



Town of Hebron
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Hebron Planning Board
APPROVED Minutes of Hearing 12/5/07

Members Present: Charles Beno, Dick Cowern (Selectmen's representative), Tom Gump, Roger Larochelle (chair), Ellie Lonske (vice chair), Martha Twombly, David Wall and Sheila Oranch (secretary). **Others Present:** Alan Barnard

Time Convened: 7:00 PM **Time Adjourned:** 8:45 PM

Next Meetings: 12/17/07 HEARING on Zoning Updates, 1/2/08 monthly hearing

Agenda:

1. Administrative Matters
2. Approve minutes of 11/7/07
3. Continuance of Jaques ET AL subdivision and boundary adjustment applications
4. Application by John and Lynne Robertson for a 2-lot subdivision of 8 Bryar Road, Tax Map 18, Lot 19-2B.
5. Application by Lee Knight for a voluntary lot merger at 82 and 72 Panorama Lane, Tax Map 20, Lot 1, sub-lots 8 and 10.
6. Any other matters that come before the Board

Administrative Matters/Announcements

Roger Larochelle confirmed that the third-Monday work session in December will be replaced by a hearing on zoning ordinance updates for a wetlands overlay district. Notices will be published.

Review of Minutes of 11/7/07

Chuck Beno moved/Ellie Lonske seconded approval of the minutes of 11/7/07 as written. PASSED

Jaques ET AL subdivision and boundary adjustment

Alan Barnard gave a brief update on progress, requested and was granted continuance to the next hearing on 1/2/08.

Robertson Subdivision Application for Acceptance

John and Lynne Robertson were represented by Alan Barnard, who requested that a review of completeness for acceptance of the application and review of the application for approval both be done at this time, if possible. Mr. Larochelle confirmed that fees had been paid, abutters notices sent and the agenda posted. Ellie Lonske observed that the agenda had been incorrect in that the address is on Bryar Road, not Lane, and the Lot is 19-2B. It was also observed that water and sewerage were not relevant so they should be waived from a review of the application.

Chuck Beno moved/Ellie Lonske seconded a motion to accept the Robertson Subdivision Application as complete. PASSED

Robertson Subdivision Application for Approval

Alan Barnard presented the application materials for approval. The Board reviewed the map, measurements, usable land area, wetlands, slopes and possible driveway access locations. Mr. Barnard noted that one setback had been incorrectly labeled and that the Lot number will be corrected. After some discussion of the new style of map Mr. Larochelle called for a motion.

Chuck Beno moved/Dick Cowern seconded a motion to approve the Robertson Subdivision Application for 8 Bryar Road, Tax Map 18, Lot 19-2B conditional on correction of the Lot number and setback label on the Plan. PASSED

Application by Lee Knight for a Voluntary Lot Merger

Roger Larochelle explained that Lee Knight had submitted an application for a voluntary lot merger at 82 and 72 Panorama Lane, Tax Map 20, Lot 1, sub-lots 8 and 10. When Mr. Larochelle reviewed the materials for completeness previously, there was a question about ownership of the two lots. One was held in the name of Mr. Knight's children. Since then the properties have both been placed in unified ownership. Mr. Knight had consulted with the Zoning Board of Adjustment and Peter Carey had sent the Planning Board a copy of his response to Mr. Knight that the question was not within the ZBA's authority to consider. Hence, no appeal has been heard by the ZBA on this issue. David Wall stated that he is an abutter and has been involved in building improvements on one of the lots and recused himself from voting on the question. Martha Twombly was asked to step up as a voting member. The original subdivision plan map was pulled from the file, tax assessment information was reviewed, anecdotal information about the buildings on the lots was heard, the definitions of a Lot and a Dwelling were read from the Subdivision Regulations, and RSA 674:39-a regarding Voluntary Mergers was reviewed. Discussion concluded that unless the Building Inspector and the Board of Selectmen pronounced that the second structure on the second lot is not a dwelling, then the Planning Board would have no authority to allow a voluntary lot merger.

Ellie Lonske moved/Chuck Beno seconded a motion to deny acceptance of an application by Lee Knight for a Voluntary Lot Merger at 82 and 72 Panorama Lane, Tax Map 20, Lot 1, sub-lots 8 and 10 because it would create a non-conforming lot containing two dwellings according to RSA 674:39-a (as amended) "where such merger would create a violation of then-current ordinances." PASSED

Other Matters

Mr. Larochelle reported that the budget was submitted to the Board of Selectmen on 12/5/07.

The Ridgewater Commons case materials will be shipped to the Town Attorney this week.

The ZBA will hear an appeal on Ridgewater Commons 12/11/07.

Announcement of a hearing on updating zoning ordinance will be posted and published in papers.

8:45 PM having no further business the chairman declared the hearing adjourned.

SUMMARY OF MOTIONS

Chuck Beno moved/Ellie Lonske seconded approval of the minutes of 11/7/07 as written. PASSED

Chuck Beno moved/Ellie Lonske seconded a motion to accept the Robertson Subdivision Application as complete. PASSED

Chuck Beno moved/Dick Cowern seconded a motion to approve the Robertson Subdivision Application for 8 Bryar Road, Tax Map 18, Lot 19-2B conditional on correction of the Lot number and setback label on the Plan. PASSED

Ellie Lonske moved/Chuck Beno seconded a motion to deny acceptance of an application by Lee Knight for a Voluntary Lot Merger at 82 and 72 Panorama Lane, Tax Map 20, Lot 1, sub-lots 8 and 10 because it would create a non-conforming lot containing two dwellings according to RSA 674:39-a (as amended) "where such merger would create a violation of then-current ordinances." PASSED