

MINUTES OF 1/08/2014



Town of Hebron
PO Box 188
Hebron, NH 03241
Phone: 603-744-2631
execassist@hebronnh.org

Hebron Planning Board
Minutes of Meeting 1/08/2014

Planning Board Members Present: Roger Larochelle (Chair), Kathleen Kearns (Vice Chair), Karl Braconier (Alternate), Joe Hogan (Alternate),

Planning Board Members Absent: Eleanor Lonske (Select Board Representative), Thomas Gumpp (Select Board Alternate), Chuck Beno (Member), Mitch Manseau (Member), Arthur Cummings (Alternate)

Others Present: Barbara Spike (Secretary), Dan Merritt (former Compliance Officer)

Time Convened: 7:00 p.m. **Time Adjourned:** 7:25 p.m.

Next Meeting: **January 27, 2014** workshop hearing

Agenda:

- 1) Administrative Matters and Announcements
- 2) Review minutes of prior meetings for additions, corrections and adoption
- 3) Review of Site Plan Regulation guidelines
- 4) Any other matters that come before the Board

Chair Roger Larochelle called the meeting to order at 7:00 p.m. Chair Roger Larochelle asked Joe Hogan and Karl Braconier to step up as full members for this meeting for voting purposes. Chair Roger Larochelle asked for corrections or additions to the December 4 minutes. Kathy Kearns noted that on page 3 about half way down, where it said "Alan Barnard said no, it's a part of the adjustment with deed references and tax. The Intent is to record the plan as part of the adjustment, . . . that "lot numbers" should be added after "tax" so it would make sense.

With no further corrections being noted, **Karl Braconier moved, and Joe Hogan seconded a motion to accept the minutes as amended. PASSED.**

Chair Roger Larochelle then moved on to discussing the upcoming calendar. He said that the new Land Planning Use books were available and should be available either on CD or downloaded. There was no reason each person should need to get the book, just the online version should suffice. Chair Roger Larochelle then discovered that the Land Use Plan book was available as a download only. He was going to look into finding out more about it.

Chair Roger Larochelle said that Dan Merritt recommended making changes to the Zoning Regulations. Chair Roger Larochelle is looking to get the corrected language by Friday. Dan Merritt said the language is fine, but the Reference should be removed.

To get proper notice in time, Chair Roger asked for a workshop meeting on Monday, January 27. The Public Hearing is needed for zoning changes, including language. It will require notice in the paper and proper notices posted.

This proposed Zoning change will be in a warrant article to be voted on at Town Meeting, which is on the second Tuesday in March, the 11th.

Chair Roger Larochelle said he wants to send out changes that were made to the members and have them review them.

Chair Roger Larochelle said there would be no workshop on January 20, as that is Martin Luther King Day, but it will be on the following Monday, January 27. This will give the necessary 2-week lead time for notices for a Public Hearing.

No further business coming before the Board, **Kathy Kearns moved and Joe Hogan seconded the motion to adjourn. PASSED at 7:24.**

Respectfully submitted:
Barbara A. Spike, Secretary

MINUTES OF 2/17/2014



Town of Hebron
PO Box 188
Hebron, NH 03241
Phone: 603-744-2631
execassist@hebronnh.org

Hebron Planning Board
Minutes of Workshop Meeting 2/17/2014

Planning Board Members Present: Roger Larochelle (Chair), Karl Braconier (Alternate), Kathleen Kearns (Vice Chair), Mitch Manseau (Member)

Planning Board Members Absent: Eleanor Lonske (Select Board Representative), Chuck Beno (Member), Joe Hogan (Alternate), Thomas Gump (Select Board Alternate), , Arthur Cummings (Alternate)

Others Present: Barbara Spike (Secretary)

Time Convened: 7:00 p.m. **Time Adjourned:** 8:07 p.m.

Next Meeting: March 5, 2014

Agenda:

- 1) Administrative matters
- 2) Review of Site Plan Regulation guidelines
- 3) Any other matters that come before the Board

Administrative Matters and Announcements

Chair Roger Larochelle called the meeting to order at 7:00 p.m. Chair Roger Larochelle announced that Chuck Beno was not attending and Ellie Lonske was ill. Chair Roger Larochelle also expressed his thanks to Kathleen Kearns for her time on the Board, as Chair and Vice Chair. There was no word from either Joe Hogan or Arthur Cummings. Chair Roger Larochelle said the minutes of the January 8th meeting will be reviewed at the next regular meeting on March 5.

Review of Site Plan Regulation guidelines

Chair Roger Larochelle said that he and Ellie worked through some of the revisions to the Site Plan Review that had been discussed at the January 27th workshop. The greatest effort was to rework the Minor Site Plan Review. Chair Roger Larochelle said it was best to approach it in two parts: Article V: Procedures for a Minor Site Plan Review and the Site Plan Review.

The changes were recorded on a draft brought in by the secretary, Barbara Spike, as well as Chair Roger Larochelle recording them. Chair Roger Larochelle said that having a Minor Site Plan Review makes sense, especially hoping to get away from the waiver process. Article I, Item B defines the Minor Site Plan Review, and it is worded to put the Board in full control of the process. Chair Roger Larochelle then turned to Article IX, Procedures for Minor Site Plan Review. Kathleen Kearns asked if this was serving as a checklist for the Site Plan Review, to which Roger Larochelle answered yes, it outlines the process of accepting the application as complete.

The Board felt the existing Review Plan written was discouraging applicants. Kathleen Kearns asked if the application had been updated, which it had not been. The fees, especially the postal fees, had not been raised in several years. Chair Roger Larochelle asked the Board if there was anything else helpful for the Board to have. Karl Braconier questioned the term “current use” in Article X, Section A.3. It was agreed that “current use” should be changed to present use.

In A.5, the words “(legibly printed or typed)” should be stricken. This is the same in Article X A.5.

The changes since the last meeting start at Section F, Action of the Board. Chair Roger Larochelle brought up the question if there was a need for Section H.

Section I was discussed. Chair Roger Larochelle combined both Items 1 and 2, took it out of Procedures and put it in as Section C under Article IX. Chair Roger Larochelle looked to complete the sentence in Article IX, Section B. All agreed to change “to” to “shall” so it reads:

The Application Fee and sufficient funds **shall** cover the full costs of notifying Abutters and advertising the Public Hearing.

Karl Braconier questioned the meaning of Article V, Sec. F.2. It seemed unclear to him who was taking the action. Chair Roger Larochelle said that once the Application is complete, the Board has 65 days. The Planning Board can apply to the Select Board to extend this time limit or the Applicant can say they agree to continue it. Chair Roger Larochelle did say the Board action is confusing. He went on to say that an Applicant and the Planning Board may consent to an extension without Select Board approval.

Kathleen Kearns then suggested taking Article IX: Procedures For Minor Site Plan Review, and move it after Article V Sec. B: Minor Site Plan Review. All subsequent articles would then be renumbered going forward. Kathleen said it seems that Article X: Application Procedures For Full Site Plan Review seems to be the checklist again. There was discussion then of the oxymoron of the second Section X: Additional Requirements, which are added on to the thirty already in the preceding section. He further said it would probably be a good idea to consolidate all the requirements into one list.

There was more discussion on all the lists, some seeming to pertain to the application, some to the plans, and some to the maps. Chair Roger Larochelle said he would consolidate the lists. Kathleen Kearns pointed out a few of the redundancies in the lists.

Chair Roger Larochelle asked Mitch Manseau if a site plan could be signed by an engineer as opposed to a surveyor. No one was really sure.

Regarding the second Article X: Additional Requirements for Full Site Plan Review, Mitch Manseau said 30 items is a bit too long. On Item A.3, Chair Roger Larochelle said he liked a paragraph with detail as to what the Board is looking for. For Section A.5, “B” pertains to the Plan, “A” refers to the paper application.

Chair Roger Larochelle brought up Article XII: Standards and Requirements, this was part of the same. The effort should be to get away from laundry lists and say “See Checklist for individual items.”

Karl Braconier asked what the difference was between “location of site” and location of plan? Chair Roger Larochelle led further discussion on putting the 30 items off to the side and making sure everything gets covered in the text. This would be defining appropriate buckets. That will reduce the size of this document quite a bit.

The next meeting is March 5, and the Board should be prepared to review these revisions.

After completion, the Site Plan Review document needs to be published, a notice of public hearing placed in a newspaper ad, and public notices posted. Then there's a hearing; if changes are to be made, there will have to be another public hearing notice posted.

Mitch Manseau thanked Roger for agreeing to rework the lists.

No further business coming before the Board, Karl Braconier moved and Mitch Manseau seconded the motion to adjourn. PASSED at 8:07.

Respectfully submitted:
Barbara A. Spike, Secretary

MINUTES OF 3/05/2014



Town of Hebron
PO Box 188
Hebron, NH 03241
Phone: 603-744-2631
execassist@hebronnh.org

Hebron Planning Board
Minutes of Meeting 3/05/2014

Planning Board Members Present: Roger Larochelle (Chair), Kathleen Kearns (Vice Chair), Karl Braconier (Alternate), Joe Hogan (Alternate), Eleanor Lonske (Select Board Representative), Mitch Manseau (Member), Arthur Cummings (Alternate),

Planning Board Members Absent: Chuck Beno (Member), Thomas Gump (Select Board Alternate)

Others Present: Barbara Spike (Secretary)

Time Convened: 7:00 p.m. **Time Adjourned:** 8:13 p.m.

Next Meeting: April 2, 2014

Agenda:

- 1) Administrative Matters and Announcements
- 2) Review minutes of prior meetings for additions, corrections and adoption
- 3) Review of Site Plan Regulation guidelines
- 4) Any other matters that come before the Board

Chair Roger Larochelle called the meeting to order at 7:00 p.m. Chair Roger Larochelle took up Administrative matters, letting the Board know that Kathleen Kearns had submitted her letter of resignation, effective with this meeting. Eleanor Lonske said that Kathleen's letter was accepted with great regret. Chair Roger Larochelle and other members thanked Kathleen for all the work she had done on the Board over the years and that her absence would be greatly missed. Chair Roger Larochelle then asked Joe Hogan to step up as full member for this meeting for voting purposes, saying that Chuck Beno was detained and could not make it. Chair Roger Larochelle asked for corrections to the

preceding three sets of minutes, starting with the most recent ones first. Chair Roger Larochelle told the Secretary that the names missing on the last page of the February 17th workshop minutes were Karl Braconier moved and Mitch Manseau seconded the motion to adjourn that meeting. With no further additions or corrections to those minutes, **Karl Braconier moved, and Mitch Manseau seconded a motion to accept the minutes as amended.** PASSED.

Chair Roger Larochelle then took up the minutes for the January 27th workshop meeting and asked for any corrections or additions. Eleanor Lonske mentioned that the date on the very top of the first page was incorrect. Hearing no further corrections or additions, **Eleanor Lonske moved, and Mitch Manseau seconded a motion to accept the minutes as submitted.** PASSED.

Chair Roger Larochelle then asked for any corrections or additions to the January 8th minutes. With no corrections or additions, **Eleanor Lonske moved, and Mitch Manseau seconded a motion to accept the minutes as amended.** PASSED.

Concerning other administrative matters, Chair Roger Larochelle said he had signed two driveway permits, one for Hobart Hill Road for a logging operation, the other for Rina and Ben Hall on Pike Hill Road.

Then Chair Roger Larochelle turned attention to the latest draft of the Site Review Plan, this dated March 3. Chair Roger Larochelle said this draft separated out the Minor Site Plan Review from the major one, throwing the Checklist to the back of the document. He further said the Table of Contents wouldn't be updated until the entire review plan was finished. Chair Roger Larochelle said he would like the Board to walk through it to find out how it feels, saying there would be another chance to refine it. Chair Roger Larochelle also said he would send a copy to Alan Barnard to review it and submit feedback. Chair Roger Larochelle also asked if there were other people, not lawyers, who should review it for their feedback. Eleanor Lonske suggested that Al DeFao, the new Compliance Officer; Chair Roger Larochelle said he should also probably send one to Bruce Barnard, too; and then he added Peter Carey probably should see it.

Chair Roger Larochelle then suggested that the Board might contemplate doing a mock

site review to see how it worked in actuality.

Going into the draft, Chair Roger Larochelle said that the first four Articles would remain the same. Article V drew a lot of comment and discussion, along with Article VI.

Chair Roger Larochelle spent much of the time on the review of Article VI, the Procedure for the Minor Site Plan Review. Section A is renamed to Requirements. Section B would be the elements necessary to complete the Application itself; namely former items numbered 1 through 5. Items 6 through 12 would become Section C, which would include the supporting documentation as required by the Board, based on the merits of the scope of work to be undertaken on that particular project. The former items B, C, and D would be renumbered and integrated with the requirements for the application and supporting documentation. Joe Hogan made several recommendations regarding the rewording of existing statements. The Board discussed ways to make this section more succinct and clear for both the Applicants and the Board.

Chair Roger Larochelle said he would rework the items discussed and send out a revised copy in the next several days or a week.

Chair Roger Larochelle brought up the date for the next meeting, being April 2, as the Board did not feel there was need to have another workshop in the interim to discuss the review.

No further business coming before the Board, **Karl Braconier moved, and Kathy Kearns seconded the motion to adjourn. PASSED at 8:13.**

Respectfully submitted:
Barbara A. Spike, Secretary

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

MINUTES OF 4/02/2014



Town of Hebron
PO Box 188
Hebron, NH 03241
Phone: 603-744-2631
execassist@hebronnh.org

Hebron Planning Board Minutes of Meeting 4/02/2014

Planning Board Members Present: Roger Larochelle (Chair), Karl Braconier (Alternate), Chuck Beno (Member), Eleanor Lonske (Select Board Representative), Mitch Manseau (Member), Dan Merritt (Alternate)

Planning Board Members Absent: Joe Hogan (Alternate), Thomas Gump (Select Board Alternate), Arthur Cummings (Alternate),

Others Present: Barbara Spike (Secretary)

Time Convened: 7:20 p.m. **Time Adjourned:** 8:09 p.m.

Next Meeting: May 7, 2014

Agenda:

- 1) Administrative Matters and Announcements
- 2) Review minutes of prior meetings for additions, corrections and adoption
- 3) Election of Officers
- 4) Review of Site Plan Regulation guidelines
- 5) Any other matters that come before the Board

Select Board Representative Ellie Lonske called the meeting to order at 7:20 p.m. Ellie Lonske asked for nominations for Chairperson. Chuck Beno nominated Roger Larochelle; Mitch Manseau seconded the nomination. Vote was taken, and Roger Larochelle was nominated unanimously. Ellie Lonske then asked for nominations for Vice Chair. Roger Larochelle nominated Mitch Manseau; Chuck Beno seconded the nomination. Mitch Manseau was elected to Vice Chair unanimously. Chair Roger

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Larochelle made sure that Mitch Manseau had a set of keys.

Chair Roger Larochelle mentioned the changes to the Board members. He welcomed Dan Merritt, saying that Dan Merritt is a full member to replace Kathleen Kearns. Ellie Lonske said that probably shouldn't be, that Dan Merritt should be an alternate. Ellie will bring that up with the Select Board on Thursday. Dan Merritt said that he was surprised too, but the letter said he was completing Kathleen Kearns' term.

Chair Roger Larochelle told the Board that Joe Hogan had stepped down as alternate after several years.

Ellie Lonske informed the Board that she was in the process of putting together a monthly newsletter that would help people in the town stay informed.

Chair Roger Larochelle said that when the revision of the Site Plan Review was complete, all the rest of the documents and procedures should be gone through, resulting in a tidy package.

Chair Roger Larochelle then turned to the minutes of the March 5th meeting, asking for any changes or additions. Dan Merritt said that in the middle of page 2, Ben Hale should be changed to Ben Hall. With no further comments, Mitch Manseau moved, and Chuck Beno seconded, to approve the minutes as corrected. Passed at 7:31 p.m.

Chair Roger Larochelle then asked Ellie Lonske if anything else came out of the Town Meeting besides the approval of the Zoning Ordinance wording. Ellie Lonske said she would like support from the members to change the process for Town Meeting in future because of the extreme number of hours into the late night getting the votes tallied. Ellie Lonske suggested breaking the Meetings up into two sessions, and/or moving it to a Saturday. The write-in votes were out of control.

Chair Roger Larochelle said he was glad that the ordinance changes passed.

Chair Roger Larochelle brought up the Site Plan revisions he recently submitted on Section III. He said they were the result of his effort to simplify the procedures as much as possible. Chair Roger Larochelle said the SP Review was now divided into three parts: General; Minor; and Site Plan Review. The Checklist was just a dump of extra

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pieces that will be refined at the end of the revision period. Chair Roger Larochelle then asked the members how they felt about the simplification. Chuck Beno asked if this would be going to Town Counsel. Chair Roger Larochelle said yes, as well as being sent to Alan Barnard and Al DeFeo, the new Compliance Officer.

Ellie Lonske said the approach is excellent, and she suggested that each member take a copy and mark it up, then discuss the changes during a workshop.

Chair Roger Larochelle didn't feel his latest revision captured all the changes, just the format that resulted from condensing all the material. Chair Roger said to look at the outline, not the detail, to see if the new structure of Section III, Site Plan Review, made sense. He went on to say that Section III needs to hang by itself without referencing another section, in order to avoid redundancy and confusion. Section III, B. Procedures contains most of the detail, and it can be reordered if necessary. Formatting will be made clearer when the material is finalized. Section III.C. Is the actual application. It needs to be checked for redundancy.

Chair Roger Larochelle said that Item 5: Action of the Board, is probably the same for the subdivision. It needs to be checked to make sure it syncs. He asked also if the collapsing/condensing the material helps or confuses.

Chair Roger Larochelle said the Application references the checklist. He asked the members that during their editing, to look for where words can be deleted, citing that "brevity should serve us well." Chuck Beno asked if they should take the liberty to break up paragraphs, to which Chair Roger Larochelle answered "absolutely." Chair Roger said that all 'Requirements' are the text version of the checklist. This is where each item should be spelled out. The checklist also needs to be whittled down. The checklist will become part of the application, not part of the Site Plan Review.

There was brief discussion of commercial interests that the Town might be able to develop using conservation properties and the Town Forest, such as developing walking trails. These ideas should come before the Select Board. Chair Roger Larochelle said there might be other organizations, including Audubon, that might be interested in tying

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into places such as Bear Mountain.

A question arose as to when the checklist would be developed. Chair Roger Larochelle said it would come after Alan Barnard's review, but before Town Counsel submission.

Chair Roger Larochelle then asked all members to get their markups on Section III only back to him at the Sugar Shack or to Karen in the office by Friday, April 11th, so he could have time to review and incorporate the changes for discussion at the next meeting.

Mitch Manseau was joined by the other members of the board in thanking Chair Roger Larochelle for getting all the work done.

Chair Roger Larochelle is glad it's all becoming understandable.

With nothing further to come before the board, Chair Roger Larochelle announced the next meeting would be on May 7th. **Ellie Lonske moved, Chuck Beno seconded the motion to adjourn the meeting. Passed at 8:09 p.m.**

Respectfully submitted:
Barbara A. Spike, Secretary

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MINUTES OF 5/7/2014



Town of Hebron
PO Box 188
Hebron, NH 03241
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Hebron Planning Board Minutes of Meeting 5/7/2014

Planning Board Members Present: Roger Larochelle (Chair), Karl Braconier (Alternate), Chuck Beno (Member), Eleanor Lonske (Select Board Representative), Mitch Manseau (Member), Dan Merritt (Alternate)

Planning Board Members Absent: John Dunklee (Select Board Representative), Arthur Cummings (Alternate),

Others Present: Alan Barnard, Barbara Spike (Secretary)

Time Convened: 7:02 p.m. **Time Adjourned:** 8:02 p.m.

Next Meeting: Workshop on Monday, May 19, 2014

Next Regular Meeting: June 4, 2014

Agenda:

- 1) Administrative Matters and Announcements
- 2) Review minutes of prior meetings for additions, corrections and adoption
- 3) Informational on Sughrue subdivisional
- 4) Site Plan Regulations revision (continued)
- 5) Any other matters that come before the Board

Chair Roger Larochelle opened the meeting at 7:02 and stated that there were five voting members present, with Dan Merritt as an Alternate. Chair Roger Larochelle said there would be an update on the Sughrue subdivision matter, and he thanked Alan Barnard for presenting the matter for Paul Sughrue.

Chair Roger Larochelle proceeded to the minutes of the April 2 meeting and asked if

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there were any corrections or additions. Hearing none, **Chuck Beno moved, Karl Braconier seconded the motion to accept the minutes as submitted. Passed at 7:04 p.m.**

Chair Roger Larochelle said he had hoped to get in touch with Paul Sughrue, but it was good that Alan Barnard was able to provide the update on the subdivision for Paul Sughrue. Alan Barnard said that Paul Sughrue was now back on his feet after several issues, one being back problems. Alan Barnard brought maps forward to the Board to show where changes were going to be taking place. It was determined that Paul Sughrue had made a deal with Jack and Dana Armstrong, after attempts to negotiate a boundary line adjustment, to buy the adjoining lot. Alan Barnard said that Paul Sughrue was still planning on doing a boundary line adjustment, resulting in an increase to the lot he bought.

Alan Barnard then brought up the issue of the George Road construction, and he asked the Board whether Paul Sughrue should either get a Surety or just get the road built.

Chuck Beno asked about the slopes, and Alan Barnard said that the State had approved the plans. Chair Roger Larochelle asked if the three lots would yield to make four, to which Alan Barnard answered yes. Ellie Lonske asked if these lots would meet the new 2-acre requirements, which she felt would make life easier with the existing slopes.

Chair Roger Larochelle said he has signed agreements. He said further that the clock was ticking on Paul Sughrue, as the agreements were signed in 2011. Alan Barnard said he will get the two state approvals for the driveway. Alan Barnard said that Paul Sughrue would like to construct the road instead of getting the Surety. The construction needs someone from the Town to inspect it. Alan Barnard went on to say that if the Surety is in place, as was with Hebron Country Estates, that Paul Sughrue would be able to sell off lots. Paul Sughrue could sell the lots before the road was constructed, but there could be no occupancy before the road was constructed. When Ellie Lonske asked what the Surety would cover, Alan Barnard answered that it would ensure the completion of the road.

Chuck Beno asked what if the road should be only partially completed and Paul Sughrue

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has health issues and construction couldn't go forward.

Alan Barnard said he will come back with the boundary line adjustment along with compliance of surety and road construction.

There was discussion of David's issues to the Select Board asking for an abatement as he was being taxed for two separate lots, when there was only limited access to one of the lots until that road was completed.

Chair Roger Larochelle then asked if the CIP was be involved.

Chair Roger Larochelle said what the Town may want to consider is getting an estimate on what it will cost to complete the road.

Alan Barnard asked the Board to decide if Paul Sughrue should get the Surety or just get the road constructed.

Chair Roger Larochelle said the Board should get a timetable to completion and an estimate of the cost to the CIP. Chuck Beno said the Board should have a civil engineer review the plans and an opinion from Town Counsel.

Alan Barnard said that Paul Sughrue would like to start road construction in June, and it would be built to Town standards. Chair Roger Larochelle asked if there were any agreements in place now. Alan Barnard said no, but that Paul Sughrue has people and equipment to do it. Chuck Beno asked if everything was in place with the State for the junction of George Road and North Shore Road.

Chair Roger Larochelle asked if Paul Sughrue would pay for the Town hiring an engineering firm to look over the plans and perform periodic inspections.

Ellie Lonske said she feels that the Town should get an outside engineer and get surety.

Chair Roger Larochelle asked Alan Barnard if he had any suggestions for road engineers.

Alan Barnard said he'd check around to see. Chair Roger Larochelle said with the frequency of inspections needed it would be good to get an engineer that's closer by than Concord.

Alan Barnard said Paul Sughrue is looking for whether the Town wants him to obtain the Surety Bond or not.

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Chair Roger Larochelle said they would have to get engineering done on the Town's portion of the road.

Alan Barnard said he'd go back to Paul Sughrue and tell him that the Board is leaning toward the Surety. Chair Roger Larochelle said the Board would research to find out what is reasonable. Chair Roger Larochelle asked about utilities, whether they could be buried or above ground. Discussion led to the prohibitive cost of buried utilities, based on fees alone. Charges double for underground cable. Alan Barnard said he thought the utilities would be above ground.

Alan Barnard said he would go back to Paul Sughrue and tell him the Board wants the bond. Discussion wrapped up at 7:47 p.m. Alan Barnard said that one of the maps in the file was engineered by Northpoint. Alan Barnard added that as all building has been completed on Camp Wicosuta, that as-builts would be done soon.

Chair Roger Larochelle questioned the level of surety that would be needed and that the Town would need help with this; there might be a guide in using Hebron Country Estates. Chuck Beno said Town Counsel might know of an engineer.

Ellie Lonske will be leaving next Wednesday, May 14, for two weeks, returning around May 28.

Chair Roger Larochelle brought up the Site Plan Review changes he submitted, adding that it's almost done, trying to get it down to eight pages. He said that pages 4 and 5 of this revision should be looked at. There are now three sections: General, Application, and Requirements. Chair Roger Larochelle said there was a question on recording of the plans, and who is to be responsible for the recording. Historically, Chair Roger Larochelle said the Board has tried to shift the responsibility to the owner, but it is actually the Planning Board who is responsible for the recording.

Chair Roger Larochelle said the final discussion would be picked up at the workshop on Monday, May 19, and then hopefully it will be ready to send out to Alan Barnard and others to review before it's finalized. Ellie Lonske asked if John Dunklee were on that list of reviewers. Hearing that he wasn't, Ellie asked that he be put on the list. Ellie

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Lonske also said she is going to put in the next issue of the newsletter who the CIP is and what they do. Members of the board said she was doing a fine job with this newsletter and it was great to let the Townspeople know what was going on.

Chair Roger Larochelle asked for further business. With no new business, **Ellie Lonske moved, Mitch Manseau seconded the motion to adjourn the meeting. All in favor, meeting was adjourned at 8:02 p.m.**

Respectfully submitted:
Barbara A. Spike, Secretary

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MINUTES OF 5/19/2014



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Hebron, NH 03241
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Hebron Planning Board Minutes of Workshop 5/19/2014

Planning Board Members Present: Roger Larochelle (Chair), Karl Braconier (Alternate), Chuck Beno (Member), John Dunklee (Select Board Alternate), Mitch Manseau (Member), Dan Merritt (Alternate), Arthur Cummings (Alternate),

Planning Board Members Absent: Eleanor Lonske (Select Board Representative),

Others Present: Barbara Spike (Secretary)

Time Convened: 7:04 p.m. **Time Adjourned:** 8:27 p.m.

Next Regular Meeting: June 4, 2014

Agenda:

- 1) Administrative Matters and Announcements
- 2) George Road Relocation Surety for Sughrue Portion
- 3) Proposed Site Plan revision workshop
- 4) Any other matters that come before the Board

Chair Roger Larochelle opened the meeting at 7:04, welcoming John Dunklee from the Selectmen's office, standing in for Ellie Lonske, who was out of town.

George Road Relocation Surety for Sughrue Portion

Chair Roger Larochelle began the discussion on the George Road relocation matter of whether Paul Sughrue should build his section of the road or have him put up a surety bond. Paul Sughrue would be responsible for all the lots but couldn't sell them until the road was finished.

John Dunklee said the Select Board feels that a line of credit from a bank, as the Town

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had done with Larry Kill on Hebron Country Estates, would be better than a bond. If something were to halt construction, the Town would have direct access to the money to complete it. Using an insurance company, there's a third party. If there were a breach of contract, the insurance company could stall, and perhaps even take it to court. This line of credit can be diminished over time as the road building proceeds toward completion, keeping an additional 10 percent on the line of credit.

Chair Roger Larochelle asked how much of a credit line is enough, since Paul is doing the work.

John Dunklee said the Town could hire Casey Kuplin, Hebron Town Agent, **for inspections and also a civil engineer to ensure the work is being done correctly.**

Chuck Beno commented that about three or four years ago, when the Board went for a site walk, Paul had done major clearing. The Site Plan says "minimize impact," but he had really gone to town.

Chair Roger Larochelle said that Notice of Decision was dated November, 2011, so the clock is ticking on the five years for Paul to finish the project. Chuck Beno said that the urgency isn't the Board's. The quarter-mile long road will be dumping into North Shore Road and Sleepy Hollow, which John Dunklee noted is already seriously impacted.

Chuck Beno said the Town must act prudently with placement of erosion-control structures. There is physical space to create water retention, and the affected lots might be deeded off in the future, which might not allow future improvements.

Arthur Cummings said this had almost been a done deal several years ago. The problem is the Town builds from where Sughrue's road ends. Jaques needed to sign a boundary line adjustment. Chair Roger Larochelle said that the April, 2009 agreement had been signed.

John Dunklee said the last time the Town met with Attorney Luke Glavey there was an agreement signed, but it was just an agreement agreeing on terms. David Jaques wants the Town to abate the taxes on the lots until he sells them. John Dunklee went on to say that the Select Board can consider abate taxes for one year.

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

Chair Roger Larochelle asked if Attorney Glavey was still representing in this case. John Dunklee said he wasn't sure, and that there was still more to be done.

Chair Roger Larochelle said that David Jaques has issues on what will be left on George Road. John Dunklee said a culvert needs to be put in, and he was wondering if David Jaques wants it there. Chair Roger Larochelle said yes, he does.

Chair Roger Larochelle said what the Town will and won't do statements were never settled. Chair Roger Larochelle thinks there's a boundary line adjustment David Jaques needs to sign. John Dunklee said it's the final boundary line adjustment.

Chair Roger Larochelle suggested the Select Board make expectations clear. The Town needs an attorney also to review the surety.

John Dunklee said the Select Board would prefer Attorney Glavey, as he's been familiar with the case for a long time.

Chair Roger Larochelle said there needs to be a careful review of line of credit and inspections. John Dunklee said the Town has serious concerns with the drainage. Chair Roger Larochelle said that Alan Barnard suggested someone from Northpoint LLC. Chair Roger Larochelle said the Town had used someone from Lebanon, and another time an engineering firm from Laconia.

Chuck Beno said it's in the Town's best interest to get an engineer who is independent of the developers. There needs to be an accounting of the runoff from all the lots. Chuck Beno said he didn't remember seeing anything about that on Alan Barnard's plans. Chair Roger Larochelle said Alan Barnard was submitting 3 sets of engineering plans. The Town also was not going to be hiring an engineer to re-engineer what's already been done. Chuck Beno added that the developer needs to be held to the highest standards because of the lake.

Karl Braconier questioned how the line of credit would work. John Dunklee explained that Paul Sughrue would go to a bank and get a line of credit, based on whatever collateral the bank wanted to secure the line. The bank, in turn, then names the Town as recipient in case of default. This avoids the middlemen of the insurance companies, who

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try hard not to pay out, and avoids the possibility of court and lawyers.

Mitch Manseau asked if Hebron had used a line of credit before. John Dunklee said it was used on Kill's **Hebron Country Estate** project. To get rid of that ten percent, the engineers usually have to have as-builts, which are the hardest part. There should also be one cycle of freeze/thaw.

Chair Roger Larochelle asked how to deal with the terms and amount of line of credit. He felt there may be a difference of value between the Town and the engineer. Chair Roger Larochelle then asked where the paperwork for the Hebron Country Estates line of credit was. John Dunklee answered it was on file downstairs, and it can be used as a starting point when working with this new situation.

Chair Roger Larochelle said the Planning Board needs to put down their criteria and he will write it up and send it to the Select Board. There should be a third-party engineer hired by the town, who will be responsible for the applicant's engineering drawings, inspection, and scope of work, on a regular weekly basis, or more frequently, as needed. John Dunklee said Casey Kuplin can be used to do test borings.

Chair Roger Larochelle said our attorney will review all of this. The Board needs to see what outstanding documents there are. Mitch Manseau and Dan Merritt both said there's almost \$14,000 that has been set aside, with no timeline as to when it was going to be needed.

Chair Roger Larochelle said the Town needs to ask for costs, as the Town's portion of the road is only partially engineered. John Dunklee said he talked with Casey, and that Casey said he was going to do the culvert. John Dunklee said further that if he sees a dirty stream of water coming down that hill, there will be a cease and desist order as fast as he can write it. John Dunklee said that the Select Board next meets on Thursday, June 5.

Arthur Cummings said that if David Jaques doesn't sign his easement agreement with the Town, then it's a road to nowhere. Chuck Beno said that it's quite a concern for the Town. Mitch Manseau asked if the portion of the road by Jaques will be abandoned, and then there was discussion on the Town's responsibility when that happens. John Dunklee said

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it will be culverted and **would presumably become a Class 6 road** and would be kept open for fire trucks. It has a 20% grade. All **Sughrue** lots will be accessed by the newly relocated George Road.

Proposed Site Plan Revision

Chair Roger Larochelle then moved the discussion to the latest site plan review revisions he sent out last week. The first four pages held only formatting issues and there has only been one change since the last meeting. In Section I, hearing no comments, Chair Roger Larochelle moved on to Section II. In this section, the Board designates what they need to proceed with the Minor Site Plan. The major changes this time around come in Section III. Where previous versions had 8 items, this is now expanded to 13. Chair Roger Larochelle said if there was nothing further for changes up to the Approval item, turn to Page 5 Item #7 . The big question was who records. This states it is the Applicant's responsibility to record. The next two paragraphs have been added, which seemed applicable here, notably that if any substantial changes or alterations are being made, the Board must first consent to them. The third paragraph explains the timetable for beginning construction after approval has been granted.

Chair Roger Larochelle stated that the Planning Board is responsible for the amount of surety as laid out in Item 12. He then asked for any further questions on the Procedure. Chair Roger Larochelle asked if the Planning Board should be totally responsible for the security amount, or should it be cooperatively agreed upon between the Planning and Select boards.

Chuck Beno said the Planning Board cannot enforce it, but the Select Board should probably have that responsibility. John Dunklee said the Town will have to be responsible for any shortfall. Chair Roger Larochelle said that it should read "The Planning Board shall consult with the Select Board." The Planning Board may recommend the amount of security and will defer to the amount the Town's engineer **recommends**.

Chair Roger Larochelle advised the members when reviewing Section C: Application and Documentation, to keep in mind what isn't there. Karl Braconier mentioned a

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performance bond. John Dunklee said when it comes to the amount of security, that there should be a provision to alter it if there are changes to the plans. Chuck Beno replied that if there are any substantive changes, the applicant needs to come back to the Board for review. Karl Braconier said this may be optional based on the characteristics of the property. There was discussion leading to a change from “documentation” to “document(s).” After talking about 2.a. Environmental Impact Study, the Board felt that by the very use of the classification, it was all encompassing for any type of environmental concerns that might arise.

Chair Roger Larochelle said that C.2.d. Should be changed from “Cost estimate and project performance . . . (security)” to read “Other studies that may be required by The Board.” Chair Roger Larochelle said that from this set of revisions, it would be easy to develop a new checklist. With nothing further to come before the board, **Arthur Cummings moved, and Dan Merritt seconded the motion to adjourn the meeting.**

All agreed at 8:27 p.m.

Respectfully submitted:
Barbara A. Spike, Secretary

These minutes were corrected at the July 2, 2014 hearing. The changes are included in the minutes of that meeting.

MINUTES OF 6/4/2014



Town of Hebron
PO Box 188
Hebron, NH 03241
Phone: 603-744-2631
execassist@hebronnh.org

Hebron Planning Board Minutes of Meeting 6/4/2014

Planning Board Members Present: Karl Braconier (Member), Chuck Beno (Member), Mitch Manseau (Member), Dan Merritt (Alternate), Arthur Cummings (Alternate)

Planning Board Members Absent: Roger Larochelle (Chair), Eleanor Lonske (Select Board Representative),

Others Present: Barbara Spike (Secretary)

Time Convened: 7:00 p.m. **Time Adjourned:** 7:17 p.m.

Next Meeting: July 2, 2014

Agenda:

- 1) Administrative Matters and Announcements
- 2) Review minutes of prior meetings for additions, corrections and adoption
- 3) Site Plan Regulations revision
- 4) Any other matters that come before the Board

Mitch Manseau was Acting Chair for the meeting as Chair Roger Larochelle was unable to attend. Acting Chair Mitch Manseau opened the meeting at 7:00 and appointed Arthur Cummings and Dan Merritt as voting members for this meeting. Acting Chair Mitch Manseau asked for any corrections or additions to the May 7 meeting. Hearing none, **Chuck Beno moved, and Arthur Cummings seconded the motion to accept the minutes as submitted. Passed at 7:02 p.m.**

Acting Chair Mitch Manseau asked the members if there were any corrections or

These minutes were corrected at the July 2, 2014 hearing. The changes are included in the minutes of that meeting.

additions that needed to be made to the May 19 workshop meeting. With none forthcoming, **Arthur Cummings moved, and Chuck Beno seconded the motion to accept the minutes as submitted. Passed at 7:04 p.m.**

Acting Chair Mitch Manseau moved on and asked for discussion on the Site Review Plan revision. The members felt that the revisions were good as presented and ready to go to Town Counsel for his review, before going for a vote. Karl Braconier wondered about the checklist; Acting Chair Mitch Manseau said he thought that would be done later, after the review process was finished. Secretary Barbara Spike said she would have had a draft of the revised Site Review Plan Application form but her printer was not working. Secretary Barbara Spike said she would have it ready by the July meeting.

Chuck Beno asked if there had been any developments on the Sughrue case. Dan Merritt replied that it was up to the Select Board to get an answer back to the Planning Board. Secretary Barbara Spike said that she had received an e-mail about a prospective civil engineer and would send that e-mail to Mitch Manseau.

Acting Chair Mitch Manseau if there was any further business. Hearing none, **Arthur Cummings moved and Chuck Beno seconded the motion to adjourn the meeting. All in favor, meeting was adjourned at 7:17 p.m.**

*Respectfully submitted:
Barbara A. Spike, Secretary*

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

MINUTES OF 7/2/2014



Town of Hebron
PO Box 188
Hebron, NH 03241
Phone: 603-744-2631
execassist@hebronnh.org

Hebron Planning Board Minutes of Meeting 7/2/2014

Planning Board Members Present: Roger Larochelle (Chair), Karl Braconier (Member), Mitch Manseau (Member), Arthur Cummings (Alternate), Dan Merritt (Alternate)

Planning Board Members Absent: Chuck Beno (Member), Eleanor Lonske (Select Board Representative)

Others Present: Barbara Spike (Secretary), Suzanne C. Smith (Conservation Commission)

Time Convened: 7:00 p.m. **Time Adjourned:** 7:32 p.m.

Next Meeting: August 6, 2014

Agenda:

- 1) Administrative Matters and Announcements
- 2) Discussion of the The Conservation Commission's writing a proposal for lighting/Dark Skies to present at the Hebron 2015 Town Meeting
- 3) Any other matters that come before the Board

Chair Roger Larochelle convened the meeting at 7:00, and he thanked Mitch Manseau for acting as Chair at the June meeting. Chair Roger introduced Suzanne Smith from the Conservation Commission and thanked her for attending. Chair Roger then appointed Arthur Cummings as a voting member for this meeting, noting that the Select Board representative, Ellie Lonske, was not present. Chair Roger Larochelle asked for any corrections or additions to the June 4 meeting. Arthur Cummings said that he had been present at that meeting and would like the minutes to show that. Chair Roger Larochelle also noticed that Karl Braconier should be listed as a Member, not an Alternate. With no further corrections to be made, **Mitch Manseau moved, and Arthur Cummings sec**

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onded the motion to accept the minutes as corrected. Passed at 7:03 p.m.

Chair Roger Larochelle introduced Suzanne Smith from the Conservation Commission, announcing that she brought suggested wording on Dark Skies to be brought before the Town. The proposed regulation would be good for the wildlife, as well as residents and their neighbors.

Suzanne Smith went on to speak about the book of State models for Dark Skies, that there was one sentence for Easton to three sections for Shelburne. She further said that the Commission has not done any work on this lately and asked if this is something the Planning Board gets involved with. She also acknowledged that Chair Roger Larochelle's preference was for the short version. The problem came in with properties that were grandfathered with existing installations and how or when to bring them up to code.

Dan Merritt said most people look to see what others have done. The Zoning Board only gets involved when there is a major construction project that is being proposed. Chair Roger Larochelle said there is something in the Town's Master Plan, which is a guide and not enforceable. Mitch Manseau said he was involved with Dark Skies back in the '90s, and that it was more educational than anything else. A lot of it had to do with commercial enterprises, more than residential.

Suzanne Smith said the largest industry in town is the camps. She has heard comments that Camp Wicowasa's Berea's lights are too bright. Arthur Cummings said this is a good time to bring this subject forth since the Select Board is looking for ways to reduce electric bills.

Chair Roger Larochelle said there are two issues. Over the past 10 years, the Planning Board has lined up some good regulations. If the Board keeps this simple, people won't feel regulated to death. He went on to say that Dan Merritt brought up enforceability. There is a problem of how to enforce this type of regulation. The purpose of Shelburne's Dark Skies is succinct.

Arthur Cummings said it shouldn't be too simple or too complicated. It would be the Compliance Officer's interpretation.

Suzanne Smith said she'd take the model ordinance at one end go back to the Conservation Commission with the suggestions from tonight's meeting, rework it to get it simple and clear. Then she'll bring the revised proposal back to the Planning Board.

Chair Roger Larochelle said exterior lighting is part of the site plan review, and it might be a good idea to align it with Dark Skies. Dan would hang his hat on the Planning Board Site Review Plan. The Site Review Plan is not within the Zoning Board's regulation.

Chair Roger Larochelle suggested scheduling a joint hearing when the proposal is ready for further discussion. Light pollution affects birds; there are no whip-o-wills because

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there are no moths flying near the lights, and more bird species have left the area, too.

There was discussion about lights with movement sensors and how birds and other animals reacted to these sensors. Commercial ventures are the ones who should have motion sensors, not necessarily residences. Suzanne Smith left the discussion at 7:15 p.m. Chair Roger Larochelle was asked what was going on with the proposal for the Town Hall renovations. He provided a brief update.

Chair Roger Larochelle reconvened the meeting at 7:22. He told the Board he had sent a letter to the Select Board regarding surety and hiring an engineer for the Sughrue road construction project. To date he hadn't heard anything. Barbara Spike said she spoke to Karen Coreliss about a week ago, and Karen said the Select Board had received only one response.

Chair Roger Larochelle said the Site Plan Review revision needs to have a public hearing and that it was his responsibility to schedule it. Chair Roger Larochelle said it had been sent to a few people for feedback, such as Alan Barnard. Chair Roger Larochelle said he will send it to the Town Counsel working through Ellie. September seems to be a better time to get action than trying to do anything during the summer. The September 3 meeting may be more realistic than the August 6th meeting.

With no further business coming before the board, **Arthur Cummings moved and Mitch Manseau seconded the motion to adjourn the meeting. All in favor, meeting was adjourned at 7:32 p.m.**

Respectfully submitted:
Barbara A. Spike, Secretary

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

MINUTES OF 10/1/2014



Town of Hebron
PO Box 188
Hebron, NH 03241
Phone: 603-744-2631
clerk@hebronnh.org

Hebron Planning Board Minutes of Meeting 10/1/2014

Planning Board Members Present: Roger Larochelle (Chair), Karl Braconier (Member), Mitch Manseau (Member), Chuck Beno (Member), Arthur Cummings (Alternate), Dan Merritt (Alternate), Eleanor Lonske (Select Board Representative)

Others Present: Barbara Spike (Secretary)

Time Convened: 7:00 p.m. **Time Adjourned:** 8:40 p.m.

Next Meeting: November 5, 2014

Agenda:

- 1) Administrative Matters and Announcements
- 2) Review minutes of prior meetings for additions, corrections and adoption;
- 3) Review of Site Plan Regulation Draft after modifications made by Town Counsel;
- 4) Presentation of Planning Board filing system;
- 5) Any other matters that come before the Board

Chair Roger Larochelle convened the meeting at 7:00, stating the agenda would include review of previous minutes, site plan regulations, as-built submitted for Hillside Condos, Dark Skies proposal by Conservation Commission member Suzanne Smith, and the Master Plan.

Karl Braconier asked what the status was regarding Jaques and Sughrue after seeing a few pieces of machinery operating off of George Road. There was brief discussion on the status of the surety being requested by the Select Board. No surety has been set to date; and even with an approved plan, re-engineering is up to the Select Board. The Select Board becomes the enforcing body, and they can go back to the applicant for more requirements. Alan Barnard has not produced a signed plan, and the question arose if it

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had been filed with Grafton County Register of Deeds.

Chair Roger Larochelle asked the Board for comments and corrections to the July 2 minutes. On the second page half-way down, it should read Camp “Berea” not “Wicosuta” and the word “largest” needs a “t.” **Mitch Manseau moved to approve the July 2nd minutes with corrections; Chuck Beno seconded. Passed unanimously at 7:20 p.m.**

Chair Roger Larochelle said an as-built had been received on Hillside Condominium from M & S Realty per requirement in the Covenant. There was a variance needed from the Zoning Board due to the 15-foot off-the-building requirement for any modifications.

Chair Roger Larochelle said that there were a few tweaks on the Site Plan Regulations from Counsel. Chuck Beno brought up a question on page 5 about asking the applicant for two (2) mylar copies of the plan. Chuck was concerned that there should be a paper copy to go in the file as well. Chair Roger Larochelle said that the two mylar copies are signed, one goes to the Registry of Deeds, the other one remaining in the office. Chair Roger Larochelle asked if anyone knew if the number of copies was stated in the Rules of Procedure. Chuck Beno's concern that the file be complete so there is no problem if the file is being reviewed five or more years later. Arthur Cummings noticed that in the Checklist it calls for four (4) copies. Ellie Lonske said she didn't see anything about the number of copies in the Rules of Procedure. Chair Roger Larochelle said it may be in the subdivision regulations where it says one to downstairs file for tax map and lot. Chair Roger Larochelle also said it's ambiguous as to who records. Dan Merritt said it should be for the applicant to supply six copies: 2 mylar and 4 paper of the approved plan. One mylar is kept downstairs in the file.

Chair Roger Larochelle announced that in November, after he turns around these changes in the language, that the final Site Plan Regulations should be considered for final approval.

Chuck Beno mentioned that on page 10, after “Example” that the insert was missing. Chair Roger Larochelle said it must have inadvertently dropped out and that he would reinstate it. He asked for a motion that the Planning Board should recommend that these Site Plan Regulations should be submitted for approval at the November meeting. **Chuck Beno moved to recommend that the submitted Site Plan Regulations be considered for approval at the November 5 meeting. Karl Braconier seconded the motion. All were in favor unanimously at 7:47 p.m.**

Chair Roger Larochelle said the next step would be the public hearing with due notice. When final changes are made, the proposed Site Plan Regulations will go on the Town's website and with a notice to the paper.

Chair Roger Larochelle brought up the Dark Skies proposal drafted when the Conservation Commission met to make recommendations. The recommendation to Suzanne Smith was that it should be kept simple. Dan Merritt said that Bridgewater's

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definition in their ordinance on page 8 on “Exterior Lighting” was a good example that was simple and clear, and would be a good model. Chair Roger Larochelle questioned whether there needed to be a separate ordinance or could it be incorporated into Site Plan and Subdivision Regulations. Ellie Lonske said the enforcement, if it were in an ordinance, would fall to the Zoning Board. Chair Roger Larochelle said he would respond back. Chuck Beno asked if the Board members could get a copy of what Suzanne gave Roger Larochelle so the members could review it at the next meeting. Chair Roger Larochelle said that was a great idea and would get a copy and circulate it.

Ellie Lonske brought up the expense to the town for keeping the Safety Complex lights on all the time because of safety factors. Ellie said they were on all the time because of the delay in turning them on each time. The Town is looking into replacing them with LEDs, but time and expense are factors.

Dan Merritt said Camp Berea seems to be a big problem, and that it relates to a safety issue.

Ellie Lonske brought up discussion on the Town's Master Plan and that it was time to review it. It had last been reviewed in 2010. Chair Roger Larochelle said the Board needed a session devoted to the Master Plan. Ellie Lonske said the Master Plan seemed to be in good shape since the 2010 update. The only issue seemed to be Recreation, that was mentioned in the Vision Statement. There was discussion on the use of Town-owned lands for recreation. Arthur Cummings said that forming a Parks & Recreation Committee seems like a good idea. Mitch Manseau said the Master Plan has been good from the CIP's standpoint.

Chair Roger Larochelle said he'll look at the calendar and see how to update the Master Plan using community input. Then Chair Roger Larochelle brought out plans drawn up for the renovation of the Academy Building for town offices.

With no further new business coming before the board, **Chuck Beno moved and Mitch Manseau seconded the motion to adjourn the meeting. All in favor, meeting was adjourned at 8:49 p.m.**

Respectfully submitted:
Barbara A. Spike, Secretary

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

MINUTES OF 11/5/2014



Town of Hebron
PO Box 188
Hebron, NH 03241
Phone: 603-744-2631
clerk@hebronnh.org

Hebron Planning Board Minutes of Meeting 11/5/2014

Planning Board Members Present: Roger Larochelle (Chair), Karl Braconier (Member), Mitch Manseau (Member), Chuck Beno (Member), Dan Merritt (Alternate), Eleanor Lonske (Select Board Representative)

Planning Board Members Absent: Arthur Cummings (Alternate)

Others Present: Bruce Barnard, Barbara Spike (Secretary)

Time Convened: 7:00 p.m. **Time Adjourned:** 7:38 p.m.

Next Meeting: December 3, 2014

Agenda:

- 1) Administrative Matters and Announcements
- 2) Review minutes of prior meetings for additions, corrections and adoption;
- 3) Final Public Hearing to approve revised Site Plan Regulations;
- 4) Sughrue modification to the Sughrue subdivision on North Shore Road;
- 5) Any other matters that come before the Board

Chair Roger Larochelle convened the meeting at 7:00, notifying members that the Sughrue matter was being postponed until the December meeting and that to date he had not seen any plans. Chair Roger Larochelle said that the meeting would include review of previous minutes, site plan regulations. Chair Roger Larochelle said that there was a power pole on George Road near 3A that needed to be installed. He said further that since there was no tree cutting involved, he signed the approval. However, any tree removal does require a hearing.

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

Chair Roger Larochelle asked for a motion to accept the minutes. Dan Merritt moved, Karl Braconier seconded the motion to accept the minutes. Dan Merritt said there was one correction he saw that needed to be made. On page 2, it should be Hebron, not Bridgewater.

Karl Braconier moved to accept the minutes as amended. Ellie Lonske seconded the motion. Approved unanimously at 7:04 p.m.

Chair Roger Larochelle asked Bruce Barnard to join the Board at the table. Bruce Barnard said he had a few minor changes to suggest on the Site Plan Review revisions. Bruce said his major concerns involved stormwater management and that BMP Stormwater Management should be added to page 8, item 3.

On page 7 Bruce Barnard said this would involve volume of water, where a temporary retention pool is formed. Guidelines of BMP DES (see: <http://des.nh.gov/organization/divisions/water/stormwater/manual.htm>)

Regarding parking spaces, on top of page 8, he felt it should be changed to accommodate larger vehicles, if permitted, to align with the Zoning Ordinance. This also relates to item 16 in the Checklist on page 10.

Bruce said that Bristol was the only town in the area who had done a detailed flood plain analysis survey and it can be referred to since Newfound Lake can be used as the elevation benchmark.

The Water Supply and Pollution Control Division, noted on top of page 6, item 8 near the bottom, has been renamed to NH DES. On page 8, Bruce Barnard suggested adding BMP Stormwater Management (by DES) to paragraph 3. In paragraph 5, Bruce Barnard said it might be advisable to state the only persons who can certify Special Flood Hazard Areas are a professional engineer, i.e., civil engineer, or licensed land surveyor.

Page 10, item 13, should be changed from Grafton County Soil Conservation Service to Grafton County Soil Conservation soils maps. It was also noted that the only accepted professionals who can certify are a licensed soil scientist or septic designer.

Ellie Lonske thanked Bruce Barnard for his careful reading and good comments.

Chair Roger Larochelle said he would make the changes and recirculate the newly revised site plan review sometime next week. The Board will continue the noticed hearing until the December 3rd meeting. Chair Roger Larochelle said that the Board could replicate the budget for next year. He also said he had responded back to Suzanne Smith about the Dark Skies that much further regulation or more zoning ordinances would cause people to ignore them. It was better to let it ride.

When Chair Roger Larochelle asked if there was any new business, Ellie Lonske said that only recently was she made aware that dry wells should have been installed, dating back to 2009. Ellie said when the town was reworking the Master Plan in 2010, this issue did not appear, and that the CIP wasn't aware of it, either.

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

Mitch Manseau said that he was looking for a replacement to attend the Lakes Region Planning Commission meeting coming up in the next two weeks, as he could not make it.

There being no further business to come before the board, Chuck Beno moved and Ellie Lonske seconded the motion to adjourn the meeting. All in favor, meeting was adjourned at 7:38 p.m.

Respectfully submitted:

Barbara A. Spike, Secretary

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

MINUTES OF 12/3/2014



Town of Hebron
PO Box 188
Hebron, NH 03241
Phone: 603-744-2631
clerk@hebronnh.org

Hebron Planning Board Minutes of Meeting 12/3/2014

Planning Board Members Present: Roger Larochelle (Chair), Karl Braconier (Member), Mitch Manseau (Member), Chuck Beno (Member), Dan Merritt (Alternate), Eleanor Lonske (Select Board Representative), Arthur Cummings (Alternate),

Others Present: Al DeFeo (Hebron Compliance Officer), Alan Barnard, Gordon Matthews (applicant), Barbara Spike (Secretary)

Time Convened: 7:01 p.m. **Time Adjourned:** 8:59 p.m.

Next Meeting: January 7, 2015

Agenda:

- 1) Administrative Matters and Announcements
- 2) Review minutes of prior meetings for additions, corrections and adoption;
- 3) Final Public Hearing to approve revised Site Plan Regulations;
- 4) Sughrue modification to the Sughrue subdivision on North Shore Road;
- 5) Any other matters that come before the Board

Chair Roger Larochelle convened the meeting at 7:02, welcoming Al DeFeo, Hebron's Compliance Officer, and introducing Gordon Matthews to the Board.

For the first order of business, Chair Roger Larochelle asked for comments or corrections to the November minutes. With none forthcoming, **Chuck Beno moved, and Mitch Manseau seconded the motion to accept the minutes as submitted. Approved unanimously at 7:04 p.m.**

Chair Roger Larochelle announced that this meeting was a continuation of the public hearing to approve the revised Site Plan Regulations. The regulations were posted on the website, and the version there now has been corrected and adjusted up to December 3.

When Alan Barnard asked what had changed, Chair Roger Larochelle said the Minor Site Plan requirements are now a negotiation between the applicant and the Board, not a checklist. This should streamline the process as opposed to holding hearings for waivers from the requirements.

Chair Roger Larochelle asked if there were any further comments or corrections that should be incorporated into the revisions as they now stood. There were none. **Chuck Beno moved, Mitch Manseau seconded the motion to adopt the Site Plan Regulations as submitted to December 3, 2014 as submitted. Unanimously voted in the affirmative at 7:08 p.m.**

Chair Roger Larochelle next moved on to explain this was a non-binding discussion on what Gordon Matthews would need for a Site Plan review for his part-time custom meat cutting business. Gordon Matthews told the Board that he had built the barn, which was approved, to take care of the animals when they were no longer living. He said he was USDA compliant, and that it's fiberglass. Gordon Matthews said he raised, slaughtered and packaged pigs and beef. He further said it was a seasonal business with a big push in the fall, slowing down over the winter months. Gordon Matthews said he will slaughter and package deer, bear, and moose; and he said he's been doing this for four years part time. This is to supplement his income, as he had to reduce his hours at Shop 'n Save for medical reasons.

Dan Merritt said that when the building permit was issued for the barn that it was for storage and that Gordon Matthews had put a tent on the back. Alan Barnard said that under Zoning regulations, this is an allowed use – page 15 defines agricultural usage.

Al DeFeo said he had two concerns, the first being that he has received numerous complaints from neighbors about the smell from the pigs on the property. Al DeFeo asked Gordon Matthews if he was selling meat? Gordon Matthews replied yes, but the meat had to be stamped with a custom stamp from USDA “not for sale.” Al DeFeo brought forward the second concern of disposing of the entrails after slaughtering. Gordon Matthews said he could have Bestway pick them up.

Al DeFeo said that the smell was a concern, especially if the wind changes direction. Chuck Beno asked where Gordon Matthews house was, to which Alan Barnard replied it was on the first lot on the rural section out on Groton Road. Roger Larochelle asked Dan Merritt if he had any concerns. Dan Merritt replied that three years ago, in an open pen, there were only three or four pigs, and now that number has grown. Ellie Lonske asked how many acres were part of the property. Dan Merritt said it was three acres. Chair Roger Larochelle interjected that the Board is not looking to enforce regulations. Ellie Lonske asked what was the maximum number of pigs on the property at the same time, to which Gordon Matthews said there were now 26 pigs. Dan Merritt said it was a concern because the property was so close to the center of town. Chair Roger Larochelle wanted to ascertain the scope of what was going to be done, if it was only raising and butchering those animals or if butchering was going to be done on animals other than those raised

there. Alan Barnard said these were all allowed uses; however, Alan Barnard wanted to know what concerns were going to trigger a site plan review. Gordon Matthews said that butchering of indigenous wildlife is seasonal, and that turkeys would be part of it, too.

Chair Roger Larochelle reminded the Board of what their duty was by reading the following from Sec. I(B) of the newly revised Site Plan Review “to provide for balanced, responsible and attractive growth and maintenance of the Town by encouraging appropriate land use, providing for harmonious and aesthetically pleasing development, protecting public health and safety, and creating conditions of enduring stability harmonious with natural surroundings.” Chair Roger Larochelle said that the Board needs to look at the substance versus the emotion.

Arthur Cummings addressed Gordon Matthews by saying if you could do anything about the smell, there wouldn't be any complaints. To which Gordon Matthews replied that if and when he can get more equipment, he would move up to the 18-acre meadow. Chair Roger Larochelle asked him what would move up to the 18 acres? Gordon Matthews said he'd build a new slaughterhouse. There was discussion about restrictions to building up on a floodplain. Chuck Beno said that agricultural use of floodplains is common.

Karl Braconier said that the Board should remove the emotions and just deal with what the Site Plan Review regulations say. Dan Merritt said the Board isn't dealing with a zoning issue, it's in a rural district. With one or two pigs there were no problems, but when he gets 8, 10, 12 it seems like it's getting commercial. This was originally just a house site.

Karl Braconier said that Gordon Matthews started from 4 pigs it's now up to 26 pigs. Where does it stop? Ellie Lonske said this situation is analogous to having a shooting range, it's an ethical matter. If you were farther away from the center of town, there wouldn't be a problem. This is impacting property values and quality of life, when people can't get out of their homes without being impacted by smells. This is only my observation.

Chuck Beno asked about parking considerations and potential erosion on Tannery Brook, along with potential drainage problems.

Chair Roger Larochelle then summarized by saying there are a number of factors, one of which the property borders on the historic district. Since it's in a rural district, this activity is permitted. There would be a need for a site plan review for a commercial business, not agricultural. It's an ethical situation. The Board can't make you move your operation, but it can advise as a suggested solution. Chair Roger Larochelle added that the great part of the town was the Board's ability to work things through. The question to you is what do you see as your next step?

Alan Barnard said he was trying to ask the proper questions to find out if a site plan review is necessary, are there any other matters above and beyond the raising of animals

that needed to be addressed.

Alan Barnard brought up the e-mail between him and Al DeFeo about zoning issues.

Gordon Matthews said the issue seems to be about the smell with the pigs. Chair Roger Larochelle said the town was looking to have “orderly development.” It seems that the non-agricultural use will need a site plan, perhaps a minor site plan review.

Arthur Cummings asked whether there were a need for a cease and desist order. Chair Roger Larochelle said the Board can advise the Select Board, but not restricting use. In spirit, the Board wants to bring out a solution from an orderly process.

Gordon Matthews said he had contacted the State about the driveway permit onto the state road, but there's a backlog because of hiring a new person, who needs to learn the state regulations.

Chair Roger Larochelle said that if site plan review is approved, it's only on the cutting and butchering, not on the agricultural business of raising animals. Chair Roger Larochelle addressed the Board with the question of what do the members need to process the application.

Alan Barnard said that Gordon Matthews can move the pigs up to the 18 acres. He is trying to keep the pigs cleaner. Chair Roger Larochelle said this is a town that used to be agricultural. He reminded Gordon Matthews that he is entitled to use the land for raising animals. Dan Merritt added that whatever Gordon Matthews did over time was all legal.

Gordon Matthews said that he has taken the animal parts to Bristol dump, and they have accepted them.

Chair Roger Larochelle said that the other kinds of information needed for a site plan review would be hours and days of operating the business; abutters names and mailing addresses; sketch of the 3-acre site complete with the location of all the structures; description of the services being provided and hours and number of people expected to come and go; signage; lighting; and a plan to dispose of the entrails.

Gordon Matthews said the USDA has visited the sight. The Health Office should have answered back.

Dan Merritt gave Gordon Matthews a copy of the checklist so he could refer to it. Chuck Beno suggested that Gordon take a copy of the tax map and blow it up and draw or sketch the buildings right on it. Alan Barnard said in January, they could come in with some aerial photographs of the property. Chair Roger Larochelle said that if Gordon was planning on building anything beyond what the current plan called for, even if it was way into the future, that Gordon Matthews should add it on to the sketch now. That way, down the road, it would already be approved and a new site review plan wouldn't be needed. Chair Roger Larochelle said he thought some of the Board members might also like to visit the site, to which Gordon Matthews said he was agreeable to that. Chair Roger Larochelle said that he felt Gordon Matthews now had a feeling for concerns that

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might be brought up at a public hearing at the site plan review, and he asked Gordon Matthews if he felt he had enough input. Gordon Matthews replied that he did, and he thanked the Board and exited the meeting at 8:04 p.m.

Chair Roger Larochelle said there were two more issues and told Al DeFeo he was welcomed to stay for those. Al DeFeo declined and left the meeting.

Alan Barnard brought the as-built plans of Camp Wicosuta up to the table and showed the Board where the buildings were now located, with all the correct dimensions. Chair Roger Larochelle asked if the plans were available in a digital version for filing; Alan Barnard said they were in .pdf. The as-built plans were submitted and approved at 8:10 p.m.

Chair Roger Larochelle asked what the status was of Paul Sughrue's plans. Alan Barnard brought up the newest revisions of the subdivision. Lengthy discussion ensued involving the history of the property subdivision agreements, the proposed plot changes, driveway locations and right of ways on the plans.

Chuck Beno asked what the elevation was, that it appeared steep. Chuck Beno said the area is going to need some plumbing for drainage of runoff from 1,300 feet of road.

Steep grades, above 9 percent, affect some of the lots, which now are configured to be over 5 acres each. Alan Barnard said the Town should get the easement, whether they need it or not. Alan Barnard further said that the road isn't going to be built as proposed.

Chuck Beno said he wants to see the engineering plan for the area.

Ellie Lonske said the Town wanted to protect its interest by having its own engineer to review and make recommendations on the proposed plans. If the town now has the responsibility to build the road, they need an engineer. Northpoint Engineering's plans were good.

Alan Barnard said the lots all have frontage, eliminating the need for driveways.

Chair Roger Larochelle said he was disappointed that with all the design and conditional approval, that it's all off the table. Ellie Lonske reminded those present that this plot came up for hearing just as the subdivision regulations were about to change, and the Board allowed concessions for this. Alan Barnard said there's still value to the Town to get the easement. Alan Barnard said this has gone into infiltration and retention ponds. Chuck Beno replied he wanted to see it.

Alan Barnard said it would be best to get a blanket easement.

Chair Roger Larochelle asked Alan Barnard that if Paul Sughrue was not willing to build the road, would Town of Hebron be best reconsidering relocating George Road?

Ellie Lonaske ask what it was worth to relocate George Road.

Chair Roger Larochelle said he felt Mr. Sughrue is changing the rules because of economic feasibility. This is like starting over.

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Chuck Beno voiced his concerns about safety where George Road presently joins West Shore Road with it's proximity to the curve and drivers coming over the hill just before the curve. Arthur Cummings noted also that Jacques house is located where there's very poor visibility at the top of that hill. Chair Roger Larochelle said that any new plan submitted has to conform and meet standards.

Chair Roger Larochelle announced there would be no December work session.

With no further business to come before the board, Ellie Lonske moved and Chuck Beno seconded the motion to adjourn the meeting. All in favor, meeting was adjourned at 8:59 p.m.

*Respectfully submitted:
Barbara A. Spike, Secretary*