

# TOWN OF THORNTON PLANNING BOARD

Approved on: 11/7 2016  
PB Initials: SKS  
Rec'd by Town Clerk on: 11/21/16  
Town Clerk Initials: RFR

## Planning Board Meeting Minutes Thursday October 20, 2016

### CALL TO ORDER – SALUTE OF FLAG:

Chairman S. Babin led the Pledge of Allegiance and opened the meeting at 6:01 p.m.

### ROLL CALL:

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

Alternates present: F. Gunter, J. Piehn

Members absent: R. Gilman, C. Schofield

Staff present: B. Regan

Others present: Stephen Tower, Ralph Bradley, John March, Tom Avallone

**PRELIMINARY:** In the absence of board member R. Gilman, Chairman S. Babin appointed F. Gunter to sit as a voting member.

**APPROVAL OF MINUTES:** Upon distribution to and review by the members the following action was taken:

**MOTION:** "To approve the Minutes of Thursday September 15, 2016 as amended."

Motion: G. Kimball

Second: D. O'Donnell

Discussion: None

Motion passes: 6-YES, 0-NO 1-Abstain (B. Dutto)

### NEW BUSINESS:

1. **Home Occupation** request under ARTICLE VIII:D of the Zoning Ordinance for Gary & Julie Piehn d/b/a/ Majik Touch Picture Framing **Tax Map 15 Lot 1-32** located at **50 Banjo Drive**.

J. Piehn recused herself from participation as an Alternate Member of the board.

J. Piehn appeared and presented the letter of application for Home Occupation giving a brief overview of the proposed activity and its compliance with the provisions of ARTICLE VIII:D of the Zoning Ordinance.

F. Freeman commented "this appears to be a well presented application".

G. Kimball suggested such a business would not have any detrimental impact.

**MOTION:** "To approve the request of Gary & Julie Piehn for a Home Occupation, providing picture framing services, at 50 Banjo Drive further identified as Map 15 Lot 1-32 as submitted, and to be operated in accordance with ARTICLE VIII: D of Thornton's Zoning Ordinance."

Motion: G. Kimball

Second: F. Freeman

Discussion: None

Motion passes: 7-YES, 0-NO

2. **Boundary Line Adjustment** Application review & Public Hearing to consider an application submitted by Sabourn & Tower, Surveying and Septic Design, LLC for a Boundary Line Adjustment on property owned by Robert and Sharon Marquis Map 3 Lot 8-13, and Ralph and Ruth Bradley Map 3 Lot 8-18 located on Johnson Brook Road.

B. Regan gave an overview of the application and the checklists provided by the applicant. He also noted all abutters had received notice. and one (Carolyn and Donald Coulseay) had sent an e-mail expressing their full support of the proposed BLA.

S. Tower introduced himself as agent for the applicants and presented the plan to the board. He stated the purpose was to enable the Marquis to increase the size of their "small camp lot".

S. Tower further stated the Bradleys and Marquis were in agreement as to the subdivision and Boundary line adjustment in all respects.

**MOTION: "To accept the application as complete"**

Motion: G. Kimball

Second: D. O'Donnell

Discussion: None

Motion passes: 7-YES, 0-NO

S. Babin opened the public hearing at 6:18 p.m.

B. Regan made note that one abutter (property owners Carolyn and Donald Coulseay) had sent an e-mail expressing their full support of the proposed BLA.

S. Babin asked "if there would be a use change as the result?"

S. Tower replied "Yes". He further stated "the Bradley land is in current use".

R. Bradley asked "Who is responsible for any penalty"?

The board's general consensus was that it would be the purchaser-Marquis.

B. Regan stated it was his understanding that upon this board's action, any changes to the parcels in question would be reviewed by the Assessors and appropriate action taken.

Hearing no further question or public comment, S. Babin closed the hearing at 6:27 p.m.

**MOTION: "To approve the Boundary Line Adjustment, as presented on the plan, between properties owned by Ralph and Ruth Bradley and Robert D. and Sharon A. Marquis on Johnson Brook Road and identified as Map 3 Lot 8-18 and Map 3 Lot 8-13 respectively."**

Motion: B. Dutto

Second: G. Kimball

Discussion: None

Motion passes: 7-YES, 0-NO

**OLD BUSINESS:**

1. Signing of amended Planning Board Rules of Procedure.

B. Regan presented the final version of the rules, as approved September 15, 2016, for signature by the Chairman and Vice-Chairman.

S. Babin and F. Freeman affixed their signatures.

2. Waterville Birches, LLC: **Subdivision/Site Plan Review** (continued from July 21, 2016 at 6:45 pm; August 18, 2016 at 6:45pm and September 15 at 6:30pm) - 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**.

S. Babin read hearing notice into the record as follows: "Public Hearing to consider an application to consider a 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**.

S. Babin opened the public hearing at 6:30 p.m.

B. Regan noted the board was reviewing an original application and in anticipation of presentation of a revised plan a new checklist would be necessary.

S. Babin noted "for the record there are no individuals present other than the applicant and his agent".

J. March presented a revised plan to the board pointing out the following:

- The Village District (WEVD) owns the road.
- The plan now consist of four (4) lots.
- The proposed cul-de sacs are 45' radius and 90' diameter.
- Easements are proposed for area (outside WEVD road) needed to complete the cul-de-sacs.

T. Avallone commented, although discussed, the WEVD has chosen not to abandon or deed the road area.

Several board members noted lot "B" lacked sufficient frontage.

J. March stated "if the board is uncomfortable with that I can extend the cul-de-sac."

T. Avallone stated his intent is to build the cul-de-sacs to town specifications.

B. Regan asked if the applicant had "come to terms with the WEVD as to development of the roads proposed?"

J. March stated "We believe we have".

B. Regan suggested "Believing it doesn't make it so."

B. Dutto suggested a "site visit".

S. Babin stated it would be the board's preference to get a response from the WEVD.

T. Avallone asked "if the board would put that in writing" due to the response history he has experienced with the WEVD.

F. Gunter said "if you have no problem extending the cul-de-sac, why don't you just do it?"

The applicant and agent agreed to revise the plan to extend the cul-de-sac accessing lot "B" to present sufficient frontage.

S. Babin and F. Freeman suggested and the board agreed that they should issue correspondence to WEVD to get their current position.

B. Regan stated he would issue the letter upon filing of a revised plan by the applicant.

The board acknowledged receipt of the applicant's letter of credit at \$50K.

**Motion: "To continue the public hearing to Thursday, November 17, 2016 at 6:15 p.m."**

Motion: F. Freeman

Second: D. O'Donnell

Discussion: None

Motion Passes: 7-Yes 0-No

#### **OTHER:**

1. MAHMOUD v. TOWN OF THORNTON et al - NH Supreme Court Decision

B. Regan noted the copy of the court's decision is pertinent to the planning board's past and future actions and is worthy of review for future reference.

2. NH RSA Update on changes affecting Planning & Zoning

S. Babin commented that the summary of legislative updates should be reviewed by the board members at their convenience and for future reference.

3. Woodsville Guaranty Savings Bank- Re: Letter of Credit for Waterville Birches, LLC

B. Regan presented a brief overview of the nature and purpose of the LOC and its relationship to the matter now pending before the board.

**CORRESPONDENCE:** Sabourn & Tower Surveying and Septic Design, LLC- NH RSA 676:18 IV notice.

B. Regan presented an overview of the statute as it affects the filing of a survey plan. He further stated an appropriate response is to accept correspondence and place it on file.

**MOTION: "To accept the correspondence and place it on file"**

Motion: G. Kimball

Second: F. Gunter

Discussion: None

Motion passes: 7-YES, 0-NO

**ADJOURNMENT:**

The following motion was made at 7:28 p.m.

**MOTION: "To adjourn."**

Motion: G. Kimball

Second: D. O'Donnell

Discussion: None

Motion passes: 7-YES, 0-NO

Respectfully Submitted,

*Brian Regan*, Planning Director

# Thornton Planning Board Meeting

## October 20, 2016

6:00 p.m.

### Sign In Sheet

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

Thank you!

	Name	Address
1.	Ralph Bradley	135 Dick Bradley Road, Thornton NH 03285
2.	Tom AVALONE	5-1 CAREY CIRCLE, THORNTON
3.	JOHN MARCH	THORNTON NH
4.	Stephen Tower	1022 D.W. Highway Woodstock NH
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		