

APPROVED 9/1/16

BARNSTEAD PLANNING BOARD

MEETING

Thursday, August 4, 2016 @ 7:00 p.m.

BARNSTEAD TOWN HALL

1. **CALL TO ORDER:** Chair Carr called the meeting to order at 7:05 p.m.
2. **PLEDGE OF ALLEGIANCE:** Those present joined the planning board in the pledge of allegiance to the flag of the United States of America.
3. **ROLL CALL:** N. Carr, Chair, E. Swinford, Vice Chair, K. Schacht, secretary, K. Preston, member, D. Frenette, member, E. Tasker, select board's representative alternate, K. Hodgdon, alternate, B. Grey, alternate, D. Kerr, alternate, F. Latawiec, recording secretary.
4. **MINOR LOT LINE ADJUSTMENT APPLICATION/ CONTINUATION:**
APPLICANT: Timothy and Dawn Cripe, Mark S. Sherman, and Kathy L. Fortin. **AGENT:** Joe Wickert, LLS **LOCATION:** Tax Map 23, Lots 46 and 47 and Tax Map 6, Lot 79. West Huntress Pond Road. Joe Wickert, LLS represented the applicants. He explained that the property in question had undergone a subdivision into two lots a number of years back. More recent discussions have been relative to a 3 way lot line adjustment between the current parcels. A land survey of the properties was done in order to alleviate ambiguity in the property boundaries. The land owners have decided to go back to their original plan, that was presented at the June Planning Board meeting. This was shown by J. Wickert. The applicants are starting with two lots and the lot line adjustment will result in two lots. No DES state subdivision approval is required to accomplish the proposed lot line adjustment. West Huntress Pond Road is a private drive. D. Kerr asked for clarification about the lot lines shown on the plan. The response was that the dotted line is to be eliminated, and the hatched line is proposed. The application was accepted as complete at the June 2, 2016 meeting.
PUBLIC HEARING: Chair Carr opened the public hearing on the proposed minor lot line adjustment at 7:13 p.m. and called for comments or questions from abutters. There being none, she called for comments or questions from the general public or further questions by the Board. There being none, she closed the public hearing at 7:15 p.m. E. Swinford made a motion to accept the design changes that were made to the plan on May 23, 2016 and to approve the lot line adjustment. The motion was seconded by E. Tasker and passed by a unanimous vote of the Board. Chair Carr noted that a box for the Fire Chief to sign must be added to the mylar prior to recording it with the Belknap County Registry of Deeds. The applicant is responsible for recording the mylar, once signed.
5. **MAJOR SUBDIVISION APPLICATION/CONTINUATION:**
APPLICANT: Peter and Constance Holmes. **AGENT:** Paul Zuzgo

LOCATION: Tax Map 16, Lot 43, North Barnstead Road. Neither the applicants nor their agent were present. The application was continued until the September 1, 2016 meeting.

6. MINOR LOT LINE ADJUSTMENT APPLICATION:

APPLICANT: Deborah Simpson **AGENT:** David Krause, LLS

LOCATION: Tax Map 21, Lots 25 and 25-1, Hazel Clark Road. D. Simpson explained that there are two existing lots with three existing houses between them. E. Tasker asked about the third house. D. Simpson replied that it is grandfathered, and received approval by the ZBA about 17 years ago as an accessory dwelling unit. It is a one bedroom house that is rented to a tenant. Currently Lot 25 is for sale. The proposed lot line adjustment would result in no net change in acreage nor create any new lots. It would simply be a swap of land that would allow the current owners to have the required setback to build a garage if they desired to do so in the future. E. Tasker made a motion to accept the application as complete. The motion was seconded by K. Preston. The motion passed unanimously.

PUBLIC HEARING: Chair Carr opened the public hearing on the proposed minor lot line adjustment at 7:24 p.m. and called for comments or questions from abutters. There being none, she called for comments or questions from the general public or further questions by the Board. There being none, she closed the public hearing at 7:26 p.m. E. Swinford made a motion to accept the lot line adjustment as presented. The motion was seconded by K. Preston and passed by a unanimous vote of the Board.

7. SITE PLAN REVIEW APPLICATION:

APPLICANT: Daniel and Karen Fredyma/ Karen's K-9 Daycare and Boarding Facility

LOCATION: Tax Map 20, Lot 1, 143 North Barnstead Road. The applicants were not present, and had not requested a continuation on their application to the next meeting. Chair Carr offered to answer questions from ME Shannon, an abutter to the proposed project who was present. She explained that the Board could not discuss the project that evening, as the applicant was not present. ME Shannon asked if she would be notified, as an abutter, of any future Planning Board meetings where the application would be discussed. She also asked if she would be able to attend any site walks associated with the project. The chair responded in the affirmative to both.

8. PUBLIC INPUT: Mary Lee Johnson addressed the Planning Board with an objection to the wording of the Planning Board minutes of April 7, 2016 that were officially approved by the Board on May 15, 2016. Under item 7, on page three, she is concerned with the sentence relative to conservation of the property in question, "This will be included in a deed restriction that will run with the land." She recounted her history of correspondence and meetings with the Board. She has expressed the desire to sell the main house with 5 acres and conserve the rest of the property on Cann Road for the enjoyment of herself, her heirs, and the town. The issue is complicated by the fact that her surveyor's research discovered that she does not own 1,200' of the channel that she has been paying taxes on for many years. ML Johnson stated that she did not want a deed restriction to be a requirement of her permit approval. Chair Carr noted that there is no deed restriction referenced in the application, but that the intent of eventually giving the land for protection by the Town was discussed in meetings with the Planning Board. K. Schacht noted that she recalled discussion of a deed restriction at the previous meeting, and that is reflected in the approved minutes. She emphasized that all discussions on applications are at public meetings, and not outside of those meetings. She recognized that ML Johnson was before the Board at this meeting to state that she does not want a deed restriction to be a condition of her approval. ML

Johnson explained that she was forthright with her intent and compliant with all of the regulations. She requested that the minutes of April 7, 2016 be amended to remove the sentence she objects to. The Board had considerable discussion about how to best handle the situation. The minutes have been officially approved, represent the discussions at the meeting, and cannot be amended at this time. However, the Board wants to make sure that ML Johnson's intent is adequately reflected in the public record. K. Preston made a motion, that was seconded by Elaine Swinford to recognize that ML Johnson came before the Barnstead Planning Board on August 4, 2016 to clarify that her application for a minor subdivision and a minor lot line adjustment at her property on Cann Road (approved on April 7, 2016) did not include the intention to offer a deed restriction on the property at this time. The motion was unanimously approved by a roll call vote of the Board. E. Tasker, yes; D. Frenette, yes; E. Swinford, yes; N. Carr, yes; K. Schacht, yes; K. Preston, yes. ML Johnson thanked the Board for their consideration.

9. **OLD BUSINESS:** K. Schacht noted that there is no report on the commercial zone design standards at this time.

10. **CORRESPONDENCE:** Chair Carr noted that there will be a Forestry and Sawmill Field Day on September 23, 2016 and an NH Timber Harvesting Law Seminar on August 23, 2013. The CIP Committee will meet next Wednesday at 6:30 p.m.
11. **NEW BUSINESS:** There was no new business before the Board.

12. **MINUTES:** 6/2/16 and 7/7/16. Approval of the minutes was deferred until the September 1, 2016 meeting.

13. **ADJOURNMENT:**E. Swinford made a motion to adjourn the meeting. The motion was seconded by D. Frenette. The motion passed unanimously. The meeting adjourned at 8:09 p.m.

Respectfully submitted,

Francesca Latawicz, Recording Secretary