



Town of Hebron
P.O. Box 188
Hebron, NH 03241
(603) 744-2631
hebronnh@metrocast.net

Hebron Planning Board

Minutes of Public Hearing

May 4, 2011

These minutes may be amended at a future meeting. Any changes will be included in the minutes of that meeting.

Board Members Present: Ellie Lonske (chair), Roger Larochelle (vice-chair), Chuck Beno (member), Mitch Manseau (member), Curtis Mooney (Selectboard representative), Arthur Cummings (alternate), Joe Hogan (alternate), and Kathleen Kearns (alternate).

Others Present: Tom Gump (Selectboard alternate representative), Dan Merritt (compliance officer), Jim McGinness, Bob Bengston, Tommy Greenwell, Don George, Alan Barnard, Bruce Barnard, Mike Ethier, Diane Burbank (secretary pro-tem)

Time Convened: 7:00 PM

Time Adjourned: 8:00 PM

Next meeting: June 1, 2011

Agenda:

1. Administrative Matters and Announcements.
2. Review Minutes of Prior Meetings for Additions, Corrections and Adoption.
3. Continuance of Jaques et al and Sughrue Portion of George Road Relocation.
4. Continuance of Subdivision Application for Double E Land LLC, Map 8, Lot 5 & 6.
5. Site Plan Review for Camp Mowglis Staff Housing, Tax Map 7, Lot 29.
6. Any Other Matters That Come Before the Board.

Administrative Matters and Announcements:

Ellie Lonske, Chair, called the meeting to order at 7:00 PM and introduced members of the Board. She announced that a work session with the Conservation Commission will be held on Monday, June 15, 2011, to discuss what proposals for zoning changes might come out of the *Natural Resources Inventory* recommendations.

In other matters, Ms. Lonske reported that all briefs and responses in the Delaney case have been filed, and that the decision is now in the hands of the NH Supreme Court.

Mr. Mooney inquired whether the new marina definition has been updated on the Hebron website. It was confirmed that this has been done.

The Selectmen may propose an amendment to the Zoning Ordinance to clarify the definition of building height.

Selectman John Dunklee had also expressed concerns that building should not commence in the Kill subdivision prior to the installation of guardrails, as specified in the subdivision approval. Dan Merritt was recognized and told the Board that Selectman Dunklee issued the building permit to Larry Kill after Town Counsel Jae Whitelaw advised him to make a note of that fact on the permit to protect the town's liability during the construction phase. Large rocks will be used along the road temporarily until the road is paved.

Chuck Beno moved and Curtis Mooney seconded a motion to adopt the minutes of April 6, 2011. Motion passed unanimously.

Continuance of Jaques et al and Sughrue Portion of George Road Relocation: Alan Barnard announced that the State had given its approvals for the Jaques subdivision on April 29, 2011, and that this allows prior agreements between the Grace Jaques Trust and the Town of Hebron, and Paul Sughrue, Jr. and the Town of Hebron to proceed. Easement deeds from the Grace Jacques Trust to the Town of Hebron and Paul Sughrue, Jr. to the Town of Hebron must now be signed so that the Town can proceed with the relocation of George Road. Monuments are to be set on the edge of road to mark the new location. Alan Barnard requested that the Planning Board give Chair Ellie Lonske permission to sign the subdivision approval before the next meeting, as soon as Mr. Barnard presents the signed Jaques Deed to her. Mr. Beno objected to Mr. Barnard bringing a legally binding agreement to Ms. Lonske between meetings, stating that in the interest of protecting the Town, he believes the Board should have the Deed in hand before granting approval. Mr. Barnard questioned why the Board cannot sign immediately since there is a prior "Agreement to Agree" negotiated and signed by all parties including counsel, pending the recent State approval of the subdivision. The Agreement is on file in the Selectmen's Office. Ms. Lonske stated that because the Agreement had been negotiated by Selectmen, not the Planning Board, and because this matter has been in abeyance for over five years, she was reluctant to proceed without having the Agreement to Agree reviewed by the Planning Board members and by Selectmen Representatives Mr. Mooney and Mr. Gump. The matter was continued until the June meeting.

Continuance of Subdivision Application for Double E Land LLC, Map 8, Lot 5 & 6: Ms. Lonske read a letter dated April 27, 2011 from Mike Ethier's agent requesting a continuance until the June meeting. Mike Ethier was present at the meeting and was unaware that the continuance had been requested. Ms. Lonske said that an abutter had shown up at the meeting before Mr. Ethier had arrived. She had advised him of the continuance, and he then left. The continuance was granted until the June meeting.

Site Plan Review for Camp Mowglis Staff Housing, Tax Map 7, Lot 29: Bruce Barnard presented a site plan review application and checklist, along with related materials, for a two-bedroom seasonal cabin. Ms. Lonske reminded Mr. Barnard that he was to have contacted her to schedule a site walk before the May meeting. Mr. Laroche reviewed the items on the Site Plan Review checklist with Mr. Barnard, flagging information that will need to be provided at the June 1st meeting.

Status of application:

- The name and address of the preparer of the plan needs to be added.
- The certification of the boundary surveyor is on file.
- The applicant is asking for a waiver on the size, shape and height of existing and proposed structures, and a waiver on the plan of properties within 200 feet of site boundaries.
- In response to exterior signs and lighting, Mr. Barnard stated that there would be no signs. Lighting will be minimal (down lighting over door jambs), not highly visible from a distance. Ms. Lonske stated that the Board would like to see this in writing, since the property is on the lake.

The timetable for construction was addressed, and Mr. Barnard stated that it would be as soon as possible after the site walk, probably June. He has not yet applied for a building permit. There was a discussion relative to the necessity of Recording the Final Site Plan. Mr. Mooney pointed out the confusing language in Article IX, E of the Hebron Site Plan Regulations. It is unclear whether the recording itself or the fee for recording might be waived upon written request. Mr. Larochelle said that the Board is not obligated to record a site plan, but it is a good idea to at least post a Public Notice. Mr. Beno's opinion was that it might not be necessary in this case, since the camp is being built to match existing structures; however, in the case of a brand new camp site plan, it should be recorded. Ms. Lonske stressed that if we have recorded some, we should be consistent in all cases. Mr. Barnard proposed that we waive the recording requirement in this application, while reserving the right to require it in future site plans for camps. Ms. Lonske suggested that the regulation be discussed in a future work session. Mr. Barnard noted that the septic system permit was pending state approval for shoreline and wetlands protection. Mr. Barnard submitted a check for \$274 to cover the site plan fees and the Secretary accepted the payment. After considering all materials, Mr. Larochelle proposed that the Board table the acceptance of the application pending missing items, but do the site walk to move the process along. A site walk of the property was scheduled for May 10 at 4:30 PM. The matter was continued until June 2, 2011.

A motion to adjourn was then made by Roger Larochelle and seconded by Chuck Beno. The motion passed by a unanimous vote, and the meeting was adjourned at 8:00 PM.

Respectfully submitted, Diane Burbank, Secretary

SUMMARY OF MOTIONS

Chuck Beno moved and Curtis Mooney seconded a motion to adopt the minutes of April 6, 2011. Motion passed unanimously.

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