



Town of Hebron
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Hebron Planning Board
Minutes of Public Hearing 11/3/2010

Members Present: Ellie Lonske (chair), Roger Larochelle (vice chair), Curt Mooney (Selectman), Chuck Beno (member), Mitch Manseau (member), Arthur Cummings (alternate) and Sheila Oranch (secretary).

Others Present: Donald George, Mike Ethier, Henry Lynch, Mark Coulson, Martha Twombly, and Jim Bolduc, PE, of Lepene Engineering & Surveying LLC, (Alan Barnard was observed but not signed in.).

Time Convened: 7:00 PM **Time Adjourned:** 8:58 PM

Next Meetings: Nov. 8 Site Walk George Rd, Nov. 15, 2010 work session, Dec. 1, 2010 hearing

Agenda:

1. Administrative Matters and Announcements.
2. Review minutes of prior meeting for additions, corrections and adoption.
3. Continuance of Jaques ET AL subdivision and boundary adjustments.
4. George Road Scenic Road Review for PSNH utility poles and Nov. 8 Site Walk at 5:00 PM.
5. Informational for Subdivision and Lot Line Adjustment Plan for Mike Ethier.
6. Stanley and Sue Jackson boundary line settlement with P. Andrews and Linda McLane.
7. Informational for Camp Wicosuta to add a director's cabin with access on Bear Mt. Road.
8. Any other matters that come before the Board.

Administrative Matters/Announcements

Ms. Lonske asked for introductions and noted that Martha Twombly's resignation may not be accepted until a new alternate is appointed. As there was a quorum of voting members, no alternates were appointed to vote. The Board approved the updated Rules of Procedure wording about alternates. The Master Plan Vision Statement is being edited down to two pages. The hard work all the groups did can only be expressed in essence but the ground work for future planning will not be wasted or forgotten. Roger Larochelle reported that he completed the draft of the Subdivision Regulations Checklist and the Board will review it at the work session November 15. Ms. Lonske re-ordered the agenda.

Chuck Beno moved/Mitch Manseau seconded a motion to adopt the minutes of 10/6/10 as presented. PASSED

Continuance of Jaques ET AL Alan Barnard had requested and was granted continuance to 12/1/10.

Stanley and Sue Jackson boundary line settlement with P. Andrews and Linda McLane.

Alan Barnard said he was representing both parties. Ms. Lonske questioned the terminology of a boundary line agreement according to RSA 472:4. Mr. Barnard presented a copy of the agreement for the file. The two parties had disagreed based on an old deed and walls compared to markers, over a matter of 19.01 feet of lakefront. They settled and both lots are compliant with zoning. The signed agreement goes back to both attorneys to be counter-signed and recorded. Mr. Mooney noted an error on the Plan of the stated acreage being exactly the same whereas the lots are quite different. He also noted that the Board would need signed authorizations from both parties for Mr. Barnard to represent them or a signed agreement. Mr. Larochelle noted that the signature line was titled "Secretary" and that is not

MINUTES OF November 3, 2010 ADOPTED AS WRITTEN with ALAN BARNARD noted

appropriate for this Board. Mr. Mooney said after the agreement is signed a copy should go to the Selectboard Office so they can update the Tax Maps. Mr. Barnard will deliver copies and send a PDF.

Chuck Beno moved/Mitch Manseau seconded a motion to authorize Ellie Lonske to sign the Stanley and Sue Jackson boundary line settlement with P. Andrews and Linda McLane Plans conditional on the acreage and signature lines being corrected and receipt of signed authorizations for Alan Barnard to represent both parties. PASSED

Informational for Camp Wicosuta to add a director's cabin with access on Bear Mt. Road.

Alan Barnard presented additional information about the proposed construction. He reviewed the updated plan for a 28 x 48-foot, 3-bedroom, year-round cabin with its own water and septic system. All of the structure, parking and driveway will be more than 25 feet from the boundary line. A driveway permit for access off Bear Mountain Road is in process. There will be a six-foot path from the cabin to the Taj (staff housing). The propane tank and power will be underground.

For the Site Plan Review application to be complete, Mr. Barnard needs to submit:

1. A Site Plan updated for the whole area including the volley ball court, as per the previous approval when that was built.
2. A topographical plan of the area around the proposed building with two-foot contours.
3. The NHDES septic system approval for a 3-bedroom dwelling.
4. The driveway permit (the plan is for a gravel driveway).

Mr. Barnard asked if the Camp can start cutting trees this fall preparation for building after the Site Plan is approved. Mr. Beno asked about streams, slopes and wetlands. Mr. Mooney asked about a specific wet area, which is mostly on the Bogart property. There was some discussion about whether an Intent to Cut filing is needed for this number of trees, as it is only for the building site and driveway and 20 feet around the building. Mr. Larochelle cautioned that it is not the Planning Board's duty to define what can or should be done. They will need to construct the driveway entrance to be able to haul out what gets cut, so is that a Change of Use? This is a summer camp and if someone moved into the new cabin and had children would it become a year-round residence? Mr. Barnard said he will get a statement from the Camp that it won't be a year-round residence. Mr. Beno asked what will happen to the existing Director's Residence. Mr. Barnard said it will probably be used for Recreation as it often is now. Mr. Mooney asked about parking. Mr. Barnard said it will probably have one space as they have now. Mr. Mooney asked about the well radius of 75 feet and whether it is acceptable to encroach on Bear Mountain Road. Mr. Barnard said yes, they have an easement. Mr. Mooney asked if the septic system will tie in to the larger system, and Mr. Barnard said yes. Mr. Larochelle said to include landscaping, lighting plan, etc. on the Site Plan. Ms. Lonske said the proposed check list may be helpful. Mr. Barnard said he will email the approval for the curb cut for the driveway before asking approval for tree cutting.

7:36pm Arthur Cummings arrived.

George Road Scenic Road Review for PSNH utility poles and Nov. 8 Site Walk

Mike Ethier discussed the two lots created in the recently approved subdivision on George Road. He said the power lines have not been updated since the 1930s and the last pole serves Howard Oedel. His proposal is for PSNH to replace that pole and place power poles on the road all the way to the Twombly property where the NH Electric Coop line ends. Tom Davis of PSNH marked the pole sites and avoided trees as much as possible. Mark Coulson and Martha Twombly were present as abutters. Mr. Coulson said the line has served well, why put in more? Or you can bury the poles or have the utilities adjust the boundary. Henry Lynch said the way the line is laid out the new lots can be serviced off the existing line. George Road is the last Scenic Road in Hebron and the new poles would require guy lines and

MINUTES OF November 3, 2010 ADOPTED AS WRITTEN with ALAN BARNARD noted

anchors on the Oedel property, which would mean much cutting that is not staked by PSNH. The property would then have a view of multiple lines for telephone, cable, etc. PSNH puts poles too close to the road. They'd have to get permission for anchoring and no-one has asked Mr. Oedel yet. For example look out by Aiken Acres where ledge was pushed back for snow plowing, if PSNH puts a pole there it may ruin the area. Don George, prospective purchaser of one of the new lots, said the existing pole is in the middle of what would be his yard. Ms. Lonske asked Mr. Ethier if he could move the pole on his property or put it underground. Mr. Ethier said the cost for the new poles would be \$25,000 and putting them underground would be three times as expensive. Ms. Lonske asked Mr. George where his house would be on the map and said the Site Walk will help the Board's understanding. Mr. Coulson asked about the Town Right-of-Way for access between Lots 1 and 2 and whether new poles could go there. Mr. Ethier said no, it's too far away. Ms. Twombly said there is already power on Lot 1, so why disrupt four other properties to add poles? Why not accommodate the purchaser within the property? Mr. Larochelle commented that if this were not a scenic road, the question would not have come before the Planning Board. The purpose and purview of the Planning Board's Scenic Road Review is the protection of trees and stone walls. The esthetic interest of neighbors is not within the Board's authority. Mr. Mooney asked Mr. Ethier to ask the PSNH representative to attend the Site Walk on November 8. Ms. Lonske asked if going to the 12/1/2010 hearing would be an issue. Mr. Lynch said PSNH has to get a Pole License from the Selectboard, so approval would be delayed anyway. Mr. Ethier explained that when developing you do a Site Walk to decide which trees to cut and what stone walls to protect or where to move them for road cuts. Mr. Larochelle asked if the road is owned by the Town. Mr. Ethier said the pin is in the boundary wall. Mr. Larochelle read from the RSA that the Planning Board shall review and only tree cutting must have written consent. Ms. Lonske noted that the time of the Site Walk had been moved back to 4:00 PM with interested parties meeting in front of the Land Use building at 3:45 PM. They will start at the first pole, gather information and discuss. There will be no decisions on site. Parking can be at Oedel's or Twombly's. The case will then continue to the hearing on 12/1/2010. Mr. Lynch asked Mr. George if his house lot was staked yet, and he said no. Mr. Larochelle said the house lot is not the Planning Board's concern, only the cutting of trees. Mr. Beno requested resolution of ownership of the road question before the Site Walk. Mr. Ethier said on the map it is pinned in mid-road. Mr. Lynch suggested LRPC as a resource to answer the road right-of-way question. Mr. Coulson suggested Bruce Barnard as a resource, as he had been the road agent. Mr. Larochelle said he would follow up with Alan Barnard as they surveyor then it's up to the Selectboard. Mr. Mooney said they will look it up when there is a Pole License application. Mr. Coulson asked about the Planning Board's power to say if even one tree needs to be cut it all had to be underground. Mr. Mooney asked if there was a deadline to act. Ms. Lonske said no.

Informational for Subdivision and Lot Line Adjustment Plan for Mike Ethier.

Mike Ethier introduced Jim Bolduc, PE, of Lepene Engineering & Surveying LLC to present a proposed subdivision in Map 8, Lot 5 off Cooper Road, with a lot line adjustment between the 15-acre lot and the abutting approximately 62-acre lot. He would like to take .8 acre and combine it with Lot 5 to create a 2.5 acre lot in the proposed subdivision. He proposes access from Hickin Road to Lot 5-1 and a driveway through the Double E land to Lot 5-2. He asked for concerns, comments and thoughts. Ms. Lonske said the old dirt road that she used to walk on is there. Mr. Mooney said he used to hunt there. An informational Site Walk would be a pre-requisite. Mr. Ethier presented a map including a 50-foot right-of-way for a 3-lot subdivision that the Planning Board approved for a 3-lot subdivision in 1979. He has approached abutters about the access on Hickin Road but a couple of abutters oppose it. The deed says the right-of-way is for a "woods road" and the owners own to the middle of the road. They are interpreting the deed to mean he can't build a town road there. Mr. Bolduc asked what the minimum would be that Mr. Ethier can build to permit someone access to build on that lot. Mr. Ethier said the question is the road requirement to enable fire truck access. Mr. Larochelle said it's all spelled out in the

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Subdivision Regulations. Mr. Ethier and Mr. Bolduc asked if they are building one house on a lot what would the driveway requirement be. Ms. Lonske said it is either a driveway built to driveway standards or a road for a Subdivision. You cannot go around in circles to figure out what to do. Mr. Beno said if in 1979 the Planning Board granted a 3-lot subdivision with a 50-foot right-of-way, you can't change that. Mr. Ethier must settle with the neighbors and bring a 3-lot subdivision application to the Board. He asked if there is any legal basis for neighbors to limit the size of the road. Mr. Larochelle asked who owns the land the Hickin Road right-of-way is on. Mr. Ethier said the neighbors but the right-of-way is pinned and the Planning Board name on it is approved as Hickin Road. Mr. Beno said the language on the Plan needs interpretation by an authority. Mr. Larochelle addressed the Boundary Line Adjustment and said the owner has the right to do a Lot Line Adjustment with only information, no approval needed.

8:46 PM

Other Matters

Chuck Beno moved/Curt Mooney seconded a motion to adopt the Rules of Procedure change for Section 4.14. Voting members were Ellie Lonske, Roger Larochelle, Curt Mooney, Chuck Beno and Mitch Manseau. PASSED UNANIMOUSLY

Ms. Lonske said by the works session 11/15 she would have a draft of the Master Plan Vision Statement. Mr. Larochelle said he would have a draft of the checklist.

Ms. Oranch reported that there were no more copies of the Subdivision Regulations in the Land Use Office or in the Selectboard Office. A binder will be installed in the Selectboard Office for reference and anyone who wants a copy can download it from the Town website.

8:55 PM Chuck Beno moved/Mitch Manseau seconded a motion to adjourn. PASSED

SUMMARY OF MOTIONS

Chuck Beno moved/Mitch Manseau seconded a motion to adopt the minutes of 10/6/10 as presented. PASSED

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