

TOWN OF THORNTON PLANNING BOARD

Approved on: 9/15/2016
PB Initials: SB
Rec'd by Town Clerk on: 9/20/16
Town Clerk Initials: BR

Planning Board Meeting Minutes Thursday August 18, 2016

CALL TO ORDER – SALUTE OF FLAG:

F. Freeman, Vice-Chair, led the Pledge of Allegiance and called the meeting to order at 6:03 pm.

ROLL CALL:

Members present: F. Freeman, R. Gilman, G. Kimball, D. O'Donnell, B. Dutto and J. Gaites

Members absent: S. Babin,

Alternates present: F. Gunter, J. Piehn

Alternates absent: C. Schofield

Staff present: B. Regan, Planning Director

Others present: Tom Avallone, John March

B. Regan advised the board Chairman Babin had called the office earlier to advise he was on his way to the meeting. Acting Chair F. Freeman suggested the board wait a short while, before appointing an Alternate, in order to see if S. Babin arrived.

The board was in agreement.

APPROVAL OF MINUTES:

MOTION: "To approve the Minutes of Thursday July 21, 2016 as amended."

Motion: G. Kimball

Second: D. O'Donnell

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

Motion passes: 6-YES, 0-NO

NEW BUSINESS: None

PUBLIC HEARINGS:

1. **PUBLIC HEARING- 6:45PM** Waterville Birches, LLC: **Subdivision/Site Plan Review** - Proposed amendment to site plan of Waterville Birches, II and subdivision application for property located at "Weeping Birches Lane" in Waterville Estates and identified as Tax Map 17 Lot 14-14 and Tax Map 17 Lot 14-15.

In the absence of S. Babin, at 6:45 F. Freeman appointed Alternate F. Gunter to be seated as a voting member of the board.

F. Freeman opened the public hearing at 6:47 pm.

F. Freeman noted, at the commencement of the public hearing only the applicant (T. Avallone) and his representative (J. March) were present.

J. March presented the board with copies of the revised plan and described the proposed 4 lot subdivision.

J. March further described the proposed roadway construction of the two (2) cul-de-sacs to service the proposed subdivision. He further stated, as to the issue of ownership of "Weeping Birches Lane", he had "researched the deeds" and determined WEVD does, in fact, own the land comprising the road.

J. March went on to describe the roadway as shown on the preliminary plan.

F. Freeman asked if WEVD would need to give permission for access to the lots?

J. March stated that was still to be determined by WEVD and their attorney. It is expected they will have that "meeting in a week or two".

F. Freeman, noting no one was present in opposition, asked if "the board had anything further to ask of the applicant at this time?"

B. Dutto asked about the issue of "road grades".

T. Avallone noted the road grades of concern had been eliminated and were not part of the current plan.

F. Freeman opened the floor for motions

Motion: "To continue the public hearing to Thursday September 15, 2016 at 6:30 pm."

Motion: G. Kimball

Second: F. Gunter

Discussion: None

Motion Passes: 7-Yes 0-No

OLD BUSINESS: (Taken up in advance of the Public Hearing)

1. Waterville Birches, LLC: "Weeping Birches Lane" **Subdivision/Site Plan Review:**

T. Avallone advised the board he had met with representatives of the WEVD regarding their concerns about encroachment upon the road/right of way.

J. March presented a revised plan for a 4 lot subdivision and the board reviewed the plan against the Preliminary Checklist.

J. March updated the board as to the applicant's meeting with the WEVD

Upon review the board determined the application complied with the checklist (or were not applicable) with the following exceptions:

1. Seal of a land surveyor,
2. Preliminary description of all proposed streets and easements including:
 - a. description of grades
 - b. profiles
 - c. drainage

J. March stated he would apply his seal to the final plan.

J. March stated the matter of proposed streets and easements is "on hold, pending another meeting with the (WEVD) Commissioners and their attorney."

Motion: "To accept the preliminary plan and application as complete on the conditioned on the applicant providing:

- Seal of a land surveyor,
- Preliminary description of all proposed streets and easements including:
 - a. description of grades
 - b. profiles
 - c. drainage"

Motion: B. Dutto

Second: G. Kimball

Discussion: None

Motion Passes: 6-Yes 0-No

B. Regan made note to the board that, in light of the fact that a prior approved plan exists for the parcels in question, any further board action should serve to rescind or supersede that previously approved plan.

B. Regan further made note of the fact he had a request from a representative of the WEVD to "research" some town records relative to the land in question. In particular, PB meeting minutes from 2007 to present; any "bonds" posted and any approved subdivisions.

2. Planning Director: **Planning Board Rules of Procedure**

B. Regan noted he had reviewed and incorporated input from board members and would bring a final version back for further board action. He further noted the matter should be presented at a Public Hearing.

B. Regan will issue a final draft to the board members in advance and place the matter on the agenda for September's regular PB meeting and for Public Hearing.

The board expressed their agreement.

CORRESPONDENCE: DrummondWoodsum-Legal Services Engagement Letter.

B. Regan referred the board to a copy of an engagement letter in the meeting packets and presented an overview of its content.

B. Regan also described the recent history of legal representation and the positive experience with Attorney Matthew Serge who has represented the town as a member of the Upton & Hatfield and now as a member of DrummondWoodsum.

G. Kimball stated..."in my personal opinion, given his (Serge) experience and knowledge of this town, I think it's a good idea".

B. Dutto said he didn't "...see any reason not to go forward with this".

F. Freeman concurred by saying "I agree with proceeding in this direction. But I do think, perhaps, Steve (Babin) might have some thoughts on this".

The matter was tabled in anticipation of S. Babin's arrival.

In the continued absence of S. Babin the matter was re-visited by the board.

B. Regan asked the board for authorization to execute the engagement letter subject to S. Babin's review.

MOTION: "To authorize the Planning Director to execute the DrummondWoodsum legal services engagement letter, as presented by Attorney Matthew Serge, conditioned upon review and acceptance by Chairman S. Babin."

Motion: G. Kimball

Second: D. O'Donnell

Discussion: None

Motion passes: 7-YES, 0-NO

ADJOURNMENT:

The following motion was made at 7:03 p.m.

MOTION: "To adjourn."

Motion: G. Kimball

Second: F. Gunter

Discussion: None

Motion passes: 7-YES, 0-NO

Respectfully Submitted,

Brian Regan, Planning Director

Thornton Planning Board Meeting

August 18, 2016

6:00 p.m.

Sign In Sheet

PLEASE **PRINT** YOUR **NAME** **AND** **ADDRESS.**

Thank you!

	Name	Address
1.	TOM AVALLONG	15 CAREY CIRCLE / THORNTON
2.	JOHN MARCH	THORNTON
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