

PLANNING BOARD

TOWN OF PETERBOROUGH, NH

Minutes of March 13, 2017

Members Present: Chair Ivy Vann, Alan Zeller, Bob Holt, Rich Clark, Jerry Galus, and Ed Juengst

Staff Present: Peter Throop, Director and Laura Norton, Administrative Assistant, Office of Community Development

Chair Vann called the meeting to order at 6:30 p.m. and introduced the Board and Staff. She then read the first case:

Boundary Line Adjustment and Four-Lot Subdivision - A Boundary Line Adjustment between Parcel R001-002-100 and R001-007-000 to transfers approximately 5.1 acres to the latter parcel and a four-lot (major) subdivision of Parcel R001-007-000, with all parcels having frontage on Cunningham Pond Road. The applicant has requested a waiver of Planning Board Subdivision Regulations Section 237-3. A. that requires “major subdivisions” to be reviewed by the Board as a “Preliminary Conceptual Consultation” prior to holding a Public Hearing.

As a Selectman for the Town and town-owned land being an abutter to the property, Mr. Juengst recused himself and left the table to sit in the audience.

Chair Vann noted a request to waive the preliminary consultation review and noting a poll of the Board she said “we do not do that” adding “and the Board would like a site visit before we hear this.” She then invited the applicant to present their case.

Heather Peterson introduced herself as the representative for the Peterson Family Trusts. She noted the land had been in her family for over 70 years. “My grandparents purchased it” she said as she pointed out their original home (currently Peteridge), a log a cabin, carriage house, the boat house, stone walls and field. She noted the carriage road around the property.

Ms. Peterson noted her father passed away in 2001 and her cousin’s (Andy Peterson) father passed away in 2011 “so it is getting on to the next generation.” She told the members they had attempted to sell the parcel in its entirety for many years “but it has been out there for a long time.” She told the Board her mother was 95 years old, her aunt 90. “There is not a lot of time to wait for someone to buy the whole thing.” That being said Ms. Peterson noted a buyer who was interested in 20 acres. “She would buy it as three lots, one for herself and one for each of her daughters.”

Pointing out the area for the Board and audience she also pointed out features such as Bailey Brook and Casalis Pond as well as the constraints of a town restriction of a 100-foot setback for the former town water supply. “The pond hasn’t been used as a water supply since 1972. It will never be a source of drinking water again but could still be used as a water reservoir in the event of a catastrophe” she said.

Ms. Peterson then reviewed the boundary line adjustments as well as the subdivision that would follow. She noted the graphic showed a yellow outline of the existing lot and a brown line to show how the lots would change. "The left lot controls the shoreland and the right is the upland" she said adding "the boundary line will also control the trees as the trees control the view." She concluded by noting "it is an adjustment based on contours and is actually a more natural division."

Chair Vann entertained potential times for a site visit. Mr. Throop told the Board he would invite Public Works Manager Seth McLain and the Conservation Commission to accompany them for their input. Chair Vann interjected "this will be publically noticed and all are welcome to attend."

From the audience Doug Williams introduced himself and asked about the site visit. "How much of this will we see?" he said. Chair Vann replied "as far as we can get" adding "we want to certainly see the test pit sites and where the house will be. We will go as far as we can." Judy Blake introduced herself and asked "are the proposed boundaries marked?" Ms. Peterson replied "yes, they are granite posts but we will have the surveyor refresh the flagging."

Proposed Zoning Amendment: Section 245 -24.1 Accessory Dwelling Units (ADU) to eliminate the requirement for filing a "Notice of Owner Occupation" at the registry of deeds.

Chair Vann began with a brief review of this ordinance that allows as a matter of right all zoning districts that allow single-family dwellings (on a parcel where only one existing, legally conforming single family dwelling already exists) an accessory dwelling within, attached or detached (such as a garage or barn). She noted 245-24.1Cii stated "the property owner shall submit to the Code Enforcement Officer a signed and notarized "memorandum of adequate notice" on a form provided by the Office of Community Development, to be recorded at the Registry of Deeds at the applicant's expense."

A brief discussion about this particular requirement followed. Concerns were that it made no sense and it may be an undue burden on the Code Enforcement Officer. Mr. Throop interjected "I encourage you not to make this change." He went on to note the process was simple (involving a one-page notice of memorandum submitted one time) that would notify any future owner of the obligation. "I urge you not to remove this, it is *not* an onerous process" he said.

A supporter of eliminating the memorandum, Chair Vann retracted the recommendation with regret. When asked if a motion was needed the members agreed the Minutes would reflect their discussion and that nothing further was necessary.

Other Business:

Chair Vann began by noting "we have a candidate for an alternate's position on the Board." She introduced Andrea Cadwell gave a brief biography and expressed her interest in land use and planning. "I have taken some courses at Antioch and I think participating on the Planning Board is the most interesting way to use that knowledge" she said.

Chair Vann briefly explained the responsibility of becoming a member and asked "are you comfortable with that?" Ms. Cadwell replied she was. Mr. Throop noted Ms. Cadwell would be filling the remainder of Mr. Weeks' term. "A trial run" interjected Ms. Cadwell with a smile.

A motion was made/seconded (Galus/Holt) to appoint Ms. Cadwell as an Alternate to the Planning Board with all in favor.

Minutes: A motion was made/seconded (Galus/Juengst) to approve the Minutes of the February 22, 2017 Workshop with all in favor.

The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Laura Norton
Administrative Assistant