

MONT VERNON PLANNING BOARD**Public Meeting Minutes****June 9, 2020****AGENDA**

Times are approximate and subject to change without notice.

- 7:00 pm Lot Line Adjustment – Tom & Shirley Curtis
Hutchinson Rd/Old Wilton Rd Lots 1-82 & 1-82-2
- 7:45 pm Update on Old Mill Estates Road Bond Reduction
- 8:00 pm Discussion of Legal Input on Proposed Wetlands Ordinance
- 8:30 pm Discussion of Detached ADU's to Existing Ordinance
- 8:45 pm Discussion of Revised Language to Driveway Ordinance
- 9:00 pm Other Business
Mail & Announcements
Review Minutes from 5/26/20
- 9:15 pm Adjournment

Present: Bill McKinney, Bill Johnson, Steve Bennett, Tim Berry, Charles Baker, Chip Spalding

Absent: Rebecca Schwarz, Dave Hall, Eric Will, Michelle Riesselman, Jim Bird

7:05 PM – Lot Line Adjustment – Tom & Shirley Curtis, Lots 1-82 & 1-82-2

McKinney called the meeting to order and had everyone recite the Pledge of Allegiance. Tom & Shirley Curtis were present as well as Mike Dahlberg of Keach-Nordstrom Associates, Inc. Dahlberg stated that currently the Curtis's own 3 lots; two 5-acres that fronts on Hutchinson Road and one 60.8-acre lot that fronts on Old Wilton Road. For a variety of reasons, they wish to move the rear lot line of 1-82-2 which fronts on Hutchinson Road and shift it over next to the McCosh piece which is 1-87. They start with two lots and end with two lots. There is topography, soils and test pit information within the application as well as a driveway permit plan that shows how the land would be developed where they can put a driveway in that meets the grades and driveway regulations. **Spalding** noted that there is a driveway easement on parent parcel 1-82 that allows the property owner on Old Wilton Road to get through to their house. He stated that they are losing the parcel nomenclature

and its frontage. For example, he believes that the new parcel that they have as 1-82-2 with frontage on Old Wilton Rd. should really be 1-82

because when you start looking up easements and restrictions in terms of title work, it is all going to be pointing to the original parcel that has frontage on Old Wilton Road. The large parcel being made by this lot line adjustment would be 1-82-2 because its frontage was always on Hutchinson Road. **Spalding** questioned how were the wetlands shown on this plan delineated? Was a wetlands scientist involved? **Dahlberg** stated that he is a licensed septic designer; he can delineate wetlands for a subdivision. Those wetlands were delineated and mapped when they did a lot line adjustment on what is now 1-87 which is now the McCosh piece. They went out and walked the land. None of the wetlands have changed so he held the reference plan lines that were already on recorded plans. The proposed construction is downhill from the wetlands; they would not impact anything close to a wetland buffer. **Spalding** stated that in District 3 5-acre zoning in the Purgatory Watershed, the calculations for the wetlands need to be taken out as well any slopes greater than 25%. These slopes are not identified on the submitted plan. **McKinney** went over RSA 676:4(e)(1) and questioned, in the Boards opinion are we looking at a minor lot line adjustment or are we creating a buildable lot? Technically what we are doing is moving a buildable lot from one side of the land to the other. **Spalding** feels that if the two parcels were owned separately, they would need to do a lot consolidation plan and then do a subdivision. In this case both parcels are owned by the same person. As long as they keep the parcel number whole, it really is just a lot line adjustment. They can't make anything less or more non-conforming, which from his review they haven't. They are maintaining the 300' of frontage which is a requirement for parcels in the watershed district. They appear to be meeting the acreage size, though they have to review to make certain that 25% slopes are also taken out of the calculation along with the wetlands. That could impact the parcel on Old Wilton Road; they may have to make that parcel bigger in order to get the true upland dry area to meet the regulations. **McKinney** asked if the Board wanted to make a motion on this. **Spalding** stated that a motion can't be made as the plan is incomplete. The surveyor recognizes that there are adjustments that need to be done to the plat plan submitted as well as some additional calculations to ensure that the parcel has sufficient upland for parcel 1-82. **Dahlberg** understands the corrections and calculations needed. **Johnson** asked Ben Crosby if he reviewed the driveway application permit. Crosby said the only change he would like to see would be to upsize the proposed culvert at the end of the driveway from 12 to 15; and would like more detail regarding the reconstruction of the ditch line. He also asked if there would be headwalls or flared ends on the culvert. **Spalding** questioned would it benefit the town to get a drainage easement on the Old Wilton Road segment to increase our ROW. **Spalding** went on to say that there is a road cross culvert for drainage on Hutchinson Road that drops onto Curtis' property. It crosses the line of lots 1-82 & 1-82-2 and then runs down the line onto Lot 1-82. He feels we should take this opportunity to get a drainage easement. Because of the stone wall, we want to make sure we have access to the downstream side of the cross culvert. **Berry** said that culvert actually comes out on Alice Corbett's property. Crosby will check and confirm that. **McKinney** went over the necessary changes for clarification: there will be new calculations done for the wetlands and slopes, the lot numbers will be adjusted so that we do not impact the existing easement, there will be an additional drainage easement added to 1-82 and we will wait to hear back from Crosby as far as an easement to the town on lot 1-82-2 along the roadway. The applicant will come back before the Board on June 23, 2020 at 7:00pm.

7:50 PM – Update on Old Mill Estates Road Bond Reduction

Crosby spoke with Justin Gamache regarding the work in question per our last meeting. Gamache stated that the erosion control, guardrail and granite bounds have been completed. The ditch line and drainage swale between Riley Road and Dennis Dwire's property will be taken care of before paving. The last lot and driveway to be completed is Lot 1-57-19. The excavation and driveway work will be completed before the top coat on the roadway is done. Gamache is waiting on his final inspection report from Kevin Anderson from Meridian. He will schedule the paving and shoulder gravel once all excavation is done, most likely the middle to end of June. At that point he will send a formal letter requesting his bond reduction. At that point we will figure out the maintenance bond amount and time frame for that. Crosby received a call from a resident on Riley Road who

has a cracked driveway. He asked Gamache to look into it to see if it's from a culvert settling. **McKinney** said if he's installing the culverts per our regulations, which requires a minimum of 12" of material compacted over it, he should be OK. **McKinney** noted that we do have confirmation from the Fire Chief that the cistern has been inspected and approved. **McKinney** asked if we have heard anything from Brett Vaughn regarding the Purgatory Road development. Last we knew he still had to get granite bounds set in order to get his road bond released. Crosby will go out and check to see if the bounds are there.

8:05 PM – Discussion on Legal Input on Proposed Wetlands Ordinance

McKinney asked the Board to take the time to review the legal input sent to us by Town Counsel. We will be putting this on our work sessions agenda so as to have it ready for next years Town Meeting.

8:10 PM – Discussion on Detached ADU's to Existing Ordinance

If we were to allow for detached ADU's, there would be quite a few amendments needed to the existing ordinance. It is clear that when the ordinance was written, the Board at the time wanted to prohibit detached ADU's. **Bennett** questioned why we would want to allow them? **McKinney** said that we have had a couple of requests from people interested in having a detached ADU for their parents and another for their college students. It would allow them to have their own space away from the main house. **Berry** asked if the state has some verbiage we could go off of for guidance. **McKinney** said our ordinance was updated after the state changed the law. State statute permits communities to either permit or not permit detached ADU's. You have to allow ADU's but you don't have to allow detached. At that time the Board felt it wise to not allow for detached ADU's. As we are trying to look into housing options in the community, how to keep people in the community, it might not be a bad option to at least investigate.

8:20 PM – Discussion on Revised Language to Driveway Ordinance

The Board went over the proposed amendments brought by Crosby. He would like some verbiage added for clarification. Under Construction, 'alterations to include initial paving of driveways or widening to an existing driveway'. He would like to amend for paving or repairing a driveway as it will change the approach and potential drainage on/from the town road. The Board discussed coming up with a driveway permit fee. However, that is up to the Board of Selectmen to approve. **McKinney** highlighted the necessary changes to the ordinance. We will have to set a public hearing.

8:45 PM – Other Business

McKinney brought up the Salisbury Road public hearing that was continued months ago. The public hearing cannot remain open indefinitely. Joan will reach out to the applicant and schedule for our first July meeting. Joan will also reach out to Carl Foley regarding when we will receive the mylars for the Curtis lot line adjustment. The Board reviewed the minutes from 5/26/20. **Berry** motioned to accept the minutes as written seconded by **Johnson**. All in favor, motion accepted.

9:00 PM

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

Respectfully submitted,

Joan Cleary

Administrative Assistant