

**TOWN OF THORNTON  
PLANNING BOARD**

**PLANNING BOARD MEETING MINUTES  
August 15, 2013**

**CALL TO ORDER:**

T. Phillips called the meeting to order and led the pledge of allegiance at 6:00 pm.

**ROLL CALL:**

The following members/alternates were present:

T. Phillips, Chairman	S. Babin, Vice-Chairman	G. Kimball, Member
F. Freeman, Member	R. Gilman, Alternate	F. Gunter, Alternate
J. Paul-Hilliard, Ex-Officio	S. Macintosh, Member	

T. Phillips appointed alternate F. Gunter as a voting member in place of C. Piantedosi.

**Lot Merger: Nericcio/Carr Map 15 Lot 2-5 and Map 15 Lot 2-18**

Present: D. Nericcio and Steven Carr

The Planning Board reviewed the completed, notarized application for lot merger for Map 15 Lot 2-5 and Map 15 Lot 2-18.

D. Nericcio stated that the dwelling on Map 15 Lot 2-5 has been removed, leaving only one dwelling on Lot 2-18.

T. Phillips stated that the merger would make the lot larger and more compliant.

**MOTION: "To approve the application for lot merger for D. Nericcio and S. Carr for Map 15 Lot 2-5 and Map 15 Lot 2-18."**

Motion: G. Kimball

Second: S. Macintosh

Discussion: None

Motion Passes: 7 – Yes 0 – No

J. Fleury informed the applicants that N. Decoteau will forward a copy of the approved paperwork.

J. Fleury requested that the applicants visit the office on Friday to provide payment for recording as N. Decoteau will be back from vacation.

**Approval of Minutes:**

**MOTION: "To approve the minutes of August 8, 2013 worksession as submitted."**

Motion: F. Gunter

Seconded: S. Macintosh

Discussion: None.

Motion Passes: 4 – Yes, 0 – No                      Abstained: S. Babin, G. Kimball, J. Paul-Hilliard

**PLANNING ASSISTANT UPDATE:**

- Fraser Meadows applicant will attend September meeting to discuss paving and letter of credit.
- Northern Pass Maps are available on the Town website.
- Benton Gravel Pit – has received approval for the Alteration of Terrain Permit

**6:30 PM PUBLIC HEARING: Waterville Birches/ Tom Avallone**

Application for Site Plan Review submitted by Tom Avallone on behalf of property owner Waterville Birches LLC for property identified as Tax Map 17 Lot 14-15, located at Weeping Birches Lane, for continuation with Phase II of an existing project by constructing 21 detached single units in condominium organization.

T. Phillips opened the public hearing and thanked T. Avallone for inviting the Planning Board to a site walk on August 8, 2013.

T. Avallone provided a brief history of the previous approvals of Waterville Birches:

- Applied in 2007 and received approval for a two phase project. Phase 1 had already been cleared.
- When Phase 2 was approved, he promised the Board that he would meet with them again before beginning Phase 2 to show any changes.
- In 2009, T. Avallone requested a change of plans to remove the 1 four-plex and 2 three-plexes and replace them with duplexes. The duplexes proved to be more marketable.
- Nine buildings are completed, eight are sold.
- Established homeowners association.
- In 2009, the Planning Board approved the change in units on Black Birches from the 10 that were approved to 9 units. Planning Board approved to add the one unit from Phase 1 into Phase 2.
- June 2013, amended the plan to include all single units.

T. Avallone stated that the new plan includes a range of distance between each unit ranges from 30.6 to 33 feet to meet zoning requirements.

T. Avallone stated that the driveway profiles have been changed and agreed with T. Phillips that some of the driveway angles should be changed to enhance the viewing area as well as the removal of some foliage to provide 225 foot site distance.

T. Phillips recalled his concern with some of the driveway angles during the site walk and limited viewing area appears to have been corrected on the new plan.

T. Avallone stated that all of the drainage plans from 2007 has been brought forward to the current Phase 2 plan as requested. The Board reviewed the drainage plans. T. Avallone stated that the retention pond will encroach on the neighboring property, White Birches. T. Avallone stated that he is working on a slope and drainage easement with Bob Haskins that would straddle his property.

T. Phillips discussed the intentions of a level spreader.

T. Avallone stated that in 2007 he had a \$200,000 letter of credit. After Phase 1 was completed, the Planning Board reduced the letter of credit to \$50,000. The letter of credit expired about three years ago.

T. Avallone stated that he would like to establish a new Letter of Credit for each part of Phase 2.

T. Avallone explained that he plans to complete Phase 2 in stages (2.1, 2.2, and 2.3) to allow him to build and sell before moving on to additional building.

T. Phillips requested that the building/development phases be indicated on the plan so that it is clear what phases are covered by the line of credit.

T. Phillips would like to see the drainage included on the plan as part of Phase 2.1 to make the details of what the letter of credit covers clear.

T. Phillips stated that the drainage and ponds should be completed in Phase 2.1.  
T. Avallone agreed that this will be included in Phase 2.1.

T. Avallone stated that he is applying to the state Site Specific for an amendment and does not foresee any reason for the application not to be approved.

T. Avallone stated that there will be a separate home owners association for the 21 homes to be constructed as part of Phase II which he is revising at this time.

T. Avallone confirmed that the main roads will be paved and the driveways will remain dirt.

T. Phillips asked about the distance of open and closed drainage.

T. Avallone stated that this concern has been addressed and they do meet those guidelines now.

T. Phillips mentioned the town drainage standards should be reviewed by Nobis to make sure they are meeting Alteration of Terrain permit criteria as well as the town's standards.

T. Phillips stated that if any of the standards cannot be met then a request for a waiver should be filed by the applicant.

T. Phillips does not believe that road standards are applicable for site plan applications but appreciates the changes that T. Avallone has made in grading. The road plans have not changed since 2007.

T. Phillips began reviewing the site plan review checklist.

T. Phillips stated that applicants should review the checklist with the Planning Assistant in advance of the public hearing.

T. Phillips suggested that the Planning Assistant can complete an informal review of the application and checklist prior to the public hearing to save time on checklist items that are easily observed.

T. Phillips provided T. Avallone with a copy of the checklist so that he can be prepared to make sure that his plan is complete.

T. Avallone agreed that he would like to meet with the Planning Assistant to review the checklist before the board votes on accepting the application as complete.

Abutter B. Haskins stated that he has drainage concerns from the property on the hill.

T. Avallone agreed that he would like to meet with B. Haskins to explain the drainage changes and meet with the Planning Board on September 19, 2013.

B. Haskins agreed.

T. Phillips stated that the application will be reviewed and a public hearing will be continued to September 19, 2013 at the Town Hall.

#### **Approval of Minutes:**

**MOTION: "To approve the minutes of July 18, 2013 as amended."**

Motion: F. Gunter

Seconded: G. Kimball

Discussion: The board made amendments and a final draft was printed and approved.

Motion Passes: 5 – Yes, 0 – No Abstained: S. Babin

### **7:30 PM PUBLIC HEARING: Excavation Regulations**

The Planning Board will hold a Public Hearing to consider adopting the updated Excavation Regulations. A copy of the updated Excavation Regulations is available on the town website and at the Thornton Town Office located at 16 Merrill Access Road in Thornton, NH.

T. Phillips opened the public hearing at 7:55 p.m.

T. Phillips called for any comments or concerns.  
No comments or concerns were voiced.

#### **MOTION: "To approve the updated Excavation Regulations as presented."**

Motion: G. Kimball

Seconded: F. Gunter

Discussion: None.

Motion Passes: 6 – Yes, 0 – No

### **OTHER BUSINESS:**

F. Freeman stated that he is still working on determining the Town's ability to require sprinkler systems in structures.

S. Babin informed the Board that he is very familiar with the National Fire Protection Association (NFPA) 13 and offered to provide a copy to F. Freeman for review.

### **Review first draft of Zoning Ordinance**

The board discussed the definition draft of the zoning ordinance.

T. Phillips explained the suggestions and thought process of the board members during the work session on August 8, 2013.

J. Fleury provided a list of Board member feedback discussed at the work session.

The board had a lengthy discussion on accessory apartments, more than one dwelling per lot, and the definition of *family* as stated in the draft ordinance.

The Board agreed that they would like the assessor to attend the work session to clarify the reason why more than one dwelling on a single lot is discouraged.

The board set the next workshop date for September 5, 2013 at the town hall.

R. Gilman stated that the biggest problem he foresees is the lack of enforcement of the zoning ordinance. He feels the town needs a compliance officer to visit properties and make sure that the zoning ordinance is being followed.

S. Babin recommended informing the Selectmen of this situation and need for enforcement.

J. Paul-Hilliard stated that the Board of Selectmen are working towards the goal of having a code enforcement officer. They do currently respond to complaints or obvious violations. J. Paul-Hilliard agreed to bring this concern to the next Board of Selectmen meeting.

At 9:40 the following motion was made:

**MOTION: "To adjourn."**

Motion: S. Babin

Seconded: F. Gunter

Discussion: None

Motion Passes: 6 – Yes, 0 – No

Respectfully submitted by:

Jessi Fleury  
Board Secretary

Approved on: September 19, 2013

# Planning Board

Meeting Date: August 15, 2013

Sign In Sheet

**PLEASE PRINT YOUR NAME AND ADDRESS.**

Thank you!

1. DIANE NERICO 2331 RT 3 THORNTON NH
2. STEVEN E. CARR 2331 RTE 3 THORNTON NH
3. TOM AVALLONE 15 CAREY CIRCLE THORNTON NH
4. BOB HASKINS 13 LAUREL CIRCLE THORNTON NH
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