

Planning Board
October 12, 2017
7:30 pm

Members present: Barry Hantman, Chip Current, Roger Whitehouse, Jim Castine, Scott Borucki-Selectmen's rep.

Excused members: Chris Smith, David Cogswell

Others Present: Carleen Preble, Carsten Springer, Bob Meaney, Carol Baird

Minutes:

Chip made and Scott seconded a **motion to approve the September 28, 2017 minutes as written**. The motion **passed** unanimously.

Correspondence:

- from SEC request for extension for the Long Pond Road site plan. The conditional approval expires in December. The owner will be contacted regarding a reason for the extension request.
- From National Business Institute regarding land use law seminars
- From the Sandown town engineer regarding their assessment of the proposed subdivision. This will be forwarded to Dennis Quintal.

Other Business:

A lot merger request was signed. It was the consensus of the Board that this eliminates three non-conforming lots, making the entirety a more suitable lot.

The first meeting in December will consist of the public hearings for the Master Plan updates and the first public hearing for warrant articles to amend the zoning ordinance. Chip said the CIP table is ready.

227 Main Street:

Bob Meaney and Carol Baird spoke to the Board about a plaque to be placed on the corner of 227 Main Street. This was home to Ephraim Page, one of the 27 original builders of the Old Meetinghouse. Mr. Meaney said the property was under agreement. The subdivision plan states a plaque was to be placed on the corner with specific wording. The Board agreed to modify the wording to add the date 1755 and to move the location to the north-east corner of the lot. This will be on the other side of the stop sign and in a place where snow plows will not hit it. This change to the plans does not modify or impact the subdivision. The Heritage Commission will send a letter to the Board regarding the suggested changes to the sign.

4 Hampstead Road:

Carleen Preble spoke to the Board about her lots on Hampstead Road. She said she bought these lots based on the deeds. She explained a right-of-way abuts the north-eastern portion of one lot. She said the ROW has been called Woods Road, Bergeron Way, and is now known as Arbor Lane. It's shown on a plan that has been accepted by the town.

She's been remodeling the home for the past two years and has built a fence around certain portions of her property. She said her septic system is at the back of her property around rugged terrain.

She gave a brief history of the ownership of her property and the abutters, saying the ROW was put in place so that the family could access the back of her property. She said she has a deeded right to use the ROW. Barry asked if this is stated in her deed and Ms. Preble said it is not. She was told that if there is no specific language in her deed, then it is not a deeded ROW for her lot as her deed does not state she can use it or has

rights to it. There was a short discussion about the ROW having a building on top of one section. She was told her lot is not landlocked since the smaller lot she owns has frontage on Hampstead Road.

Ms. Preble said that with the ROW shown on a plan that was accepted by the town, this makes it into an established road. She was told that the town has never accepted this as a road and the property on which there is a ROW has never been owned by the town. She was told that since the ROW is on someone else's land, she needs to have something in the deed for her land stating she has been granted the rights to use it. She was told there are many private "streets" in town that have names and just because there is a plan with a ROW on it, does not make this a town road or that the town can grant permission for anyone to use it. She was advised to hire a lawyer or deed researcher to help her.

The CIP schedule was discussed briefly. Department heads were consulted regarding their sections. Jim made and Roger seconded a **motion to update the Master Plan and hold a public hearing during the first meeting in December**. The motion **passed** unanimously.

At 9:06pm Roger made and Chip seconded a **motion to adjourn**. The motion **passed** unanimously.

Respectfully submitted by
Janet Denison