

TOWN OF THORNTON PLANNING BOARD

Planning Board Meeting Minutes Thursday, January 21, 2016

CALL TO ORDER – SALUTE OF FLAG:

In the Absence of Chairman S. Babin Vice-Chairman F. Freeman called the meeting to order at 6:02pm and led the Pledge of Allegiance.

ROLL CALL:

Members present:

F. Freeman, Vice Chair	B. Dutto, Member	N. Decoteau, Ex-officio
G. Kimball, Member	B. MacIntosh, Member	
R. Gilman, Alternate	D. O'Donnell, Alternate	

Staff Present: B. Regan, Planning Director

F. Freeman appointed D. O'Donnell to fill the position of S. Babin and R. Gilman to fill the vacant seat as voting members for the meeting.

APPROVAL OF MINUTES:

MOTION: "To approve the Minutes of December 17, 2015 as amended."

Motion: G. Kimball

Second: B. Dutto

Discussion: B. Regan noted he received minor corrections from individual board members which were incorporated into the minutes as presented.

Motion passes: 7-YES, 0-NO

NEW BUSINESS:

1. Zoning Ordinance ARTICLE VIII: D. Home Occupation: Teaching violin lessons
Jessica Bartlett [Map 17 Lot 7-4102B] at 14 Clover Dr.

J. Bartlett presented an overview of her proposal to provide violin lessons in her residence as described in her letter of request to the board.

F. Freeman offered his opinion that music lessons seemed to him "to be the quintessential home occupation."

F. Freeman verbally ran through the requirements of the applicable provision of the Zoning Ordinance, item by item, noting the proposed use to be compliant with those provisions.

B. Dutto asked if "abutters have been notified?"

B. Regan stated the provision of the ordinance, as written today, do not require abutter notification.

J. Bartlett stated she had letters of support from other Clover Drive residents and presented those letters to the board for the record.

MOTION: "To approve the request of Jessica Bartlett for a Home Occupation, offering violin lessons, at 14 Clover Drive further identified as Map 17 Lot 7-4102B, as submitted."

Motion: N. Decoteau

Second: D. O'Donnell

Discussion: None

Motion passes: 7-YES, 0-NO

2. Zoning Ordinance ARTICLE VIII: J. Sign: "*fiddlehead field*" Jessica Bartlett [Map 17 Lot 7-4102B] at 14 Clover Dr.

J. Bartlett described her proposal for placement of a sign at 14 Clover Dr.

B. Regan presented a copy of the submitted sketch of the proposed sign to the board.

N. Decoteau asked what the dimensions of the sign would be?

J. Bartlett stated she was still working with the artist on the final product.

F. Freeman asked where the sign would ultimately be placed?

F. Freeman asked about the ownership of the land upon which the sign would ultimately be located.

Scott Bartlett was present and verbally acknowledged his ownership of the property in question as well as his consent to the sign application.

N. Decoteau suggested the board get the property owner's signature on the "application", for the record.

General discussion took place regarding the state right of way on Rt. 49 as it may impact the placement of the proposed sign.

J. Bartlett agreed to limit the sign to 4' x 4' on "double posts and to be placed "off of the state right of way" and presented an annotated copy of the proposed sign with the signature of owner Scott Bartlett acknowledging his agreement and consent.

MOTION: "To approve the request of Jessica Bartlett for a Home Occupation, offering violin lessons, at 14 Clover Drive further identified as Map 17 Lot 7-4102B as submitted."

Motion: B. Dutto

Second: G. Kimball

Discussion: None

Motion passes: 7-YES, 0-NO

PUBLIC HEARINGS:

6:15pm: Boundary Line Adjustment

F. Freeman opened the Public Hearing at 6:25pm and read the notice into the record as follows:

Public Hearing to consider an application submitted by K. French for a Boundary Line Adjustment between properties owned by G. Andrew Carignan Jr. identified as Map 9 Lot 1-3-7 and Map 9 Lot 1-3-8 located off True Lane.

K. French presented copies of the plan and Mylar for the board's review.

K. French proceeded to describe the property owners desire to adjust the acreage of the lots to more evenly distribute the acreage with the ultimate goal of allowing for two homes to be constructed in the future.

F. Freeman asked if all abutters had been notified?

B. Regan stated all abutters had been duly notified.

N. Decoteau asked K. French if the owner's goal is to construct one dwelling on each of the two parcels?

K. French responded in the affirmative.

B. Dutto asked what the acreages would be, before and after.

K. French identified the acreage totals as shown on the plan.

F. Freeman closed the hearing at 6:41pm.

MOTION: "To accept the application for a Boundary Line Adjustment between properties owned by G. Andrew Carignan Jr. identified as Map 9 Lot 1-3-7 and Map 9 Lot 1-3-8 located off True Lane as complete."

Motion: N. Decoteau

Second: G. Kimball

Discussion: None

Motion passes: 7-YES, 0-NO

MOTION: "To approve the Boundary Line Adjustment between properties owned by G. Andrew Carignan Jr. identified as Map 9 Lot 1-3-7 and Map 9 Lot 1-3-8 located off True Lane."

Motion: B. Dutto

Second: G. Kimball

Discussion: None

Motion passes: 7-YES, 0-NO

The Mylar and plan copies were then signed by F. Freeman and B. Dutto.

6:30pm: Boundary Line Adjustment

F. Freeman opened the Public Hearing at 6:46pm and read the notice into the record as follows: Public Hearing to consider an application submitted by K. French for a Boundary Line Adjustment between property owned by Kilmer NH Holdings, LLC identified as Map 8 Lot 14-8 and property owned by Maureen Sullivan-Lajczok identified as Map 8 Lot 14-6 located off Sullivan Drive.

K. French presented copies of the plan and Mylar for the board's review.

K. French proceeded to describe the plan as well as the property owners' desire to adjust the acreage of the lots in order convey approximately four (4) acres as previously agreed to by and between Kilmer NH Holdings, LLC and Maureen Sullivan-Lajczok.

F. Freeman expressed his opinion that the project looked to be pretty straightforward.

K. French noted one result of the BLA would be to increase access/frontage on a proposed road.

C. Kilmer made note that all of the land in question was now part of the Mill Brook Valley Association.

F. Freeman thanked C. Kilmer and acknowledged that had the board's understanding and expectation.

N. Decoteau question the ownership/assessment status of the small parcel at the end of Yarding Lane.

C. Kilmer stated the parcel was originally held by LandVest as a sort of a buffer and he intends to keep as such for now.

C. Kilmer asked if would be possible to merge the lot?

K. French said that could be done as part of a future subdivision but would need to be conveyed into common ownership.

B. MacIntosh raised the matter of the board's approval of "weird shaped lots".

B. Regan said the original subdivision brought that issue into question and it was determined that the several brooks/streams that exist on the property were a contributing factor.

K. French followed by suggesting the topography was a controlling factor in the make-up of the lots.

N. Decoteau asked if any of the land in question was in "Current Use" and whether any existing dwellings were on the lots?

K. French answered no to both questions.

F. Freeman Closed the Hearing at 7:17pm.

MOTION: "To accept the application for a Boundary Line Adjustment between property owned by Kilmer NH Holdings, LLC identified as Map 8 Lot 14-8 and property owned by Maureen Sullivan-Lajczok identified as Map 8 Lot 14-6 located off Sullivan Drive as complete."

Motion: B. Dutto

Second: G. Kimball

Discussion: B. Regan noted the recording fees still need to be submitted.

K. French indicated he will supply the necessary fees.

Motion passes: 7-YES, 0-NO

MOTION: "To approve the Boundary Line Adjustment between property owned by Kilmer NH Holdings, LLC identified as Map 8 Lot 14-8 and property owned by Maureen Sullivan-Lajczok identified as Map 8 Lot 14-6 located off Sullivan Drive."

Motion: N. Decoteau

Second: G. Kimball

Discussion: None

Motion passes: 7-YES, 0-NO

The Mylar and plan copies were then signed by F. Freeman and B. Dutto.

K. French gave the board an overview of a proposed future subdivision plan of the Kilmer NH Holdings property.

C. Kilmer expressed his intentions as to the future of the land were to assure that it be developed in conformance with the Mil Brook Valley Association and that he preserve a liquid asset for his family trust.

B. Regan noted at prior hearings/meetings concerns had been expressed about the conditions of Sullivan Drive and that they be addressed as part of any future development being considered.

C. Kilmer stated he understood and in fact had been looking into quotes for road improvements and sharing the responsibility.

NEW BUSINESS: (continued)

3. Preliminary Consultation and Review:

Geraldine Benton: Adult Day Care, 5 Benton Road, Map 16 Lot 7-1A.

B. Regan advised the board that nothing had been presented at this time but that G. Benton had asked to speak to the board and therefore was on the agenda to do so.

G. Benton verbally presented an overview of her plan to operate a state licensed adult day care at her property now housing a child day care known as Mad River Learning & Day Care Center serving 40 families and caring for 24 children per day at the present location since 2004.

G. Benton offered her opinion that a need exists locally for this type of service and she had been encouraged by others in the community to look into the matter.

B. Dutto asked if this was a "Home Occupation"?

B. Regan responded it would not be and although permitted in all zones, a day care facility requires state licensing and carries other limitations as per the Zoning Ordinance.

G. Benton stated she had spoken with the Fire Chief and the Health officer and had been in contact with the state to obtain an application for licensing.

G. Benton said, at the suggestion of the Fire Chief, she may construct a ramp access to facilitated elders entering and exiting the building.

F. Freeman asked if this would be limited to daytime only?

G. Benton responded yes, it would be non-residential.

B. Dutto asked how the state regulation and town regulation affected such a use?

F. Freeman suggested the state was the licensing authority.

B. Regan described the interaction between the state and town in the licensing process as had occurred in other instances and as would probably apply here and stated at a minimum the board should entertain a site plan review application to formally address the matter.

The board was in agreement, at least conceptually, the proposal sounded good.

G. Benton offered a blank copy of the state license application to the board.

B. Regan suggested such a submission should be part of G. Benton's formal application to the planning board for site plan review.

N. Decoteau asked if G. Benton had undergone site plan review for her existing day care facility?

G. Benton stated she had not.

F. Freeman told G. Benton to pick up the necessary forms from B. Regan.

G. Benton stated, that's fine.

4. Preliminary Consultation and Review:

Steve Macera: Phase II, Remington Road.

B. Regan informed the board he had a conversation with the agent and explained that this issue will be moved to the February agenda at the applicant's request.

OLD BUSINESS:

B. Regan provided the board with a copy and reviewed his memorandum dated January 14, 2016 regarding the Capital Improvement Program Committee (NH RSA 674:5 thru 674:9).

NON-PUBLIC:

Non-Public Session was not necessary.

CORRESPONDENCE:

B. Regan presented the following correspondence:

1. NH DES: Waterville Birches II, Alteration of Terrain Permit (AoT-1032) approval.

OTHER: Election/Vacancies

B. Regan reminded the board of the upcoming deadline to file for election with the Town Clerk, noting two member's terms were expiring and the vacant seat remains open.

ADJOURNMENT:

The following motion was made at 7:47PM:

MOTION: "To adjourn."

Motion: G. Kimball

Second: D. O'Donnell

Discussion: None

Motion passes: 7-YES, 0-NO

Respectfully Submitted,
Brian Regan, Planning Director

TOWN OF THORNTON PLANNING BOARD

AGENDA

Thursday, January 21, 2016

6:00 PM

A. CALL TO ORDER – SALUTE OF FLAG:

B. ROLL CALL:

S. Babin, Chair

F. Freeman, Vice Chair

B. Dutto, Member

G. Kimball, Member

N. Decoteau, Ex-officio

B. Macintosh, Member

R. Gilman, Alternate

J. Piehn, Alternate

F. Gunter, Alternate

C. Schofield, Alternate

D. O'Donnell, Alternate

C. APPROVAL OF MINUTES:

- December 17, 2015 Regular Meeting

D. NEW BUSINESS:

1. Jessica Bartlett - Zoning Ordinance ARTICLE VIII: **D Home Occupation**, Clover Dr.
2. Jessica Bartlett - Zoning Ordinance ARTICLE VIII: **J Sign**, Clover Dr.
3. French Land Services, Inc., **Boundary Line Adjustment** (see E. 1)
4. French Land Services, Inc., **Boundary Line Adjustment** (see E. 2)
5. Geraldine Benton - **Preliminary Consultation and Review**, 5 Benton Rd., Map 16 Lot 7-1A.
6. Steve Macera - **Preliminary Consultation and Review**, Phase II, Remington Road.

E. PUBLIC HEARINGS:

1. **Public Hearing: - 6:15 p.m.** Public Hearing to consider an application submitted by K. French for a Boundary Line Adjustment between properties owned by G. Andrew Carignan Jr. identified as Map 9 Lot 1-3-7 and Map 9 Lot 1-3-8 located off True Lane.
2. **Public Hearing: - 6:30 p.m. Boundary Line Adjustment:** Public Hearing to consider an application submitted by K. French for a Boundary Line Adjustment between property owned by Kilmer NH Holdings, LLC identified as Map 8 Lot 14-8 and property owned by Maureen Sullivan-Lajczok identified as Map 8 Lot 14-6 located off Sullivan Drive.

F. OLD BUSINESS: CIPC memorandum from Planning Director.

G. NON-PUBLIC: None

H. CORRESPONDENCE:

1. NH DES: Waterville Birches II, Alteration of Terrain Permit (AoT-1032) approval.

I. OTHER: Election/Vacancies

J. ADJOURNMENT:

Planning Board

January 21, 2016

SIGN IN SHEET (Please Print)

1	CARLETON KILMER	25
2	Jessye & Sky Bartlett	26
3	Scott Bartlett	27
4	KEVIN FRENCH	28
5	GERRI BENTON	29
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