

January 9, 2018

AGENDA

Times are approximate and subject to change without notice.

- 7:00pm Public Hearing – Proposed Driveway Ordinance
- 7:45pm Public Hearing – Location of Easement at 7 Cheever Lane,
Map 1-5-21
- 8:30pm Mail & Announcements
Review Minutes 12/12/18
- 9:00pm Adjournment

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

Absent: Bill **Johnson**, Eric **Will**, Dave **Hall**, Chris **Aiston**, Jim **Bird**

7:00 PM – Public Hearing – Proposed Driveway Ordinance

McKinney called the meeting to order and had everyone stand for the Pledge of Allegiance. **McKinney** called the Public Hearing to order. There was no public comment. **McKinney** has taken comments given by the Fire Chief regarding slopes and incorporated them into the Draft. He feels we have captured everything we can. His only concern is in trying to determine when we will need an engineered plan. Mike Ypya, DPW Director, feels that it will be obvious when the grade will be steeper than 10%. He and the Building Inspector would then get involved. Ypya feels the Ordinance looks great. We will need to update our current driveway permit application and refer to this Ordinance. **Spalding** asked for clarification on what we are asking the applicant to give the Town; a plan and profile of the driveway, a typical section and a grading plan? **McKinney** stated we want a driveway profile – not as extensive as a road profile but it will at least deal with the elevations. We don't need to be too involved with a driveway that is less than 10% grade; however, once you get over grades of 10% there are some risks involving emergency services that the Fire Department is concerned with. At that point we need to regulate more strictly. **Immorlica** motioned to accept the Driveway Ordinance with amendments that **Spalding** will email to **McKinney**. **Quinlan** seconded, all were in favor. The motion passed. **McKinney** closed the public hearing. **Immorlica** noted that this does not have to go before the Town as it is a subdivision rule change, not a zoning change. It does not get posted; it is in effect as of now.

7:30 PM – McKinney brought up the Selectmen's desire to implement a Junkyard Ordinance. We don't define 'junkyard' anywhere in our zoning ordinance. If we don't have it in our zoning do we have the authority to adopt and enforce NH RSA 236:112? **Bennett** feels that under NH RSA 236:128 we can in fact enforce the state regulation. Under state law a junkyard has to be licensed. **Quinlan** wants a set of policies and procedures put in place for licensing a junkyard. If we adopt NH RSA 236:112 we don't have to go before the Town to create a new ordinance. This would fall under the Selectmen not the Planning Board.

7:40 PM

McKinney spoke with the NRPC and got a price from them to update the Land Use Chapter of the Master Plan. They will reformat, add the graphs and the maps we want for \$800. **Quinlan** motioned to move forward with the contract with NRPC for \$800. **Immorlica** seconded, all were in favor. The motion passed.

7:45 PM – Public Hearing – Location of Easement at 7 Cheever Lane, Map 1-5-21

McKinney called the public hearing to order. Ken Clinton with Meridian Land Services, representing Adam Vaillancourt, came before the Board to discuss the relocation of an emergency access easement. This easement was established in 2005 with the Heritage Place Subdivision. There were two lots merged, 1-5-20 & 1-5-21. Vaillancourt purchased these merged lots, had a septic design and started construction of his house using the graveled road that existed on the property. This had been the former access to the pit down below. It subsequently became open space land as part of the original subdivision. It was determined during his construction that the driveway slightly encroached on the open space lot. Clinton met on site with members of the CC as well as the Selectmen. They all inspected where the driveway had been located and how it related to the open space lot. There happens to be a granite bounds that had not been set originally because of shallow ledge. It subsequently has been set. It was determined it was reasonable to pursue a revision to the emergency access easement to be co-located on the driveway as constructed which was on the original gravel road. This was largely because to shift it 35' would just mean that many more trees would come down and that much more land would be disturbed. He showed the revised plan depicting the portion of the driveway that would be shifted. He looked at the deed that was initially granted to the Town

by the original developer Daniel Pratt. He stated that this location still meets the intent as described in the deed. If the Board is favorable on this they will have this plan recorded and a subsequent corrected or revised deed would be granted to the Town to make sure it is in its current location. The Board reviewed the plan and was satisfied with the changes made. Lucien Soucy representing the Fire Department said that as long as the emergency access was 24' wide the Fire Department was happy. There was no input from the public. **Immorlica** motioned to accept the easement as indicated on the revised plan, seconded by **Spalding**. All were in favor, the motion passed. The public hearing was closed.

8:15 PM

The Board reviewed the minutes from 12/12/17. **Immorlica** motioned to accept the minutes as amended, seconded by Quinlan. All were in favor, the motion passed.

8:25 PM – 2018 Action Items Discussion

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1. Revised TCD Ordinance
2. Updating checklists
3. Interdepartmental Subdivision Development Review
4. Conditional Use Permit Ordinance
5. Review Open Space Developments

There was discussion on our acreage requirements; should we think about changing the 2 or 5 acre minimum to smaller lot sizes which could bring smaller home development to Town? **McKinney** suggested we consider overly districts; leave zoning as is to keep the open space, but open to overlay which would allow in particular areas for more density. That would be easier than trying to repeal and replace zoning. This will be tabled for further discussion.

8:40 PM – Other Business

McKinney received an email from the ATF regarding a person who wants to run an internet firearms business from a residence in Mont Vernon. This person claims he was told there is no local restriction or issue with such a business. The ATF is questioning if this is accurate. **McKinney** would look at it as he would need to have licenses to operate much like a bonded motor vehicle dealer and as such would be considered to have a home based business. He would be sent to the ZBA with such a request to apply for a special exception. **McKinney** will respond to the ATF.

8:45 PM

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

Respectfully submitted,
Joan Cleary
Mont Vernon Planning Board
Administrative Assistant