

Planning Board  
September 8, 2022  
7:30pm

Members present: Barry Hantman, Leo Traverse, Steve Woitkun, Charles Underhill, Chris Smith

Others present: Gail Turilli, Charlie Zilch, Carsten Springer, Judy & Don Mathieu, Joe Thompson, Jonathan Parker, Tim Peloquin

The meeting minutes from 8/11/22 were reviewed with no changes noted. Chris **made** and Leo **2<sup>nd</sup>** a **motion to accept the minutes as written**. All in favor, **motion carries with Barry and Charles abstaining**.

Barry mentions one item on tonight's agenda, 567 Main Street, Wellinghall Farm Wedding Venue Site Plan, has been postponed to a later date as the Board is still awaiting comments from the town engineer. The site walk for this project will be rescheduled at a later date.

**Preliminary discussion for a lot line adjustment at 16 Ward Way:**

Johnathan Parker addresses the Board stating that he and his wife purchased the property 2 years ago. There is a hiking trail through the back corner of the lot which abuts the town forest. He suggests to change or reduce the size of his land and will give the portion of land containing the hiking path to the town. Barry asks who owns the abutting land to which Carsten notes it is the back of the town forest. Barry mentioned that if the lot is 2 acres with 200ft of frontage after the lot line adjustment, there wouldn't be a big issue but, the Board would need to review it in more detail. From a land transfer standpoint, Mr. Parker would need to go before the Board of Selectmen to be a part of the lot line adjustment. Both land owners need to be in agreement. As the town owns that piece of land that is part of the town forest, there may some restrictions as to what can be done with it. Mr. Parker would need to get the buy in from the BOS. Carsten mentioned that even if the BOS thought this would be beneficial, we can't get rid of the Audubon easement. The easement would still carry on that piece of property and there will still be restrictions. Carsten states his perspective is that this is something that the BOS signed off on around 2010, took the town forest and took away the rights of use from future generations. Barry noted that if the transfer went through, Mr. Parker may not be able to use that land. Barry states this issue needs to be brought to the BOS to see if they are in favor of the land swap and also mentions that the town has done some of these in the past. Charles asked if the hiking path is a right of public access or an easement. The difference is, with a right of public access, he would continue to own the property but can't deny public access to it. An easement would recognize this as a trail that may be 20-30ft wide that is held by a third party. Charles requests that this be looked into. Steve Woitkun suggests to have a copy of the deed and the easement as the lot needs to be 2 acres with 200ft of frontage. The Selectmen's administrator will need to be contacted for Mr. Parker to be put on the agenda.

**Continuation of 63 & 75 Walker Rd and 18 Lamb's Way, Lot Line Adjustment & Subdivision:**

Tim Peloquin of Promised Land Survey addresses the Board. He states that the Fire Department comments have been addressed and satisfied. Steve confirms this but still needs to provide a letter. The pins have been set and are shown on sheet 3. NHDES subdivision approval has been obtained. A letter from Joseph Thompson stating he can speak on behalf of the resident at 75 Walker Road was provided. Mr. Thomson has signed the application. Monuments have been set, signature block is shown on sheet 3 of the plans and an update to the total frontage on the center lot with tic marks has been added. The Board agrees that the frontage is there. All bounds have been set. A new tax map ID for the new lot needs to be added. The town assessor will be contacted for this. Subdivision approval includes septic. A site walk was discussed and the Board feels it is not warranted. Chris **made** and Steve 2<sup>nd</sup> **a motion to waive the site walk.** All in favor, **motion carries.** A driveway permit has been applied for and is currently pending. Barry states there are 5 items that remain outstanding and are as follows:

1. Fire Wards Letter
2. 18 Lamb's Way Letter
3. Tax Map ID Number Approved
4. Land Owner Signatures on the Plan
5. Driveway Permit

Carsten stated that without a driveway permit, a building permit cannot be obtained. If this is approved, the plans can't change. Barry suggests waiting 2 weeks for final approval as he would prefer to have the driveway permit in place prior to approval. The application is continued until 9/22/22.

**Route 111 Access:**

Charlie Zilch of S.E.C & Associates addresses the Board. He states that he and Jim Boraczek had met with the Board a couple of years ago regarding breaking Frye Road out to 111. Mr. Zilch met with District 6 but, was denied and came back to the Planning Board. Chris Giordano was then appointed primarily for this particular project who has been in contact with Mr. Zilch and District 6. The BOS has also given a letter of support of this project. On 8/9/22, an email was received from NHDOT, Bureau of Right of Way, stating that there is approval for the granting of the access point. The access point is being granted to the Town of Danville as stated in the following conditions:

1. This access point shall be the only one granted on this stretch of NH Route 111
2. The right of access will be conveyed to the Town of Danville for the extension of Frye Road to the limits of NH Route 111 and not to a private entity.
3. The Town shall be required to apply for a driveway permit, through the District 6 Office, to construct the intersection of Frye Road and NH Route 111 which will follow the guidelines of the Driveway Permitting Process. All subsequent proposed developments that would access NH Route 111 via this new access point would require the Town to apply for a revised driveway permit

4. The Town shall have all the developable properties along NH Route 111 provide cross access easements to get to Frye Road.

These conditions need to be discussed with the Town to make sure they are acceptable. Charlie mentioned that he will be going back to District 6 next week. The Planning Board is in agreement with this access point and Barry mentions the possibility of having Olde Road connect to Route 111 on the North side in the future. Clarification is needed for the driveway permit and easement requests. Carsten noted to keep pressing this issue. Barry believes the town would go forward once we have clarification and that there are infrastructure funds that can be used for this project.

#### **582 Main Street, Minor Change to Approved Subdivision Plan:**

This plan was given final approval by the Planning Board on July 14, 2022. After the plan was recorded, Unitil stated that underground utilities will not work. A letter was requested and received stating the following: At the location of 576 & 578 Main Street, there are 3 poles located along the road that are well above the grade of the 2 lot subdivision. Due to the significant drop from the main line poles to the 2 lots in the subdivision, we cannot offer underground services. We are requiring that a pole be set on the property line of the 2 lots with an overhead secondary service approximately 125ft to the pole. The 2 lots can then be serviced underground from the lateral pole on the property.

Charlie Zilch as provided an "As Built" plan page for the required pole and he can ask for a waiver which the Board will review and grant. Technically this is not required but this is for an already recorded plan. Carsten noted that the power company also requires an easement for the pole. Charlie composed a waiver for the utility pole to keep in the file. Steve **made** and Chris **2<sup>nd</sup> a motion to grant the waiver for lots 2-28-1 & 2-28-2.** All in favor, **motion carries.**  
**Waiver granted on 9/8/2022.**

#### **12 Olde Road, Map & Lot 4-191-1, Impact Fee Assessment:**

Barry mentions that the impact fees were never assessed for this project and that the owner has been unable to obtain his occupancy permit. The school impact fee will be waived as this is a commercial building. 2160 sq ft of office space assessed at \$1728.00 and 7440 sq ft for the commercial facility assessed at \$2901.60. Chris **made** and Steve **2<sup>nd</sup> a motion to assess total impact fees for public safety as \$4629.60.** All in favor, **motion passes.**

Carsten questioned if Wellinghall Farm will be discussed. Barry noted this has been postponed as nothing has been received from the town engineer. Steve asks if it would be unethical to contact them regarding fire suppression to which Barry responded there should be no conflict. Carsten noted that there will be 3 Conservation members available for the site walk in regards to wetlands issues. The site walk has also been postponed and the new date will be determined at the next meeting.

Barry stated if the Board has any comments on the Master Plan to forward them to him. Leo mentioned that he had some editorial comments. The Board briefly discussed the 2023 budget

and has deferred the discussion to our next scheduled meeting on September 22 as more detail is needed.

Steve **made** and Leo 2<sup>nd</sup> **a motion to adjourn.** All in favor, **motion carries.** **Meeting adjourned at 9pm.**

**Agenda for next meeting:**

1. Continuance of Wellinghall Farm Wedding Venue, 567 Main Street. Map & Lot 1-50
2. Continuance of 63 & 75 Walker Road and 18 Lamb's Way. Lot Line Adjustment and subdivision
3. 2023 Budget Discussion

Respectfully

Gail Turilli