

PLANNING BOARD MEETING MINUTES  
SEPTEMBER 20, 2023, 7:00 PM AT DUNBARTON TOWN OFFICES

The chair called the meeting to order at 7:00 p.m.

### **Roll Call Attendance**

Secretary Alison Vallieres, Vice-Chair George Holt, Ken Swayze, Ex-Officio Justin Nault, Jeff Crosby, and Chair Chuck Frost (present via Zoom)

### **Business**

The chair confirmed with the secretary that this meeting was posted in two places and on the Town's website.

1. **Approval of Minutes:** Ken Swayze moved to approve the minutes of the August 16, 2023 regular meeting; George Holt seconded the motion. Majority in favor; Jeff Crosby abstained as he was not present at that meeting.  
George Holt made a motion to approve the minutes of the September 6, 2023 sub-committee workshop; Ken Swayze seconded the motion. Majority in favor; Jeff Crosby and Justin Nault abstained as they were not at the workshop.
2. **Correspondence** – Donna received an email from Alternate Member Don Stairs, tendering his resignation from the Board. The chair said the board needs people from the public, and all come in not knowing a lot about the process. He said he would like to see Don continue with the Board; others agreed. Chuck will call him to discuss the matter.
3. **Selectmen's Report** – Mr. Nault said he had nothing new to report at this time.
4. **Building, Planning & Zoning Department Report** – a) Donna said FEMA is updating their Flood Insurance Rate Maps (FIRM), last updated in 2010. These will be discussed in more detail later in the meeting. b) There have been changes to Planning & Zoning laws that the Board should review. c) As a participating community of the National Flood Insurance Program, Dunbarton is required to adopt floodplain regulations. Donna received an email from the Office of Planning and Development, Department of Business and Economic Affairs (formerly Office of Strategic Initiatives) about their review of the Town's floodplain regulations as part of the FEMA map updates. Amendments to the regulations and sample warrant article language have been offered. This will be placed on the agenda for the next meeting.

**Old Business** - None

### **New Business**

**Application 2023-PB-002, Grapevine, LLC** – Four-Lot Subdivision, Map H4-02-06, Grapevine Road, in the Low-Density Residential District. The chair stated that this part of the meeting is for the receipt of application, and there will be no input from the applicant or the public. Donna introduced the application

as follows: This is a 23.67-acre parcel that is in Current Use. The intent is to subdivide the parcel into four residential lots. The wetlands have been delineated, and the wetland conservation district buffer has been noted. Abutter notification was done by certified mail on September 1, 2023. In the initial plan review, a few minor details were pointed out to the plan's preparer and corrections have been made. Donna said the application appears to be sufficiently complete for acceptance by the Board.

**Justin Nault made a motion to accept the application as complete and move to public hearing; motion seconded by Ken Swayze. All were in favor.**

Attorney Maria Dolder, agent for Robert Pike, Grapevine, LLC, said this is a standard four-lot subdivision, with all lots exceeding the five-acre lot size and 300' of frontage requirements. Ms. Dolder stated that there is adequate sight distance for each lot, the proposed plan meets all subdivision regulations and setbacks, and no waivers are being requested. Surveyor Jacques Belanger presented the plan on behalf of Grapevine, LLC. He displayed a colored version of the proposed plan, pointing out the wetland and wetland buffer areas. Mr. Belanger explained that he showed a proposed house and septic on each lot, depicting that each lot has a sufficient building pocket without encroaching on the buffer. He said they have the required line-of-sight on the road, and proposed driveway locations have been shown on the plan.

George Holt noted that the Zoning Ordinance Wetland Conservation District section requires the wetlands to be flagged. He said the Conservation Commission now has placards that they would like placed on trees. Mr. Belanger asked about the spacing of the placards. Mr. Holt said 'line-of-sight' would be good. Mr. Holt said this is a very hard parcel to develop and spoke about the steepness of the slope being approximately 30% along the first 100' of the lots. He said there will be an issue with erosion control, though it would be doable with extra effort. Mr. Holt said maybe special erosion control notes could be added to the plans, which would bring the concern to the forefront during development.

Jeff Crosby asked to confirm that the driveways all have adequate sight distance. Mr. Belanger said that was correct. Mr. Crosby said that the driveways will need some sort of landing as they approach the roadway due to the steepness of the lots and meet the road perpendicularly. Bob Pike said he would have designs done for the pitch from the road at the length required by the subdivision regulations. Jeff said he would like that noted on the plans as the lots could be sold and a builder not be aware of the request. Robert Pike introduced himself as the manager of Grapevine, LLC. He said he plans to build on these lots and would ensure the negative pitch from the road. Mr. Pike said he does not like to exceed 10% on driveways, noting that the worst on these lots is 9.5%. Mr. Belanger said he can add a 'typical' detail and notes about the placards and driveways to the second sheet of the plan.

Chuck Frost said he agreed with George and Jeff, his main concern being the slopes as relative to safety and emergency services' access. He suggested that Donna check with the fire and police departments for their thoughts on the driveways. Donna said that could be done, noting that the town does not have driveway regulations with specific requirements in place at this time. Attorney Dolder said they could address the first portion of the driveways on the plan; however, the town does not have driveway regulations. Bob Pike said he could address any slope issues through the building process by using full erosion control measures and walk-out basements that would alleviate a lot of the slope. He said silt fence goes up right away on any of his job sites. George Holt suggested that a note be put on the plan that no driveways would be over 10%. Ken Swayze said he does not think that would be fair, noting his own driveway's slope, as well as others in town. It was noted that there are steep driveways

on the recent Gile Hill subdivision and other areas of the town that were not restricted. Justin Nault said it is a genuine concern, however, there are no driveway regulations to enforce. Jeff Crosby said ultimately the builder has to produce a project that someone will want to buy.

The chair opened the hearing to the public.

Abutters were called:

Dana & Nancy Mullen – not present

Victoria Ryder – 163 Grapevine Road – Ms. Ryder asked for clarification of a line on the plan. Mr. Belanger pointed out the wetland area, indicating the 125' buffer from the delineated area. Ms. Ryder spoke about lots recently cleared on Gile Hill Road and asked if these lots could be cleared as well. Mr. Belanger explained that they can cut anything, but they cannot bring a machine into the wetland. Bob Pike said he would hire a registered forester to do the work. He said they can cut trees but cannot pull stumps in the wetland area. Mr. Pike said he will cut in the buffer, taking out large trees of concern. Ms. Ryder asked if residents could say they do not like the idea. Attorney Dolder said even if a property is not subdivided, the owner has the right to cut down trees. Bob Pike said they would take out large pines that could blow down and manage the timber.

Town of Dunbarton Conservation Commission - Margaret Watkins, 122 Mansion Road, speaking on behalf of the Commission said she came to get a sense of the project. Ms. Watkins said they do not have many wetland conservation districts in town, and she would share the concerns about taking down too many trees.

Kevin & Jessica Besong – not present

Charles & Sandra Morin Trust – not present

Lucas & Jolene Lampman – not present

Frank & Elizabeth Bernardi – not present

Robert & Joann Jergensen – not present

Milioto Family Revocable Trust of 2020 – not present

Harry & Doris Ledger – 173 Grapevine Road – Mrs. Ledger stated they live directly across from this parcel. She read an article that she said was from N H Environmental Services. Mrs. Ledger said she feels their property would be at risk, based on what she read. She said she felt the Conservation Commission has not had adequate time to review the project. Mrs. Ledger spoke about the curve and steepness of Grapevine Road at Gile Hill Road. She also spoke about various parcels in the area that are being cut and her concerns about water and erosion control. She asked that the Planning Board and Conservation Commission look at this very closely and into the future. Mrs. Ledger said she feels there needs to be a road study and safety study. She then read a statement from Mr. Ledger who was not present.

The chair asked if there were any other comments from the public.

Addison Chase – 29 Guinea Road – Mr. Chase said he has seen the work of foresters and said they are pigs when not on their own land. He asked what happens to Bela Brook and to Dunbarton, saying the area cannot hold that much run-off.

Attorney Dolder stated that Grapevine Road is a town road, not something they are building as part of this project. She said all driveways will have the required sight distance and have been shown on the plan as placeholders. Ms. Dolder said the wetlands and protected areas have been mapped, and they have met all the requirements, leaving sufficient land to build outside the buffer. She again noted that all of the lots exceed the minimum required.

Hearing no further comments, the chair closed the public hearing and brought discussion back to the Board.

George Holt pointed out a line type that changed. Mr. Belanger said the wetlands scientist stopped at the wrong stonewall, and he will be going out to do a little more flagging in the area noted. Jacques said he will update the mapping once that is done. George asked if the driveways and lot corners would be staked so board members could do site reviews before the next meeting and if the board would be getting a line-of-sight report. Maria Dolder noted that the regulations require showing proposed driveway locations, but they can be moved at the discretion of the builder and/or road agent, therefore the staked locations may not be exactly where the driveway will be in the end.

Jeff Crosby said he was recently flagged down by Joe Milioto from 11 Gile Hill Road. He said Mr. Milioto had some concerns about the driveway shown directly across from Gile Hill Road and visibility. Jeff said he assured Mr. Milioto that sight distance would be met. He said Mr. Milioto was a little more concerned about vehicles coming down Gile Hill Road and continuing directly across the road. Jeff suggested to Mr. Pike that if he is going to engineer where driveways approach the road that he select a place and engineer for that specific place. Mr. Pike said all elevations along the road have been shot, and he does not feel there is a spot that does not have the 200'. Mr. Crosby said trees can be cut in the town's right-of-way if needed to improve sight distance.

Hearing no further discussion, the chair asked board members how they would like to proceed. **Ken Swayze made a motion to continue this application to the next meeting; motion seconded by George Holt. All were in favor.** The meeting will be on October 18<sup>th</sup> at 7:00 p.m.; there will be no further notification. Bob Pike said he would be available to meet board members at the site if they were interested.

### **Other Business**

FEMA map changes - Studies of area watersheds have been conducted over the last few years and proposed amendments to the maps have been posted. Donna explained that the Selectmen have been advised of the changes and have offered no questions or concerns for appeal of the changes. Public outreach to any citizens who will be affected by the changes is the next phase; Donna will try to confirm if the Town or FEMA does this outreach. George asked if it would be possible for a public meeting to be arranged so the community is aware of the changes. Donna will inquire. At this point, it appears that a very small number of residential properties would be affected, as most of the changes are on Army Corps of Engineers property.

Land Development Regulations – Chuck Frost said the sub-committee decided at their meeting on September 6<sup>th</sup> to keep the current regulations as separate documents, and they will meet again. George Holt said they were tasked to review the current subdivision regulations. It was agreed to meet on Wednesday, October 4, 2023 at 6:30 p.m. Donna will post the sub-committee meeting.

**Justin Nault moved to adjourn the meeting at 8:12 p.m.; seconded by Jeff Crosby. All were in favor.**

Respectfully submitted,  
Donna White