes

October 28, 2014

Members present: Acting Chairman Jeff Young, Michael Meehan, Jason Call, alternate; Kevin Meehan, Selectmen's representative;

Absent: Chairman Gordon Rebello, Donna Laurent, Gilbert Finch, alternate; Scott Guerin, alternate, Charles Muller

Others present: Charlene Wheeler, Board secretary, Tim Sutherland

In the absence of regular Board members, Jason Call was designated a voting member for this meeting.

Minutes

Michael Meehan made the motion to approve the minutes of the September 9, 2014 meeting as read, seconded by Kevin Meehan. The vote to accept the motion was unanimous.

Consultation – Cronin Estate

Tim Sutherland, representing Lynda Simmons as heir to the John P. Cronin estate, presented the Board with a proposal to subdivide land, Tax Map 10, Lot 48A. The proposal would divide 16.5 acres into two lots, lot 1 being 9.58 acres and lot 2 being 6.92 acres. Both lots have 200 or more feet of road frontage. Board members said they would need documents to show that Lynda Simmons is the legal owner of the property or that she had been appointed by the probate court with legal rights to make decisions about the property. Mr. Sutherland said she was aware the property was in current use on the town tax roles. Jason Call asked how close the lot line of proposed lot 2 was to the existing house on proposed lot 1. Mr. Sutherland said it was about 30 feet. The setback required by the Land Use Ordinance is 50 feet. Jason Call outlined what options he thought the Board had to address this issue. The setback requirement could be waived which would leave a road frontage of 200 feet. The line could be redrawn so there is at least a 50 foot setback from the house and the frontage requirement could be waived with the condition there be no further subdivision on either lot. Or the applicant could go to the Board of Adjustment and ask for a variance on the setback. Mr. Call thought it might be difficult for the applicant to argue a hardship case for a variance no to mention the extra cost. Other Board members agreed saying the best solution was to redraw the lot line and waive the 200 feet of road frontage on the condition that there be no further subdivision of lot 2. Mr. Sutherland was given a subdivision application and checklist and will contact the Board secretary when he has the required information. He thanked the Board and left the meeting.

Consultation – Girourd

Roger Girourd has submitted a formal application to the Board a new plats and a mylar of his property (Map 6, Lot 32) proposing a newly configured lot with 200 feet of frontage on Girourd Lane coming off Turnpike Road. The new lot would be 5.30 acres and the remaining lot 39.90 acres. Board members again examined Mr. Girourd's plat. The Board secretary had the 2004 subdivision file and a copy of the plat that was stamped approved. The Board went through the checklist to see if the information they required was on the most recent plat submitted. Some structures known to exist within 200 feet of the proposed subdivision were missing and needed to be added. Soils information needed to be edited. Soil type 613B was missing from the soils summary list. It was also very unclear as to how much area of each type of soil was on each proposed lot and this needed to be clarified. Land falling within the Shoreline Protection Act was not indicated as it had been on the 2004 plat. Board members also checked the Flood Insurance Rate Map and again there was a large area falling within the Special Flood Hazard Area (FIRM # 33007C0920D) and needed to be noted on the plat. Sections of the Subdivision Regulations were referenced. In particular, Section 6.5 pertaining to land susceptible to flooding and Section 8.5 listing items the Board needs to consider in granting approval for a subdivision such as orderly access streets, potential health and safety hazards, etc. Also referenced was RSA 674.41 regarding private road frontage issues. Discussion followed on how these so designated areas of land impacted the buildable areas of the two proposed lots. Board members checked Article VII, Section 7, Floodplain Development Provisions of the Land Use Ordinance. Should the NH Department of Environmental Services be consulted even though each proposed lot is more than 5 acres? Should a private expert consultant be hired to advise the town? Does the Board have the authority to deny creating of a lot with these issues or is this a question of the lot owner faced with very expensive costs to build to meet the floodplain provisions in the ordinance. It was also noted because of the Shoreline Protection Act there are setback requirements of 250 feet from the Israel River which may impact development. At the very least the applicant needed to be aware of possible future requirements in order to build. There was also concern about Girourd Lane. It is designated a private road. Any lot is required to have 200 feet of frontage on a public road. It is very unclear the status of Girourd Lane since there are no minutes to explain what was done in 2004 when a lot was created on it. Some members thought it should be upgraded to town specifications and become a named public road with a maintenance agreement for its care. There was also a question if there were any wet areas along the road. At the very least Chief Chris Milligan should be asked to inspect Girourd Lane to access if there are any safety issues with the need to use emergency vehicles. The Board directed the Board secretary to contact the town's attorney to ask for advisement on all these issues. She will contact Mr. Girourd and discuss the changes the Board wants to see on the plat.

Financial Report

Jason Call made the motion to accept the financial report, seconded by Michael Meehan. The vote to accept the motion was unanimous.

Communications

The Board secretary reported a new copy of this year's Planning Handbook from North Country Council has been ordered for each Board member.

It was noted the Board has to post notices of a hearing about changes to the Land Use Ordinance before January 10, 2014. The Board has voted to remove Article X, Section 4.D.12. Michael Meehan said the Board should consider removing the word "placed" from Article IV, Section 2 of the Land Use Ordinance to clarify the requirement. This will be addressed at the next Board meeting.

Brian Matson has requested a consultation with the Board about his property on Turnpike Road. He will be put on the November 11 meeting agenda.

North Country Council will hold a public hearing on *A Plan for New Hampshire's North Country* on November 19 at 5:50 p.m. at the Rock's Estate, Bethlehem. The plan is based on surveys taken last spring from town boards and other public sources by North Country Council. This report is also posted on line at the www.nccouncil.org.

Copies of building permits were circulated.

Copies of Selectmen's minutes were circulated

The September/October issue of *Town and City* magazine was circulated.

Unfinished Business

Since Jason Call who is a member of the Jefferson Board of Adjustment (ZBA) was at this meeting he was asked if Article X, Section 4.D.9 which requires there be a minimum distance of 3 miles between any towers over 70 feet in height needed to be eliminated as it has been waived before by the ZBA. He felt it wasn't necessary as this encouraged telecommunication companies to co-locate on already existing towers.

Discussion of issues arising from landlocked lots that exist in the town was tabled until the next Board meeting.

Michael Meehan made a motion to adjourn the meeting, seconded by Jason Call. The meeting was adjourned at 9:30 p.m.

Charlene Wheeler
Secretary to the Board