Approved

**AGENDA**

**MONT VERNON PLANNING BOARD**

**Public Meeting August 9, 2022**

Times are approximate and subject to change without notice.

7:00pm Hearing Nowlan/Curtis Lot Line Adjustment

7:30pm Other Business

Mail and Announcements Review of Minutes 07/26//2022

9:00pm Adjournment

Present: Steve Bennett, Bill McKinney, John Quinlan, Dave Hall, Zach Johnson, Chip Spalding

Absent: Jim Bird

Called to order: 7:00pm

**7:00pm Hearing Nowlan/Curtis Lot Line Adjustment**

**Chris Hickey** from Keach Nordstrom and Associates presents the plans to add 3.47 acres from Curtis property to the Nowlan property making the new property 11.94 acres. This addition is to the back side of the property to add a bit more of a buffer as the home is very near the rear of the existing property line. **Bennett** asks are there plans to do any building **Hickey** responds no. This is for privacy and increasing lot size. There is already a house on the property. **Spalding** states this change will make the property more conforming. Spalding speaks to the new Wetlands Ordinance and states the Town requires 25’ buffer and an additional 25’ setback in a wetlands area. **Hickey** states that is easy enough to add. **Spalding** asks if new iron pipes will be placed and **Hickey** responds yes, and they will be replacing a couple that are missing. **Spalding** reminds the Board that it needs to vote to accept the application prior to voting on the decision. **Spalding** states the need for an electronic file from Keach Nordstrom before the process can be completed. Kelleher a resident of the Rolling Hills Mobile Home Park comes before the Board to ask how the MHP will be affected. States that the owner of the MHP did not receive a notice. **Bennett** states that there was conversation with the owner electronically before the meeting and he was invited to the meeting which he declined. As far as how it affects the MHP, it doesn’t affect any of that property as its across the parcel from the MHP. **Nowlan** asks what more needs to be done. **Bennett** describes the process moving forward if the application is approved. Asks if the property will be deeded to **Nowlan**, **Curtis** states yes. **Hall** asks if the Planning Board still records and **Schwarz** states yes, we do. **Spalding** states the applicant or surveyor will typically provide a mylar and 5 sets of drawings along with the recording fees to the PB Admin which will review and sign all and the Planning Board Admin will record the plans at Hillsborough County Registry of Deeds. **Hall** asks what happens at this point as there is not a deed in hand until after the closing. **Hickey** responds that recording the plan will do nothing regarding the ownership of the property, only recording the deed will make that change. **Hall** asks if the PB is requesting **Hickey** to add the additional setbacks to the map and **Bennett** states he’s not sure it matters at this point since there is no new building shown on the plans. **Spalding** states that his opinion is no, in the future if there are plans to build, they would need to show setbacks, but this is only addressing a lot line.

**McKinney motions to accept the Application for Lot Line Adjustment, second by Spalding, no further discussion, all in favor, motion passed.**

**Spalding motions to approve with one condition: Spalding would like Schwarz to wait until the NRPC has confirmed receipt of an electronic copy before registering the deed to ensure the process is complete. Schwarz agrees. Hickey states he will provide the second sheet that was not recorded at the time of the prior transaction on this property as well. Quinlan seconds. All in favor, motion passed.**

The Board moves forward with signing the plans and mylar for recording. Nowlan asks what more he needs to do and **Spalding** responds that his work with the Town is complete.

7:30pm Mail and Announcements

Herlihy Rd: **Schwarz** asked SGT. Daigneault to drive by and see what is posted and how. Stated there is a No Throughway and No Trespassing sign posted and it would very much look like a private way based on the direction of the signs posting etc. Sgt Daigneault suggested confirming with DPW that it is in fact a Class 6 road. DPW confirmed and forwarded an updated copy of the road rights and rules which she will forward to the group. **Quinlan** states that class 6 roads cannot be blocked off and **Bennett** states that he didn’t block it, and if the signs are on his property, he’s not sure we have much authority. **Schwarz** states she clarified with Daigneault that the signs are very purposely posted in such a way as to appear that it is a private way and people should not proceed further. **McKinney** suggests that the Selectmen should write a letter.

**Jason Bianchi** called asking about 8 Kendall Hill Rd and if it is subdividable. **Schwarz** did not answer him but informs the Board that while she’s not sure what soils are on the property; it has a very short strip of frontage. **McKinney** states that if it doesn’t have frontage, it’s not going to be able to be subdivided. **Bennett** states that **Bianchi** could come in for a conceptual meeting and the Board would be able to investigate it a bit more.

Email from **Max** at Tidewater CG was asking about septic plans etc. for 30 Kendall Hill Rd. **Schwarz** states the house was built in 1905, she has nothing on file showing that. **McKinney** states they should call DES Subsurface Bureau. **Bennett** states, he could come in for a conceptual meeting as well.

**Schwarz** reports that as per last months comment regarding making the online documents searchable, she has done so. It’s not fancy, but there is a keyword search option now. **Bennett** suggests that **Schwarz** keeps a list of commonly asked questions and during a work session the PB can help create a guide of where people can look for answers to those questions for the website.

7:40pm Changes to Planning and Zoning Laws in 2022

**Schwarz** passes out copies of the document from NHMA. **Bennett** states there is a one-hour presentation on this tomorrow and he will bring back any information.

7:45pm Solar Panels

**Schwarz** states that she discussed this at the Selectmen’s meeting last night and thought since the Historic District Commission reports to the Planning Board as a Land Use Board she should follow up with the PB as well. States the Selectmen advised the HDC to bring in their ordinance for review. **McKinney** states the HDC should review other town’s ordinances and bring a draft to the Board for approval. **Bennett** states that there is a statute that states that no town shall adopt a ordinance, regulation, code or administrative practice that prohibits or restricts a person or entity from installing a safe and commercially available heating or other energy system… **Schwarz** asks should it just be an allowable use that the HDC doesn’t even have to hear cases on? **McKinney** states that the HDC should still have a say as to where the array is placed and whether it is roof or ground mounted etc. they just cannot outright deny a solar array. **Johnson** asks isn’t the HDC mostly for the aesthetics anyway? **Quinlan** agrees its to maintain the historic appearance of the Historic District. **Schwarz** states that yes, the HDC is only concerned about architectural changes and giving the appearance of being of the time. **McKinney** states solar panels would affect that. **Schwarz** states its not that we want to limit solar, it’s that we’re setting precedent right now and we want to be sure we set it correctly. **McKinney** states that in Nashua’s Historic District, panels are allowed, but cannot be roof mounted unless its not facing the street, and ground arrays are not able to be placed in the front yard etc.

8:00pm Minutes 07/26/2022

**Quinlan motions to accept the minutes with typos fixed. Second by McKinney, no further discussion, all in favor. Motion passed.**

8:05pm Accessory Dwelling Units

**Hall** states that his thoughts are that on some larger properties set back from the road, many people wouldn’t even know if an ADU was on the property. **McKinney** states that the ordinance states that they must be attached. Johnson states that not only does it say they must be attached, but also that the entrance must be through the main entrance of the house. **Quinlan** asks is this something that the state mandated, and **McKinney** states the state mandated that if you allow 1- and 2-bedroom homes, you must also allow ADU’s. **McKinney** discusses allowing detached ADU’s so long as they match the design of the main house. **Bennett** thinks they would be ok with certain restrictions. **McKinney** states he’s seen plenty of attached ADU’s that look awful just for the fact that they’re attached. **Bennett** wonders if you can include items such as frontage and distance from the road etc. and **McKinney** states of course you can. **Hall** asks if it would have to go to the Town and the Board says yes. Plans are made to come up with some wording and put it out to the Town for approval.

**Quinlan** motions to adjourn, seconded by **McKinney**.

Meeting Adjourned 8:37pm

Next meeting: 8/23/2022

Respectfully submitted,

Rebecca Schwarz

Admin