

MONT VERNON PLANNING BOARD**Public Meeting****January 23, 2018****AGENDA**

Times are approximate and subject to change without notice.

- 7:00pm Joanne Draghetti – Conservation Commission
- 7:15pm Bob Haynes, 18 South Main Street – Gift Shop Discussion
- 7:30pm Orchard Hill Subdivision Final Review
- 8:00pm Other Business
Review Driveway Checklist
- 8:30pm Mail & Announcements
Review Minutes from 1/09/18
- 9:00pm Adjournment

Seated: Bill **McKinney**, Annette **Immorlica**, John **Quinlan**, Bill **Johnson**, Chip **Spalding**

Present: Steve **Bennett**, Eric **Will**

7:00 PM

McKinney called the meeting to order and had everyone stand for the Pledge of Allegiance. Joanne Draghetti was unable to attend this evening and will reschedule. The Board discussed a Conservation Commission concern regarding a residential solar array construction. This would be on a lot on the south side of upper Purgatory Road, Map 1-21-3. The property owner is wanting to build a Net Zero Ready home (all electric, super insulated and air tight construction so that all energy used by the home would be produced by solar panels). This type of construction needs a flat area of land because the foundation is a super insulated concrete slab. The only flat area on this lot has 5700 sq. ft. of Wet Meadow as shown on Subdivision Plan Tax Map 1, Lot 21, Purgatory Road, dated October 30, 2014. Based on the proposed location of the dwelling, less than 2800 sq. ft. of this Wet Meadow area would be impacted. It is noted that the dwelling itself would not be located in the Wet Meadow area. **McKinney** stated that he could not find anything in our regulations that would prohibit what is being proposed. **Immorlica** noted that the DES states that a permanent structure such as a cement slab would not likely be approved in a jurisdictional wetland. **McKinney** questioned whether the Planning Board has any authority on this or is it between the Conservation Commission and DES. **Immorlica** said that we do have authority to require mitigation per our Wetland Zoning Regulation II-403.4. **McKinney** said that by our definitions, a concrete pad constitutes a structure. He would have to go thru the permanent process with the Building Inspector. **Spalding** noted section II-402 of our Wetland Zoning Regulations shows uses not allowed without Planning Board Approval. II-402.2 states 'A use not otherwise permitted in the Wetland Conservation District, which may include the erection of a structure, dredging, filling, draining or otherwise altering the surface configuration of the land (in compliance with the NH State Dredge and Fill Law, RSA 149:84)'. It appears that he does have to go through the Planning Board. This would be after he gets approval from the DES. **Spalding** noted he believes this lot to be in the Watershed District which is non-buildable. Joan will email Joanne Draghetti to get a copy of the drawings submitted so as to make it clear where exactly he proposes to put the concrete slab

7:15 PM – Robert Haynes – Gift Shop Discussion

Mr. Haynes presented a conceptual plan to the Board. He is wanting to open a gift shop at 18 South Main Street, Map 10 Lot 56. This district is Rural Residential. He wants to sell souvenirs and post cards. He also wants to grow flowers and pumpkins to sell. This would be a 3 season gift shop; spring, summer and fall. From his observation room the public could observe the views of Boston, Mt. Wachusett, Pack Monadnock and the Wapack range of mountains of Temple and Peterborough to the southwest. He showed an aerial photo of the property. **Immorlica** asked if this is a permitted use in the rural residential district – agriculture is but the gift shop aspect is not. **Spalding** noted that this would fall under Section I-406.4.3.3 of our Zoning Regulations - Permitted Home Businesses. It reads 'Home Business may only be permitted where a Special Exception is granted by the Zoning Board of Adjustment'. Mr. Haynes would need to go to the ZBA and apply for a Special Exception to allow this use. **McKinney** pointed out that there would need to be a parking area on site.

Also, the location of the driveway and site distance is a concern as far as added traffic on Rte. 13. There would need to be a site plan review for parking and the driveway entrance. Mr. Haynes thanked the Board for their time

7:40 PM – Orchard Hill Subdivision Final Review

The Board went over the plans delivered today by Fieldstone Land Consultants. They checked to make sure that the final items were completed:

- Sheet 9 of 13 – Depth of gravel across the entire cross section of the roadway width is at 12” for the full 22’.
- Specific lot numbers were added to the notes on the plan restricting access on all proposed lots bordering Upton Road, 1-24-2, 1-24-3 and 1-24-9. Legal documentation putting that restriction on the deeds of each effective property to be forwarded.
- Note 17 on page 5 of 13 which references residential sprinklers. ‘All new lots will be furnished with residential sprinkler systems’.
- Conservation Easement has been formally resolved.
- Road Bond has been received.
- Development Agreement has been signed.

Spalding motioned for final approval of the Orchard Hill Subdivision. **Johnson** seconded. All were in favor, the motion passed. Joan will call Fieldstone tomorrow and have them send an electronic copy in DWG format for the NRPC.

8:10 PM Driveway Checklist Review

McKinney shortened up the checklist so as to be able to fit it on the back of the driveway permit application. The Board will take more time to review and check for any errors. **McKinney** will work on updating the actual driveway permit. **Immorlica** suggested doing the same to our subdivision checklist and will work on it. **Spalding** wants the definition of a ‘driveway plan’ added to the Driveway Ordinance. **McKinney** will update for the next meeting.

8:20 PM

McKinney discussed an email received from the ATF regarding the town resident who wants to run an internet firearms business out of his home. The Board agrees that he would need to go before the ZBA and apply for a Special Exception. **McKinney** will respond to the ATF.

8:30 PM

The Board reviewed the minutes from January 9, 2018. **Immorlica** motioned to accept the minutes as written, seconded by **Spalding**. All were in favor, the motion passed.

8:40 PM

Immorlica discussed amending the Excavation Ordinance to include a fee structure along the lines of a timber tax. She asked if we should add this to our Action Items list. The Board discussed and all agree that it is not a necessary thing for us to do at this time.

8:45 PM

As there was no further business before the Board, **Immorlica** motioned, seconded by **Johnson** to adjourn. All were in favor, the motion passed.

Respectfully submitted,
Joan Cleary
Mont Vernon Planning Board
Administrative Assistant