

PLANNING BOARD MEETING MINUTES  
MARCH 20, 2024 7:00 PM AT DUNBARTON TOWN OFFICES

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

### **Roll Call Attendance**

Ron Slocum, Ex-Officio Justin Nault, Vice-Chair George Holt, Chair Chuck Frost, Secretary Alison Vallieres, Ken Swayze, Jeff Crosby, and Alternate Jonathan Lefebvre.

### **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 February 21, 2024 regular meeting; Alison Vallieres seconded the motion. The majority was in favor; Ron Slocum abstained as he was not in attendance.**
2. Correspondence – An abutter notification was received from the Town of Bow for a subdivision and wetland protection conditional use permit on Brown Hill Road. The Bow parcel abuts a town-owned property on Gile Hill Road. The public hearing is March 21<sup>st</sup>; members reviewed the plan received with the notice.
3. Selectmen's Report – Selectman Nault was not present at this point in the meeting.
4. Building, Planning & Zoning Department Report – The building department is dealing with an ongoing matter relative to a DIY solar project. The State electrical inspector is assisting the building inspector.

### **Old Business**

Application #2024-PB-001, Frederick V & Lisa J Cross Family Trust – Three-lot Subdivision, Map F4-01-06, Guinea Road in the Low-Density Residential District. (This application was continued to the meeting of April 17, 2024 at the February 21, 2024 meeting.) George Holt reported that the Conservation Commission will hold a public hearing on the project, which involves a scenic road, on April 10<sup>th</sup> at 6:30 p.m. He asked Jacques to get a road plan to them prior to the meeting.

### **New Business**

Application #2024-PB-002, John W & Stacy W Nichols – Two-lot Subdivision, Map F2-02-05, Mansion Road in the Low-Density Residential District. Jacques Belanger of Belanger Land Surveying represented the applicants. Stacy Nichols was present. Jeff Crosby stated that he may have some work with the applicants and asked how the board felt about him sitting for this application. Several members said they thought it would be best for Jeff to step down, which he said he would do. Jeff Crosby recused himself and left the table. Jonathan Lefebvre was appointed to be a voting member for this application. The chair confirmed with Mr. Belanger that there are no waiver requests for this application.

Donna gave an overview of the application as follows: Request is to divide the 14.99-acre parcel into lots of 9.97 acres and 5.02 acres, each with the required frontage, part of the parcel is in Current Use tax status, an application will be made to NH DOT for a shared driveway permit, and the application appears to be sufficiently complete. George Holt said he had some questions on the plan and those have since been addressed

by Mr. Belanger. **Ken Swayze made a motion to accept the application as complete and move it to a public hearing; seconded by George Holt. All were in favor.**

Jacques Belanger gave an overview of the project, explaining that a note on an older plan about no further subdivision has been cleared up. Mr. Belanger said the applicants are breaking off a lot for a family member. He said there are a lot of wetlands on the lot and those have been mapped. There are no wetland permits required. An application has been submitted to NH DOT to upgrade the existing driveway to a shared driveway. The 4K area for septic and a proposed well location have been shown.

Ron Slocum asked about a note for an electrical box outlet post. Mr. Belanger said that was a setup for a camper. Ken Swayze noted that Dunbarton does not have a wetland setback. Chuck Frost asked if there would be a shared driveway agreement. Mr. Belanger said there would. George Holt asked if the common driveway easement should be carried to the new property line. Mr. Belanger said he will show it across to the new lot.

Hearing no further questions from board members, the chair opened the hearing to the public.

Abutters were called as follows:

Carol R Foss Revocable Trust – not present

James E and Barbara A McLaughlin Trust – present. Mr. McLaughlin asked where the new house would go. Mr. Belanger pointed out the area that could be used. Mr. McLaughlin asked if the driveway will be widened. Mr. Belanger said he was not sure at this time.

Edward and Patricia Mysona – not present

Richard Colter Estate – not present

Dee Tyler – not present

Robert E Downey – not present

John C and Donna A Clancy – not present

David S and Jennifer J Allen & Jeffrey S and Marcia L Trexler – not present

Hearing no further questions from the public, the chair brought the hearing back to the Board.

Jonathan Lefebvre suggested that utility easements be included in the driveway agreement. Mr. Belanger agreed to include the details. **Ken Swayze moved to continue the application to the next meeting; seconded by George Holt.** Jacques Belanger asked the reason for the continuation. Mr. Swayze said that is standard procedure. There was brief discussion about the motion and this being a minor subdivision. Chuck Frost said he would like to do a site walk to see the wet areas. Mr. Lefebvre pointed out that a certified wetlands scientist has delineated the areas and that should be sufficient. Hearing no interest from others, Mr. Frost said he would forgo a site walk. Mr. Lefebvre said a condition of approval should be that the common driveway document be reviewed.

The chair asked for a vote on the motion. **All opposed. The motion was denied.**

Jonathan Lefebvre outlined some details he felt should be included in an approval. Those details included a draft of the common driveway agreement with utilities and maintenance to be reviewed and approved, the agreement to be noted on the final plan and recorded simultaneously with the plan.

**Ron Slocum made a motion to approve the proposed subdivision Application #2024-PB-002 for John W and Stacy W Nichols of Tax Lot F2-02-05, dividing one 14.99-acre parcel located on Mansion Road into two residential lots.**

**Subject to the following conditions:**

- 1. Submittal of a final, technically accurate, and graphically correct plan-set in full compliance with all current subdivision regulations and incorporating any and all additional requirements established during deliberations with the Board (per status reports, Planning Board meetings & minutes of March 20, 2024 and other acknowledgments).**

2. **Approval and receipt of all other required local, state, and federal permits. There shall be no change(s) to the base plan(s) without re-consultation with the Board, as a result of such other permit approvals.**
3. **Payment of all fees and costs associated with the Dunbarton Planning Board application process.**
4. **That all specified work and improvements at the site, as specified by the Land Subdivision Regulations, be completed prior to the signing and filing of the mylar (survey monumentation must be in compliance, etc.).**
5. **Preparation, submittal, and filing of all deeds, legal instruments, and/or documents required or intended to be filed at the Merrimack Country Registry of Deeds; in such content and form acceptable to the Town.**
6. **A draft of the common driveway maintenance and utility agreement be submitted for approval by a member of the Planning Department and/or town counsel. Said agreement to be noted on the final plan and recorded simultaneously with the plan.**

**George Holt seconded the motion. There was no further discussion. All were in favor.**

Jeff Crosby returned to the table.

### **Other Business**

Review of requirements for road construction/upgrade – Donna spoke about the recent discussions on upgrading a Class VI road to a Class V road, whose jurisdiction it would be, to what standards, and responses received from NHMA legal and Town counsel. She previously distributed the Town counsel's response to board members for their review. That response outlined the role of the Board of Selectmen, the Planning Board, and the Road Agent, with the Road Agent having the key role in developing a set of road standards. Jeff Crosby spoke about the criteria he discussed with Jacques Belanger and the applicants about the upgrade of Guinea Road. He said the Town's subdivision regulations outline what is required for new road construction and those lay the groundwork for the upgrade. Jeff said, on another note, that the town's attorney has recommended for a second time that the road agent not be on the Planning Board. He said he has no problem stepping down if that is preferred. Ken Swayze said he feels Jeff does good justice to the Board, and he does not agree with Town counsel. George Holt said he feels Jeff brings a lot to the Board; Alison Vallieres said she agreed. Justin Nault suggested that Jeff and Jonathan, as an alternate, could swap positions. There was a brief discussion with no definitive decision made.

**Justin Nault moved to adjourn the meeting at 8:18 p.m.; seconded by George Holt. All were in favor.**

Respectfully submitted,  
Donna White