

**MONT VERNON PLANNING BOARD****Public Meeting Via Zoom****April 13, 2021****AGENDA**

Times are approximate and subject to change without notice.

7:00 pm Drainage Review on 3-Lot Subdivision

Marchocki, 93 Old Wilton Road, Map 1-8

8:30 pm Other Business

Mail & Announcements

Review of Minutes 3/23/21

9:00 pm Adjournment

**Present:** Jim Bird, Steve Bennett, Chip Spalding, Tim Berry, Charles Baker, Dave Hall, Chuck Anderson

**Absent:** Rebecca Schwarz, Bill McKinney, Eric Will, Mike Lewis

**7:00pm – Drainage Review on 3-Lot Subdivision, 93 Old Wilton Road, Map 1-8**

**Bird** opened the meeting and had everyone recite the Pledge of Allegiance. Kathy Marchocki was present as well as Attorney Tom Quinn and Spencer Tate of Meridian Land Services. **Bird** noted that the Variance for this subdivision was granted by the ZBA with a few straight forward conditions. He spoke with the NHMA and another application will be required for notification purposes. As one of the conditions, we have to get feedback from the Conservation Commission regarding drainage on all three lots. Spencer Tate shared the subdivision plan with the Board. This is the same plan that was presented to the Planning Board in January for a public hearing. At that time the application was denied on the basis of net tract area under 5-acres requiring a variance. The variance was sought and granted under ZBA Case 2-2021. The ZBA did grant that variance with 4 conditions:

- I. 1.Lot 1-8-2: The driveway will be on Dow Road as shown on the plan presented.
- II. 2.Lot 1-8-1: Requires the building to be set as indicated on proposal close to Old Wilton Road; it will not cross the wetlands.
- III. 3.Drainage for all three lots are subject to Planning Board approval with consultation from the Conservation Commission.
- IV. 4.Any timber management must be done in accordance with Best Management Practices.

Tate stated that they will meet with the Conservation Committee tomorrow night. There are no proposed improvements to this plan set. Lot 1-8 will keep the existing homestead and existing outbuildings with existing driveway. Proposed Lot 1-8-2 upon approval will look just as it does on the presented plan. Proposed Lot 1-8-1 will look like it does on this plan except without the building rear area as depicted. They will add a note on the face of the plan stating the back area is not buildable. At this time, they could provide an existing conditions

analysis, but because they are not proposing any improvements, there is a bit of ambiguity as to what will appease the Board. They would suggest something more akin to conditioning the issuance of the building permit with a drainage or sedimentation/erosion control plan that appeases the Board and/or the Conservation Commission. The purpose for this is that at this junction they don't want to encumber these lots unnecessarily. They also do not want to inaccurately depict what someone is looking to do. Somebody could purchase one of these lots post approval and decide to do nothing with it. Somebody could purchase one of these lots post approval and decide to build a 5,000 sq. ft. house with a barn and a driveway. The drainage analysis on either of those situations would be radically different. At this point to propose something to the Board would may paint an inaccurate picture. The reason for being here this evening to discuss conceptually was to hopefully seek approval. The question becomes, what does the Planning Board look at to satisfy the #3 Condition for drainage on all three lots for approval from the Planning Board and the Conservation Commission. **Anderson** is concerned with the size of the structure that could be built on Lot 1-8-1. Unless something is identified that would limit that permeable surface you've got a relatively small portion of buildable property there. Tate stated that our zoning does not have an encumbrance relative to the percent coverage of each lot that you are allotted such that you are still within your building envelope. If you have an existing lot of record, you can build from one side of the building envelope to the other side of the building envelope without any limitations. **Bird** asked what is the area of Lot 1-8-1 that is east of the wetland. Tate estimates it to be around 1.3 acres. **Spalding** spoke to the proposed driveway locations. He stressed that the cross culverts need to be adequately sized to avoid damage to Town roads. He will defer to the Highway Department on this, but typically you don't use a culvert size less than 18". He also noted that the lot numbers need to be changed; the parent Lot 1-8 goes away and is replaced with Lots 1-8-1, 1-8-2 and 1-8-3. He stated that the Planning Board has to go through the subdivision review; we still need to go through the checklist. **Bird** pointed out that ZBA decisions are not recorded with NH Deeds. He feels there should be a note put on the mylar stating that this approval has a variance associated with it and list the conditions. Quinn said that subject to final review of that language he would not have a problem with that. **Spalding** stated that the Board consistently requests that 25' from the center line of an existing road going in towards the proposed subdivision be granted in an easement to the Highway Dept. for maintaining drainage and road improvements. Tate asked if this is a regulation in our municipality. **Bird** said we do not have a regulation for this but we request it. **Bird** noted that on Old Wilton Road there is no possible room for an easement; it would eat up into the driveway. **Spalding** feels that what would be of interest to the Highway Director would be along Dow Rd. and Hutchinson Rd. Tate said there is already an existing easement in that area. The quality and the width of the road passes travel and adheres to the current standard as is. **Berry** feels there is no room for an easement. Marchocki said there was a stone wall taken down between 2006-2009. The Highway Dept. shaved off about 4' of her pasture on the southern boundary at Dow Rd. and Hutchinson for snow removal and visibility of oncoming vehicles. **Bird** asked them to think about granting an easement; Tate said they would take it under consideration. As the Board cannot make any decision tonight, the applicant will get a completed application in by 4/21/21 in order to meet the deadline for a 5/11/21 hearing date.

### **7:50 PM – Other Business**

**Berry** asked if we have heard anything back from Jay Minkarah of NRPC about the status of the Wetlands Ordinance that we asked NRPC to work on. **Bird** has heard nothing; he's started to work on his own variation which is similar to Weare's. **Berry** is under the impression, from **McKinney's** discussion with the Board, that progress had been made by Jay Minkarah with NRPC. Joan will email Jay Minkarah tomorrow and put **Bird** in touch with him. After checking the dates for public hearings, the Board realizes that we do not have the time to legally put a Wetlands Ordinance Proposal on the Warrant for 2021.

**Spalding** and **Berry** discussed the library roadway design. **Berry** asked **Spalding** if he thinks it might be feasible to raise the current roadway grade so as to have swales instead of needing underground drainage. **Spalding** noted that you would still have all the sedimentation and the detention basins; there is no way to get around that. That in itself is a huge burden to the town. Having the catch basins in the swales is a terrible idea as far as maintenance; during the summertime they will have to continue mowing and keeping the catch basins clear. That whole design is driven by the State based on the wetland impacts. The whole drainage is driven by the wetlands that they're filling in order to support the library and the parking. If they did not have wetland impacts, they could have a very different looking scenario. They have to do all this mitigation because

of this; they should never have started filling the wetlands. They are making their useful area smaller and smaller and more expensive to be able to do those improvements. **Berry** noted that there is a site walk scheduled for 4/17/21 at 9:00 am which he feels the Planning Board members should attend in order to ask questions should the engineer be present.

The Board reviewed the minutes of 3/23/21. **Berry** motioned to approve the minutes as amended seconded by **Bird**. Five in favor; **Baker** and **Anderson** abstained.

### **8:35 PM**

As there was no further business before the Board, **Bennett** motioned to adjourn seconded by **Anderson**. All in favor.

Respectfully submitted,

Joan Cleary

Administrative Assistant