

PLANNING BOARD TOWN OF FRANCESTOWN, NEW HAMPSHIRE

November 17, 2020
MINUTES

Planning Board Members - Present: G. Bernstein, K. Fitzgerald, B. Hardwick, B. Howell (ex-off.), L. Kunhardt, R. Lindgren, S. Pyle; - Absent: none.

Alternates - Present: L. Heath; P. Behen - Absent: T. Anderson

Others Present: Please see file for attendance sheet.

L. Kunhardt is taking the minutes.

The meeting was brought to order at 6:00pm physically at the Town Hall upstairs meeting room and via ZOOM (an electronic platform approved by NH Governor Chris Sununu for use by official public body use in 2020.)

Announcements and Communications: 1) Receive various email submissions, letters or documents relative to two Public Hearings for Shattuck, M3/ L17 & 18 (add to case records); 2) CIP handout provided to board.

Minutes: 7/21/2020, 8/18/2020, 9/15/2020 - Without objection, each set approved with prior revision.

10/20/2020 - Discussion. Strike L. Kunhardt's name from Public Hearing portion; change language on page three. **Motion:** K. Fitzgerald moves to approve as amended.

Second: S. Pyle **Vote:** (favor) G. Bernstein, K. Fitzgerald, B. Hardwick, L. Heath, S. Pyle; (abstain) L. Kunhardt.

New Business: Hoey, M9/L17-2, 800 Poor Farm Rd. Site contractor, Kris Stewart of Francestown Sand & Gravel, provides update. Discussion. Project incomplete do to house design change but this change is likely to result in less impact to steep slope and is better fit for lot. Request is for time period extension. Current permit expires December, 2020. Discussion. PBoard in receipt of third party reviewer reports of erosion control implementation. Work to date meets approval. Further discussion. Kevin Leonard, of Northpoint Engineering, third party reviewer, affirms that Kris has done a very good job and been good at communications. Does board want oversite during winter? Yes, during leach field installation. After freeze up and during winter, any observed erosion will be addressed by FS&G, as needed, by augmenting erosion control measures. **Motion:** S. Pyle moves to extend work permit for 1 year, to include installation of the leachfield as shown on existing plan. No work will be done on steep slopes prior to receipt of revised stamped plan following final home design changes. **Second:** K. Fitzgerald **Vote:** (favor) G. Bernstein, K. Fitzgerald, B. Hardwick, L. Heath, L. Kunhardt, S. Pyle. Letter of permit extension to be sent to Building Inspector.

Public Hearing:

L. Kunhardt recuses.

Sitting on case - P. Behen, G. Bernstein, K. Fitzgerald, B. Hardwick, L. Heath, B. Howell (ex-off), S. Pyle

CASE #20-SD-03 Continued from 10/20/2020. A subdivision application from Mellissa D. and Ronald A. Shattuck, Jr. owners of property identified on the Francestown Tax Map as Map 3 /Lot 18 & 17.

Agent for applicant, J. Lefebvre, of Meridian Land Services, provides sketch of eight lot layout for an open space development with roadway parallel to existing road. Discussion ensues. 8th lot not viable

as public access open space may not include commercial property. Lot lines not defined, sketch only to meet request for presentation of concept. D. Brodeur, Meridian Land Services requests board to vote on which proposal they will approve. Board finds request premature as facts and evidence remain outstanding. Attorney for applicant, Jason Belagus speaks. B. Howell speaks. Other board members speak. Discussion. Testimony repeats that of previous meeting re: Master Plan_Land Use Section; National Register of Historic Places_neighborhood designation; Town Zoning Article 5; obligations of PBoard. Continued discussion.

Fracestown Conservation Commission Chair B. Hardwick reports for the Commission. 1) AoT permit was discussed and concerns exist. 2) Noted that Kunhardt property has significant wetlands but plan does not show 100 ft wetland setback lines, only shows 50 ft setback from property line wall. 3) Plan fails to show perennial stream that flows through Kunhardt, through Shattuck into St.Cyr before entering Brennan Brook. 4) Stump dump should be identified on plan. 5) Logging road created through wetland would be easily used for further development.

Concom will submit hard copy of report for record.

Agent states there are no plans for further development at this time.

D. Brodeur, notes Env-Wq 1503.02 reminding board that while DES exempts agricultural uses an AoT permit will be required for the subdivision lands.

Discussion re: cultural heritage / view shed, discern advantages of open space development vs ordinary development with conditions (i.e. landscape buffers), house character styles? Further discussion.

K. Fitzgerald opens comment to public.

Amy Manzelli, Esq., representative for concerned citizens of Fracestown, submits for file various documents and will provide a PDF tomorrow. Requests the PBoard take no action tonight and that when it does act, that it deny the sub-div application. Provides multiple references the PBoard must utilize in decision making and lack of such information provided in the sub-div application.

The following is a list of speakers: J. Davis, D. Shattuck, K. Shattuck, B. Tolman, T. Henshaw, D. Jonas, G. Neilley, B.J. Carbee, H. Davidoff, P. Hunter, A. Chambers, P. Horsley, Journey's End Rd resident (?), B. Folsby, G. Schlattenburger. Many spoke in favor of the original project in that it is an allowed land use consistent with the Zoning Ordinance and Sub-division Regulations. Many spoke in opposition to the original project as being of a design inconsistent with: the Master Plan, the character of the Old County Road neighborhood, the cultural importance of this neighborhood to Fracestown, agricultural soils, nearby wetlands and aquifer and the desire to see development more in keeping with the community than a standard 4 lot subdivision. Discussion. PBoard makes decisions based on NH State Law, the Master Plan, the Fracestown Zoning Ordinances and Regulations and not based on personal character. Further discussion re: AoT permitting. D. Brodeur states he spoke with Michael Schlosser, PE at DES and received specific guidance about what permitting will be needed - only on the "4 new lots" and not on any land that enters into and remains in agricultural use. PBoard asks for letter or email from M. Schlosser, PE confirming same. Continued discussion. **Motion:** K. Fitzgerald moves to close the Public Hearing. **Second:** S. Pyle. **Vote:** (favor) P. Behen, G. Bernstein, K. Fitzgerald, B. Hardwick, L. Heath, S. Pyle. Public Meeting for this case is continued to 6:00pm, December 1, 2020.

Public Hearing continued from 10/20/2020. Case 20-SP-02 Application for Site Plan Review Mellissa D. and Ronald A. Shattuck, Jr. Map, Lot 18. Discussion. PBoard believes it advisable to wait on discussing results of CRC until after a site walk for the site development plan has been conducted. Agent believes site walk has been conducted. However, no plans were available at the time of the subdivision walk and there has been no focused site walk for the area of development. Such site walk is scheduled for 10am Saturday, November 21, 2020. D. Brodeur requests guidance from PBoard relative to items outstanding in application. PBoard explains that in order to make recommendations, a site walk must be conducted. Discussion. **Motion:** S. Pyle. moves to continue the hearing until

December 1, 2020, 6:00pm. **Second:** B. Hardwick. **Vote:** (favor) K. Fitzgerald S. Pyle, G. Bernstein; B. Hardwick B. Howell, P. Behen, L. Heath. Motion carries.
Public Hearing continued to 6:00pm, December 1, 2020.

Next meetings: 1) On-Site - November 21, 2020 at 10:00am
2) Public Meeting/Public Hearing December 1, 2020 at 6:00pm.
Meeting adjourned at 9:35 pm.