



## Town of Hebron

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### Hebron Planning Board

APPROVED Minutes of Workshop 6/19/06

**Members Present:** Dick Cowern (Selectmen's rep), Roger Larochelle (chair), Ellie Lonske (vice chair), Martha Twombly (alternate), David Wall and Sheila Oranch (secretary)

**Others Present:** Hank Woolner, Susan Delanoy and Kathi Lovett of Bridgewater Planning Board.

**Time Convened:** 7:00 PM

**Time Adjourned:** 9:45 PM

**Next Meetings:** June 20, 2006 special town meeting, July 5, 2006 regular monthly hearing

#### Agenda Items:

1. Approve minutes of 3/20/06, 4/5/06 and 5/15/06
2. Administrative Matters
3. Joint meeting with Bridgewater Planning Board to discuss road standards, and Class V and Class VI roads
4. Discuss options for bonding of roads in subdivisions, i.e., Convex LLC from 4/17/06
5. Begin work on revising the Subdivision and Site Plan Regulations.
6. Any other matters that come before the Board

Roger Larochelle convened the hearing and reviewed the agenda. He asked Martha Twombly to step up to voting status in Curtis Mooney's absence.

Approval of minutes from 3/20/06, 4/5/06 and 5/15/06 were moved to the end of the agenda.

#### Joint meeting with Bridgewater Planning Board

Roger Larochelle introduced the members of the two Boards and thanked them for participating. He added to the topics for discussion to clarify what is meant by a "summer cottage road" and whether that would be a Class VI or Class V road. The concern is that if a Building Permit is issued by a Select Board, whether road improvements would be required. Bridgewater—they have a waiver shifting responsibility for road maintenance (same as Hebron). Plymouth—three or more "cottages" on a road triggers road improvement. In Bridgewater there is no maximum length on "dead-end" roads. The two Boards did a comparison of regulations and standards (see chart followed by comments and discussions).

<b>Standard</b>	<b>Bridgewater</b>	<b>Hebron</b>
Dead End	none	.5 mile
Grade	12% waived by Selectmen	10%
Width	20'	18' if fewer than 8 lots, 20' if more
Road Curve Radius (pg 12)	<7% = 115'	150'
Road Curve Radius (pg 12)	7-8% = 200'	
Road Curve Radius (pg 12)	8-9% = 250'	
Road Curve Radius (pg 12)	>9% = 300' with 5 acre zoning	
Right of Way	50'	50'
Shoulders	4'	4' (text is correct, not diagram)
Intersection Angle	not less than 60°	not less than 60°
Road Frontage	Gen. Res. 2 acres w 300', 150'	150'
Driveway	yes	no
Recreation	up to 5%	up to 5%
Culverts	concrete > 15"	> 15"
Road Completion Bond	Bond	Surety
Exaction Fees	not many subdivisions in recent years	
Traveled Area	28'	28'
Very Steep Slope	>30% with 5 acre zoning	>25%
Coverage	30% max	none
Setback- side & rear lots	20'	25'
Setback- roads	35' from R.O.W. (Right of Way)	50' E.O.P. (Edge of Pavement)
Line of Sight		150'

Hank Woolner said if someone owns a piece of land in one town with access from another town, we can't really deny them the use of their land. With subdivisions it is a different matter. If they have a large lot and want to split it without development planned immediately, what do we do? In Plymouth a third lot triggers road improvement but it is a cumulative effect you have. Should that be required?

David said if it is a subdivision, perhaps we should be taking it up to a Class V road automatically.

Roger Larochelle said Hebron's Road Standards are State construction standards. The Town votes to take a road from Class VI to Class V, which regulates how responsible the Town is for its maintenance and care. If the current zoning updates pass at the Special Town Meeting June 20<sup>th</sup>, every lot must have road frontage and no driveways can serve more than two lots. There will be 50' Right of Way required even for a driveway.

Ellie Lonske gave some examples of subdivisions with two lots without frontage sharing a driveway off a new road, which is not appropriate application of the regulation.

Dick Cowern gave an example of a developer wanting a dirt road and saying if the future owners wanted to pave it they could. The Town ended up paying for paving because there was no proof.

Hank Woolner said you may want to delay paving until they finish development, which has some good reason. Funds must be set aside for finishing the road.

Turning to a discussion of Road Standards, Roger Larochelle asked the Bridgewater Board if there is a length limit for a dead-end road. They said, no but it must have a cul-de-sac where emergency

vehicles can turn around. There was a discussion of examples in Hebron. Hank said there had been problems with forcing a connection where it is creating a through-way where none was before and increasing traffic. A dead-end is desirable to home buyers because kids can play in it. He gave examples. It is a balancing act with safety access. Susan said that and terrain.

Ellie Lonske talked about road grades and read SD-9 for Hebron's standards.

Kathi Lovett talked about driveways and roads. In terms of width Bridgewater requires a Right of Way 50' or more if warranted. Traveled width must be 20 feet or more plus a 4-foot shoulder. If traffic will be more than 120 vehicles a day or there is greater than 9% grade on the road, they may need more road width. They figure six trips per day per dwelling. The road curve radius requirement is graded (see chart). They require a greater radius for principal streets. For intersections they require as nearly 90 degrees as possible with property lines at the intersections rounded.

Frontage was the next topic in zoning. For general residential, there is a 2 acre minimum, not including wetlands and steep slopes. Frontage is 150 feet along roads, streams and the lake. A lot can have less frontage in special circumstances. In Bridgewater, there is 5 acre zoning in the Rural District, with 300 foot frontage. They also follow the four to one depth to frontage guideline for residential and five to one in rural.

Ellie Lonske talked about subdivisions of greater than 20 acres or more than 20 lots that up to 5% can be required to be reserved for recreation of open space.

Hank Woolner said in Bridgewater (page 14) there are two aspects. Land that is not safe shall not be platted for residence or other use that increases risk, or it must be modified by the developer. For greater than 20 acres they have the same 5% wording.

Dick Cowern said they should probably qualify the 5% as usable land.

In Bridgewater road grades may not be greater than 12% unless waived by the Selectmen and the center line grade should not be less than 0.5% above the edges. Culverts must be concrete and greater than 15" in diameter (page 12). A subdivision is not permitted on a Class VI road, so it must be brought up to Class V for development. There must be sufficient performance bond for completion, and they will no longer accept cash. No permits will be issued on a Class VI road without the owner signing a waiver of responsibility. On page 13 the road standards indicate that traveled area must have a 28 foot width.

Roger Larochelle commented that the radius differential as gradation increases addresses some safety issues and disturbs less land because you don't have to cut as many trees to gain visibility.

Dick Cowern asked if anyone knew whether a number have towns have gone to five acre zoning.

Hank Woolner said yes but some property owners have gone to court when it is greater than that. Bridgewater has steep slopes and shallow soil so they can make a rational argument.

Roger Larochelle asked if they allow building on steep slopes.

Hank Woolner referenced page 46 relating to five acres per lot and 30,000 contiguous square feet of buildable area per New Hampshire standard but their regulation does not say explicitly that you have to build on that. They will be discussing that aspect with legal counsel tomorrow, in fact.

There was a brief discussion about town websites. Bridgewater uses an outside service and has their Master Plan and regulations on the site. So far, they are not posting Board minutes there.

Roger Larochelle asked about exaction fees, but the Bridgewater board had no experiences.

Ellie Lonske asked about gravel operations. Hank said yes, they have a couple. One on River Road dates way back. It is sitting in the middle of what is now a residential zone and the owner wants to put up another building to house the equipment. The Select and Planning Boards oversee this. In a second instance, someone is doing something that looks a lot like a gravel operation, but are they removing gravel to improve the lot or to sell the gravel? It is hard to prove. Others have had to go through the required site plan and review process.

Roger Larochelle asked if there were any next steps indicated.

Martha Twombly asked if Bridgewater has a Building Inspector and if so what the job comprises.

Hank Woolner said their Building Inspector reviews permits, alterations, etc. but does not inspect plumbing, electrical or safety issues. It has been used mostly as a way to do pick-ups to keep an inventory/census, but they are dropping the project as too much work.

There was discussion of Coverage on lots, that 30% works with setbacks, 35 feet to Right of Way, 20 feet to the sides.

Dick Cowern gave Crystal Springs Road as an example of a difficult situation.

Bridgewater's Road Agent signs driveway permits. There is no grade limit, but it is being discussed.

All agreed that if a major developer decides to move forward on land that abuts both towns, the Boards should meet again. There was some discussion of boundaries and examples.

David Wall said you cannot zone ex post facto, so what should we be working on for the future?

Martha Twombly said we should have a reciprocal understanding about road standards more than abutter standards.

Roger Larochelle thanked the Bridgewater Planning Board Members for their attendance and expressed appreciation for their spirit of cooperation.

### **Discussion of options for bonding of roads in subdivisions**

Roger Larochelle said Convex LLC had submitted real estimates on letterhead as requested. At the 6/7/06 hearing he was handed a letter from the Selectmen objecting to the surety being accepted. The Selectmen prefer bonding at 110% and releasing all lots or 10% surety and no lots released. Roger showed the letter he had sent to Convex LLC restating the motion and asserting that "no lots will be released until the road is complete and approved, or bonding is in place for 100% of the cost to complete the road." There was a discussion clarifying requirements for road surety.

David Wall asked if the Selectmen have authority to shut down a developer if standards are not being met.

Dick Cowern said, yes, the Board of Selectmen has the authority to enforce standards.

Roger Larochelle read a letter from Leslie Boulton, WAE Design, stating that she must excuse herself from working on the Ridgewater Commons project due to personal health issues. She expressed concern about appearances and wanted to make sure her reasons were clear. She is making the review submittal to Paul Fluet before she withdraws. Roger said he will write up the environmental impact notes for Paul Fluet shortly.

The Board discussed the Special Town Meeting scheduled for the next day. There has not been much buzz around town. No postcards were sent out by the Selectmen to remind voters of the polling. There was proper and timely notice in the newspapers but the item had very small print. It was noted that Article VI wording was funny when read out of context, but that is the way the attorney put it. Ellie asked Dick to confirm that the Warrant Articles would be appropriately posted. The Esty land transfer signing was scheduled for around 11:00 AM as that is what Allan Esty asked for. The polling and meeting will be held at the Church in the social hall and there will be a discussion at 7:00 PM to discuss the disposition of the land.

Gravel operations were discussed. The Planning Board oversees them as subdivisions, to inform the public and assure proper permits. The Selectmen are responsible to enforce regulations. The Board is on notice to formalize the procedures and guidelines.

### **Begin work on revising the Subdivision and Site Plan Regulations**

- Ellie Lonske suggested a division of labor for reviewing subdivision regulations similar to the process for reviewing zoning. She proposed the following assignments.
- Ellie Lonske and Curtis Mooney work on a template and checklists for Site Plan and Subdivision applications, preliminary plan and final plan comparisons.
- Martha Twombly interface with the Conservation Commission to work on Wetlands zoning.
- David Wall compare definitions in Zoning with definitions in Subdivisions.
- Dick Cowern review Subdivision regulations from the Selectmen's perspective, with particular attention to road shoulders and lot coverage.
- Chuck Beno and Roger Larochelle review the road standards and regulations.
- Sheila Oranch volunteered to review fees, administrative costs, and the application check list.
- After the vote tomorrow, the Board should get the final version of the regulations to the Selectmen's office as soon as possible so they can be posted on the website and printed. Elaine Gumpp is helping Karen Corliss in the office, which is good news. Ellie Lonske volunteered to do a final edit of the revised Zoning Regulations and will distribute it to the Board for proofing.

Roger Larochelle said he had reviewed procedures with the Selectmen and drafts of hearing minutes should be distributed with a hard copy given to Karen within 144 hours.

### **Approve minutes of 3/20/06, 4/5/06 and 5/15/06:**

**Dick Cowern moved/David Wall seconded approval of the 3/20/06 workshop minutes as amended. PASSED**

**Dick Cowern moved/Martha Twombly seconded approval of the 4/5/06 minutes as amended. PASSED**

**Martha Twombly moved/David Wall seconded approval of the 5/15/06 workshop minutes as amended. PASSED**

Hearing no objections, Roger Larochelle adjourned the meeting at 9:45 PM

**SUMMARY OF MOTIONS:**

**Dick Cowern moved/David Wall seconded approval of the 3/20/06 workshop minutes as amended. PASSED**

**Dick Cowern moved/Martha Twombly seconded approval of the 4/5/06 minutes as amended. PASSED**

**Martha Twombly moved/David Wall seconded approval of the 5/15/06 workshop minutes as amended. PASSED**