

Town of Jefferson
Office of the Planning Board

Minutes

October 8, 2013

Members present: Chairman Susan Griffin, Donna Laurent, alternate; Michael Meehan, Gordon Rebello, Vernon Matson, Jeff Young, Charles Muller, Kevin Meehan, Selectmen's representative

Absent: Jason Call, alternate

Others present: Charlene Wheeler, Board secretary, James Lewis, Catherine Lewis, John Riff, attorney; Sheila Horne, Barry Nelson

Minutes

Jeff Young made the motion to approve the minutes of the September 24, 2013 meeting and the September 30, 2013 Lewis site visit as read, seconded by Gordon Rebello. The vote to accept the motion was unanimous

James Lewis Hearing (continued)

Chairman Griffin reopened the hearing to determine recommendations requested by Selectmen on the access to the James Lewis property who has made application for an after-the-fact building permit. The property in question is located on State Route 116, Map 7, Lot 20B. Instead of direct access from his lot to Rt. 116, Mr. Lewis proposes access to Rt. 116 using an easement, following a former logging road, across Lot 20C. The easement, being granted to Mr. Lewis by the owner of Lot 20C, Clare Ashe, connects to Route 116 at the entrance to the old logging road. Chairman Griffin reopened the public hearing for questions and comments. Attorney Riff, representing Mr. Lewis, wanted to know what were the specific issues the Planning Board was dealing with. Chairman Griffin said the Board is considering only the access across Lot 20C. A plat drawn by a licensed surveyor showing the exact location and dimensions of a 50' right-of-way across Lot 20C to the driveway on Lot 20B is needed so it can be recorded. This information is needed so that the area to be removed from current use can be calculated. Also a state driveway permit needs to be obtained to the right-of-way. Chairman Griffin reemphasized the Planning Board is making these recommendations to the Selectmen but it is the Selectmen who will make the final determinations not the Planning Board. Gordon Rebello said safety concerns are always an issue, which is why the fire chief was asked to attend the meetings. Charles Muller added that conditions of the road such as drainage to surrounding areas is a concern as well, the 1983 subdivision is being changed. Gordon Rebello said the access to Route 116 is also a concern, will it be acceptable to the state. Attorney Riff said the road has been there for many years. Mr. Lewis insisted there always had been a road in that location as well as buildings and they have always used it. However, Board members agreed there is only a temporary logging road whose state permit had expired running across another owner's property. Previously the Board secretary said she had contacted NH Department of Transportation (NHDOT) in Lancaster and was told there was no state driveway permit on file, the temporary permit

for the logging road had expired a few years ago. Chairman Griffin said the Board has tried to address the request from the Selectmen as quickly as it could. Michael Meehan explained that the only plat the Board has to go by is the original 1983 subdivision. Mr. Lewis had obtained an easement but there was never any plan to show where the easement was located or its dimensions. Granting an easement or right-of-way affects the original subdivision. Attorney Riff confirmed the easement from Clare Ashe granting Mr. Lewis the right to cross her property has been filed at the Registry of Deeds. He asked Kevin Meehan when the next Selectmen's meeting is and was told September 21. The Planning Board secretary reminded him the Selectmen would have to hold their own public hearing and notices would have to be posted as required so September 21 may not be a certain date. Mr. Lewis asked if he would have to pay for those notices as well and was told he would have to. Attorney Riff asked where the Planning Board is given the power to regulate this road issue. Chairman Griffin said Mr. Riff should check the Board's previous minutes of the hearing and the information he has received from the town's attorney. A written report from the Jefferson Fire Chief was submitted to the Board and copies were given to Attorney Riff and Mr. Lewis. A name correction in the letter was made. (A copy of the report is attached to these minutes.) Chairman Griffin asked if there were any more questions or comments. There being none, Jeff Young made the motion to close the public hearing, seconded by Gordon Rebello. The vote to accept the motion was unanimous. Chairman Griffin circulated a draft letter of final recommendations to Selectmen. Charles Muller made the motion to send the letter as written to Selectmen, seconded by Gordon Rebello. The vote to accept the motion was unanimous. (A copy of the letter is attached to these minutes.) Ms. Ashe will be mailed a copy. Mr. Lewis gave the Board a check to cover the cost of notices of this hearing. Attorney Riff, Catherine Lewis, James Lewis, and Sheila Horne left the meeting. Mr. Nelson said he would correct the name on the letter from the fire chief and send it to the Board secretary. He then left the meeting.

Financial Report

Charles Muller made the motion to accept the financial report, seconded by Jeff Young. The vote to accept the motion was unanimous.

Communications

The Board secretary said the NH Municipal Law Lecture Series she and Chairman Griffin had attended in Littleton was very informative. She asked information they had received be discussed at a future meeting. It will be put on the November 12 meeting agenda as the Board chairman will not be able to attend the October 22 meeting.

Copies of Selectmen's minutes were circulated.

Copies of building permits were circulated.

Unfinished business

Chairman Griffin reported she had spoken to Joe Marshall from PSNH to check approximate rates for costs to install utilities above and below ground. She wanted to see

how Wayne Lieberum's estimate for installation of underground utilities compared with these cost figures. A sheet outlining these cost estimates was circulated to Board members. Chairman Griffin spoke to Mr. Lieberum on the telephone and discussed these rates with him. She told him rates aren't getting any cheaper and thought the current letter of credit at approximately \$15,500 should be nearly doubled to \$35,000 when installation of transformers are added. There is a possibility that PSNH may be able to double these rates as of next April 1 if the Public Utilities Commission approves requested rate changes. Mr. Lieberum asked what the town could do if utilities aren't installed. Chairman Griffin said the town could deny building on the lots if no utilities are installed. She also told him the longer he waits any current regulations at the time will have to be followed. If the Board doesn't hear from Mr. Lieberum by December he will be notified of his letter of credit which expires in January, Board members agreed the installation of utilities as required in the subdivision regulations should be discussed at a future meeting. The topic was tabled until another meeting.

Kevin Meehan reminded the Board the Selectmen will be starting their budget process and need budget requests for the coming year. The Board secretary will begin preparing a draft budget request for the Board to consider.

Jeff Young made a motion to adjourn the meeting, seconded by Charles Muller. The meeting was adjourned at 8:11 p.m.

Charlene Wheeler
Secretary to the Board