

Planning Board Minutes 05/18/2015

**PLANNING BOARD
TOWN OF GREENFIELD NH
MEETING MINUTES
RECORDED BY SHARON ROSSI
May 18, 2015
Amended:**

Members attending: KO'Connell, RMarshall
(sitting for JFletcher), SFox, PRenaud,
KPaulsen, AWood

Audience Members: HCable and spouse

7:08 P.M. Meeting Opened

PRenaud began reading the May 11, 2015
meeting minutes. Several spelling,
punctuation and replacement of words were
done. No substantive changes were made.

PRenaud motioned to accept the May 11
minutes as amended. KPaulsen seconded
the motion. Vote was unanimous in favor.
KPaulsen said there is a gentlemen waiting
to discuss the proposed driveway on Zephyr
Lake Rd so perhaps we could listen to him
and then resume the agenda.

Harvey Cable the owner, owns the section
of property where this driveway is going to
go. He explained that the driveway will
accommodate is work trailer and allow a
better parking area. There would be a
retaining wall built to ensure a larger parking
area on the upper driveway. AWood said,
"The corner isn't safe. There have been
accidents there. When the Chandler
subdivision was done, it was noted that the
corner is unsafe. There have been wipe
outs and it is slippery during the winter."

PRenaud asked, "Are you going to have two
accesses?" HCable said we were going to

have it closer to the corner. Parking will be at the top of the current driveway.

PRenaud RSA 236:13, b states "Unless all season safe sight distance of 400 feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land. If this driveway is in the middle of your property, it will be short of the 400' line of sight requirement. We can waiver this but with a formal hearing, or the decision could be the building inspector's. There is a fair amount of traffic and this will be a public safety issue if the driveway goes at the proposed location."

RMarshall said, "I think, personally, we should not be making this decision and inform the code enforcement officer should make the decision. We are setting a precedent. We've seen no plans and we need a site walk to get a true sense of the location. If we make the decision, we need to have a site walk review with plans."

KO'Connell asked the Board if they feel they need to have a site walk with MBorden.

AWood said if we are going to rule on this, don't we have to have a plat on this driveway?

RMarshall said the driveway permit has to have a driveway drawing with it. If there is statute directly applicable, we need a ruling from the code enforcement officer.

PRenaud asked does the code enforcement officer have the authority to grant waivers. I thought only the Planning Board could do that.

KPaulsen asked is this considered an administrative decision.

PRenaud said he does not consider APatt qualified to do this.

AWood asked does the current proposed plan conflict with the current statute? If it does, then we need to review this. HCable offered to meet with the Board at his location. I want to eliminate the connection of the two driveways, so that my wife doesn't have the possible issue of going over the edge of the upper driveway.

KPaulsen talked with MBorden about this and he indicated to me a paved road past your driveway, but not the driveway itself. HCable said he is going to pave the whole driveway after the new one is installed. If it were paved now, water will collect in the lower area and create a mess. We plan on building a retaining wall and installing a drainage system to the wet area near the house.

KPaulsen said I would like to do the walk, but the trimming has to be mandatory to keep line of sight clean. HCable said he has a plot plan that shows all the lines on the property.

AWood asked do we pull in the code officer to get an answer.

SFox said we need have a discussion with MBorden at a site walk.

KPaulsen asked about trailer. HCable said it is a work trailer as I put vinyl siding up. Both KPaulsen and PRenaud both feel a site walk with MBorden is needed.

PRenaud motioned to retain in consultation with MBorden to vote to make a decision if we will take or not take the driveway application and to have a site walk at 165 Zephyr Lake Road.

RMarshall seconded the motion. PRenaud, KO'Connell, and SFox voted in the affirmative. AWood and RMarshall voted in the negative. At this point, SFox

reconsidered her affirmative vote and changed her vote to no. KO'Connell motioned didn't carry in the affirmative. Further discussion ensued with AWood asked is it something the Cables could consider by having a single driveway by moving the position of the current driveway.

HCable said he wants to make a larger upper landing at the top. (Who said this?)

We as a board need to consult with our building inspector/code enforcement officer and we shouldn't invoke jurisdiction until we talk to him.

KOConnell asked, "What would the Board like to do?" This request for opinion is from APatt, A meeting with MBorden is 3 weeks away and a site walk him all members will have to be in attendance. PRenaud and AWood both want a conversation with MBorden.

RMarshall asked, "If you direct MBorden to make this decision consistent with RSA as you've identified, would that be OK with you." PRenaud said, "No. because it doesn't answer my question about a code enforcement officer granting a waiver. If MBorden comes back and reports an issue, then we will have to hear this driveway case."

RMarshall motioned to direct MBorden to review this proposed driveway, to make sure it meets RSA requirements, specifically RSA 236:13. Should he need a waiver he will return to the planning board. SFox seconded. KO'Connell asked if there was any further disc. None ensued. Votes in the affirmative: RMarshall, SFox, AWood, PRenaud and KPaulsen. Motion carried.

**8:25 p.m. Discussion about Allrose Farm
Country Weddings.**

KO'Connell informed the Planning Board that the Board of Adjustment decided not to accept the application for appeal from an administrative decision because there was no decision to appeal as there was no decision on a zoning ordinance. Our legal advice said that accepting the application was not decision on a zoning ordinance.

JReimers would not be available to the first meeting in so the public hearing will be

June 22 at 7:30 p.m.

Due to a question concerning about continuing the public hearing portion, a call to Matt Serge is warranted.

8:28 p.m. Excavation Charts

KO'Connell asked if the charts that he handed out is current and RMarshall replied, that information was e-mailed to LMurphy a while back. KO'Connell will call her to find out if she got this info. If she doesn't have it, then RMarshall will e-mail it again.

8:40 p.m. CIP

KPaulsen asked if there were any questions about time frames, info rec'd etc. RMarshall asked, "Can you e-mail us the electronic file of the forms that you have, the preliminary worksheets?" KPaulsen replied, "Yes. I am scheduling my interviews the second week of June. Also remember to get the worksheets back by 7/6. The final meeting with the Select Board will be in late September or early October. What I would like to get out of this is a heavier concern to planning for the future towards savings for items that may come up."

SFox said, "You've done a great job." All said thanks to KPaulsen for his taking on of the CIP.

9:00 p.m. Old business:

RMarshall commented as a taxpayer that he is upset about the ZBA decision's not to accept payment for the hearing. We shouldn't have to pay for that hearing. Whether the ZBA heard it or not, costs were incurred and we should have to absorb them. Perhaps I will address it with the ZBA.

KPaulsen said, of interest to me about process, is being part of a site plan review, early enough to gather information, but with the public hearing being stopped, I would like to know if we continue this or is it a new public hearing? KO'Connell said the public hearing will be opened, and this allows the applicant to make his presentation. This is the taking of evidence. Everything is on the site plan, deficiencies, etc. are asked. We get as much information and clarification from the applicant as we can. During the deliberation part: the Board starts weighing the evidence and as new as questions come up, you are able to ask the applicant to give an answer. After all the deliberation is done, a decision is made.

Next meeting agenda:

7:30 public hearing on the Economic

Development Chapter in the Master Plan

8:00 Zephyr Lake Driveway

RMarshall said the public hearing for Allrose Farm Country Weddings June 22 meeting could be moved from 8:00 p.m. to 7:30 p.m.

KO'Connell agreed to move it.

PRenaud said he researched the RSA's and found online that RSA 175:.1, XXXVII - definition of hotel will be pertinent to the

Allrose situation. PRenaud said he is going to ask a lawyer "how does the definition have a bearing on our ordinance."

RMarshall said it would be to the Board's best interest to schedule a meeting with MSerge on the legal definition of hotel sometime in early July in a closed session.

9:40 p.m. Adjournment

RMarshall motioned to adjourn. SFox seconded the motion. Vote unanimous in favor.