

PLANNING BOARD MEETING MINUTES
FEBRUARY 16, 2022, 7:00 PM AT DUNBARTON ELEMENTARY SCHOOL

Roll Call Attendance

Jeff Crosby, Ex-Officio Dave Nault, Alison Vallieres, Vice-Chair George Holt, Chair Chuck Frost, Secretary Ken Swayze, Brian Pike, Alternate Ron Slocum.

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:

George Holt moved to approve the minutes of the January 19, 2022 regular meeting; Ken Swayze seconded the motion. Donna informed the board that the vote taken on a group of minutes at the last minute needs to be adjusted. Because the three sets of minutes were considered in one motion, there was some confusion on which date/meeting each member was responding to with their vote.

The correct voting record is as follows:

Dave Nault – ok with 12/15; abstain on 12/29; ok with 1/5

Alison Vallieres – ok with 12/15; abstain on 12/29; ok with 1/5

George Holt – yes on all

Jeff Crosby – ok with 12/15; abstain on 12/29 and 1/5

Chuck Frost – yes on all

Brian Pike – yes on all

Ken Swayze – yes on all

Ron Slocum – ok with 12/15; abstain on 12/29; ok with 1/5

All were in favor of the motion with the corrections.

Brian Pike made a motion to approve the minutes of the February 2, 2022 workshop; seconded by Alison Vallieres. Dave Nault & Jeff Crosby abstained as they were not in attendance; all others in favor.

2. Correspondence – The chair reported that he is in receipt of a letter of resignation from Brian Pike. Brian will step down from the Board at the end of this meeting. There is one year left on Mr. Pike's term; a recommendation to fill the seat will be submitted to the Board of Selectmen. Brian was thanked for his time and efforts over the years of being a member of the Board.
3. Selectmen's Report – Selectman Nault reported the following: 1) the repair of the front steps at the Town Hall/Library is complete; 2) the sprinkler system for the Town Hall/Library is fifty percent installed; 3) Mr. Nault, on behalf of the Board of Selectmen, thanked Brian Pike for his time on the Planning Board.
4. Building, Planning and Zoning Department Report – Donna reported the following: 1) the plans for Countryside Estates have been recorded; 2) ZBA application that was before the Housing Appeals Board came back to the ZBA for an Equitable Waiver; that was granted at Monday's meeting. 3) applications for a 9-lot subdivision and a 2-lot subdivision have been received for the March agenda; 4) fire, police, and highway departments have been contacted for input on the Guiney/Kelsea Road subdivision road improvements; an outline of the process of determining

exaction fees has been created. All materials will be distributed for the March 2, 2022 public hearing.

Old Business

Application #2021-PB-004 – Michael Guiney – Six-lot Subdivision, Lot B6-01-05 on Kelsea Road in the Low-Density Residential District. Applicant Michael Guiney was present. The chair asked Mr. Guiney if there were any updates on the project. Mr. Guiney said there was nothing new; he is here to ask for the hearing to be continued to the meeting of March 2nd. There was some discussion on a prior motion to continue to that date at the February 2nd workshop. Acting on Mr. Guiney's request, **Ken Swayze moved to continue his application to the meeting of March 2, 2022; seconded by George Holt. Dave Nault recused himself from the vote. All others were in favor of the motion.** That meeting will be held at 7:00 p.m. in the Town Office Meeting Room. There will be no further notification.

Application 2021-PB-006 - Gerald Dugrenier – Two-lot Subdivision, Lot B6-01-05 on Montalona Road in the Low-Density Residential District. Dave Nault recused himself from this matter. Jacques Belanger represented the applicant.

Mr. Belanger gave a brief overview of the plan. He said George Holt had asked at the last meeting about the upland. He said it comes out to about 1.7 acres. The front corner and driveway were staked as requested at that meeting.

The chair opened the hearing to the public. There were no abutters present; hearing no comment from the public, the chair closed the public hearing and brought it back to the Board. Board members did not have any questions. **George Holt made a motion to approve the Two-Lot Subdivision for Gerald Dugrenier of Tax Lot B6-02-01 located on Montalona Road, 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 January 19, 2022 and February 16, 2022 and other acknowledgments).**
- 2. Approval and receipt of all other required local, state, and federal permits. As a result of such other permit approvals, there shall be no change(s) to the base plan(s) without re-consultation with the Board.**
- 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, is completed prior to the signing and filing of the mylar (e.g.: survey monumentation must be in compliance.).**
- 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.**

Ken Swayze seconded the motion. All were in favor.

Application #2021-PB-007 – Robert W & Nora Lamarque Family Revocable Trust – Two-lot Subdivision, Lot G2-05-09 on Stark Lane in the Medium-Density Residential District. Jacques Belanger represented the applicants. Mr. Belanger requested that the application be continued to the next meeting to allow additional time to address a boundary question. **Brian Pike made a motion to continue the hearing to the meeting of March 16, 2022; Alison Vallieres seconded the motion. All were in favor.** The meeting will be at 7:00 p.m.; meeting location will be posted on the Town's website. There will be no further notification.

New Business

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 at this point.

Application #2022-PB-001 – Grapevine, LLC – Two-Lot Subdivision, Lot H4-03-03 on Grapevine Road in the Low-Density Residential District. Donna gave an overview of the project as dividing two conventional residential lots from the 65.82-acre parcel. Ken Swayze asked Donna if the checklist items have been reviewed and if the application is complete. Donna said the application would seem complete, based on her review of the plans in conjunction with the checklist. Ron Slocum said there are two applications and one set of plans. He wondered how the Board should approach their review, as the plans could follow separate paths. Ken Swayze said he thought the Board should proceed with the acceptance and see how it goes. George Holt said he does not have a problem with it, recommending that they consider the two-lot application first. Dave Nault said they are separate applications, and the plans could be separated if need be. **Ken Swayze moved to accept the application as complete and move to public hearing; seconded by Dave Nault. All were in favor.**

Application #2022-PB-002 – Grapevine, LLC – Twelve-Lot Open Space Subdivision, Lot H4-03-03 on Grapevine Road and Zachary Drive in the Low-Density Residential District. Donna gave an overview of the project as dividing the remaining 55 acres into 11 residential lots and one Open Space lot. A road of 954.17 linear feet will be constructed as an extension of the existing Zachary Drive. Based on her review of the plans with the checklist, the application appears to be complete. George Holt stated with the 11 new lots, there would still be less than 25 lots on the road. It was explained to those present that a single access road is limited to no more than 25 lots. **Dave Nault made a motion to accept the application as complete and move to public hearing; seconded by Ken Swayze. All were in favor.**

Jacques Belanger represented the applicant. He said there are no waivers being requested for either application. Mr. Belanger reviewed the plan of the 65.84-acre parcel, in the Low-Density Residential District, with 646.08' of frontage on Grapevine and 50.22' of frontage on Zachary. He said they are proposing two conventional lots of five acres each, and those would be free-standing, not part of the Open Space subdivision. Mr. Belanger pointed out the proposed 11 open space lots, ranging in acreage from 2.08 acres to 13.11 acres. He said the Town would get the Open Space lot of 12.57 acres. Mr. Belanger pointed out the 100' buffer around the Open Space lots. He noted that Zachary Drive would be extended by approximately 950', all frontages exceed the 125' requirement except the Open Space lot, and there is one cross culvert at the beginning of the new construction. Mr. Belanger spoke about the proposed drainage and easements. He said there is a 652-sf impact to a wetland off Grapevine, where there is a bit of a mess, some man-made. He said there will be a common driveway for those two lots, previously a logging road from 15-20 years ago. Mr. Belanger said two State permits are needed.

The wetland impact permit application has already been submitted; subdivision approval is needed for the lots under five acres. Mr. Belanger said it is a pretty clean project overall.

Dave Nault asked about the Open Space calculations. Mr. Belanger said they have 55 acres in a five-acre district, and that allows them 11 lots. He said wetlands, buffers, and road are included in the density calculations. George Holt noted that the Town's subdivision regulations take into consideration the ability to connect to tracts nearby. He said there are a couple of large tracts that abut this parcel and asked if any thought had been given to connections/accesses. Mr. Belanger pointed out a large piece that is located on Gile Hill Road, noting that it is quite a long way from this proposal. He said the second large parcel has frontage on Gile Hill and Grapevine already. He noted that there is a substantial grade change in that area.

Brian Pike asked about the proposed shared driveway on the two-lot plan. Mr. Belanger said that is because of the wetland impact. George Holt said that the State will push for the common driveway to lessen the impact. Jeff Crosby said it is unfortunate that, because of the wetland, the residents across the road will get the brunt of both driveways with headlights, etc. Mr. Crosby said he would love to see a through road to Gile Hill, noting there will be a significant increase of traffic on Zachary, however, the distance and wetland issues are not ideal for such a plan. He said there is not too much grade on the extension, and it is fairly straight.

Ron Slocum noted there are really steep slopes to the west of the new road, and he wondered how they would find places for houses. Mr. Belanger said all the lots work for the placement of a house, septic, and well. Jeff Crosby pointed out that the setbacks are 40' for this type of subdivision. Dave Nault asked about a setback on the common driveway. Mr. Belanger said it is the edge of an easement. George Holt asked why another small lot was not cut from the 13-acre lot. Mr. Belanger explained that it is excess, and they cannot get any more lots out of it. George Holt asked about the wetlands depicted on the Open Space lot. Mr. Belanger said there is one finger area and a couple of small pockets.

The chair said the plan needs to be considered for regional impact. **George Holt made a motion to consider the plan as having regional impact and to notify Central N H Regional Planning Commission and area towns of such; seconded by Alison Vallieres.** Jeff Crosby asked Mr. Holt what he feels is the regional impact. Mr. Holt said it is just best to consider it as having a regional impact due to increasing the number of lots, traffic, and potential school impact. **All were in favor of the motion.**

Brian Pike asked what the Town is going to do with the open space lot. Ken Swayze stated it would just be open space. George Holt said the question is if the Town wants to take it, noting it does not have a lot of resource value. There was discussion about ownership options, the size of the area, the need for monitoring, liability, and that it is an isolated pocket that does not connect to anything. Chuck Frost said he does think the people in the area would appreciate having undeveloped land in their back yards. Dave Nault said even if it is a small amount of open space, it makes good sense for those on Zachary, and he likes it as presented.

The chair opened the hearing to the public. Abutters were called as follows: Jessica Besong & Kevin Bennett – not present; Robert & Denise Gage – not present; Charles & Sandra Morin Trust – not present; Lucas & Jolene Lampman – not present; Andrew & Linda Morris – not present; David & Jerily Pennell – not present; Karl & Cherie Boisvert – not present; Frank & Elizabeth Bernardi – not present; Robert & Joann Jergenson – not present; Barry & Kathleen Mackinnon – not present; Strategic Contracting Co, LLC – not present.

Robert & Susan Jamback Revocable Trust: Mr. Jamback said they moved to Zachary seven years ago because it is close to other areas but isolated, and it is a quiet, dead-end street where neighborhood kids go between houses, people walk, etc. He said neighboring homes also use Zachary for those reasons. He said extending Zachary into the new development would be very detrimental to the quiet and safety currently enjoyed. Mr. Jamback said he would encourage, instead of extending Zachary, that the connector road come up from Grapevine. He asked if these would be spec homes or if owners would have built. Bob Pike, owner of the property, said they would be mostly owner built; however, his daughter wants to build some of them. He said this street was always considered to be continued, that is why there is a hammerhead at the end. Susan Jamback asked if these would be single-family homes. Mr. Belanger said that was correct. Mrs. Jamback said it would seem logical to come in off Grapevine where the two lots are proposed. Mr. Belanger said a lot of work was done on this lot 15-20 years ago with a former owner, before the Zachary development. He said the grades are steep, noting that Dunbarton's regulations limit a road grade to 8%. He said it did not work well to go in that way. Mr. Belanger said Zachary was built with the intention to go on and that is a much easier access. He explained that the plan is for single-family homes; however, the regulations allow for one accessory dwelling unit per single-family home. He said he wants people to be aware of that possibility. Mrs. Jamback said it would seem a lot easier to go through from Grapevine. She said having the open space would be great.

Kevin & Vita Wagner Trust: Mr. Wagner said they noticed that the owners of Grapevine, LLC, have the same last name as a member of the Planning Board and ask whether there is any relation. Bob Pike and Brian Pike replied that there is no relation between them. Mr. Wagner ask that any approval be subject to the following additional conditions: 1) All lots (notably the 13.11-acre lot) be restricted to single-family residences; 2) That the eventual deed submitted for the Open Space lot be restricted to "Undisturbed Land"; and 3) a road sign be posted at the base of Zachary Drive with a speed limit of 25 mph.

Adam & Michaela Lantiegne: Mrs. Lantiegne said they have the same concerns about traffic and safety as voiced by others. She said there are currently covenants on Zachary Drive. Mr. Lantiegne said the covenants address the size and style of the homes, as well as restrict two-family homes, and he is wondering if the developer would consider those. He said he is not in favor of a through road. Mr. Lantiegne noted that the open space would be an additional buffer and nicer than having homes there.

Geoffrey & Nicole Sloane: Mr. Sloane said he felt it was inevitable that this parcel would be developed at some point. He asked about a proposed easement near his lot. Mr. Belanger explained that it would be a grass-lined, slow-grade runoff. Bob Pike said that Anthony Costello, design engineer, looked at that to keep everything on this development's land.

Luke Enderwick & Lindsay Bucknam: Mr. Enderwick said he approves of the open space plan, as it is like an extension of their back yards. He said his primary concern is that the other lots on Zachary are all five acres, and they are breaking the mold with smaller lots and frontages.

Thomas Dickey, Jr. – not present; Jeremy & Kristin Anderson – not present.

David Hackett said he is not an abutter but has grandchildren on the road. He said the end of Zachary Drive is already broken up, and he is wondering if the Town is changing the design or improving the maintenance of its roads. Jeff Crosby said the turnaround at the end is not very functional, and there was a lot of damage done by large trucks during construction in the development. Mr. Hackett asked what additional traffic will do if the road is already breaking up. Mr. Crosby said the

original development was a long project, and he was not the road agent at the time so is not sure what the project details might have been. He said he would look into it, noting that the Town now has rigid standards that need to be met. Dave Nault said the Town has an engineer reviewing the work as roads are constructed.

Susan Jamback asked what the next steps are for this project. The chair explained that the hearing would be continued, additional review would be done, and the discussion can continue at the next meeting. Jeff Crosby said everyone likes things the way they are. He said the Planning Board over the years has put a lot of thought and effort into helping define the Town. Mr. Crosby said the Open Space subdivision came about as a means of allowing reduced footprint lots. He said that was not an option when the Zachary development was approved. He said there is a drive for developments like this, allowing for shorter roads. Mr. Crosby said, as road agent, he has always pushed for 24' roads, allowing wider spans for walking, two vehicles passing without concerns, etc. but at the end of the day, the street is not a playground for kids. He spoke about roads in town where people have placed basketball hoops at the side of the road. Mr. Crosby said people should feel safe on the roads, but they need to keep that in mind. Susan Jamback asked about the impact of this subdivision on property taxes. The chair said that type of question is better addressed to the assessing department.

Donna read an email from Robert & Laura Filiau, 36 Zachary Drive (original in file). Two aspects of the proposed development of most interest and concern are: 1) the long-term increase of traffic on the street and 2) the intended use of the 12.57 acres of designated open space.

George Holt asked if there would be public access to the open space area. Maria Dolder, attorney for the owner, said it was their intent to give it to the Town and an easement for access was provided on the plans. She said they figured the neighborhood would use the area, and the intent was to leave it as a buffer for the residents as undeveloped land. Dave Nault said the frontage of that lot allows sufficient new road area to park. Chuck Frost pointed out that the hammerhead is there also. Jeff Crosby said he does not think the general public would be that interested in using the open space. Michaela Lantiegne asked if it could be considered as a no hunting zone. Ken Swayze stated that it is still to be determined, depends on who owns it.

Donna read an email from the Conservation Commission after their review of the plans. It was stated they have no concerns other than ensuring the 'common road' crosses the indicated wetland (Lot 03-02) at the least impactful and narrowest portion of the wetlands possible. It was also noticed that there was no vernal pool data included in the wetland application; George Holt is further reviewing the wetland application for the Commission.

Hearing no further comment, the chair closed the public hearing.

Ron Slocum asked about the math calculations on the open space plan. There was brief discussion on how the number of buildable/habitable lots are calculated. Brian Pike said he likes the concept overall. He said this is probably the best design for the land, yet he would highly recommend that the Town not accept the open space. He spoke about the concerns heard from the neighborhood, the Town being responsible for problems on the open space, and liability. Ken Swayze asked Dave Nault, as the Selectmen's representative, if the Town would want the open space area. Mr. Nault said he feels the Town should accept it, as it would be more usable for all, not limited to just the direct abutters. George Holt spoke about it being something to be policed, could be problematic, is small and not something the Conservation Commission would want. Brian Pike said it would be different if it connected to another area or a trail system. Jeff Crosby said the plans meet the criteria for an Open

Space subdivision. He noted that houses can be placed without the need for any variances, they can meet all setbacks, he likes the road layout, and it is simple. Mr. Crosby said the Board would have the plans reviewed by an engineer, adding that another 900' of road maintenance is quite insignificant overall.

Brian Pike asked about the frontage of the larger lot at the end of cul de sac. Jacques Belanger said it is 175'. Mr. Pike said he was wondering, with that amount of acreage, if there was enough frontage for two lots. It was pointed out that the formula does not allow for additional lots. Mr. Belanger said the topography of that lot is difficult. Mr. Pike said he was just thinking about the future, in the event regulations change. Dave Nault said there have been times when the stipulation of no further subdivision of a lot has been applied. Mr. Nault asked if a duplex could be done on the larger lot. It was agreed that the regulations would allow a duplex on that lot. Bob Pike said he could put a restriction on that lot. Mr. Belanger noted that they would still have the opportunity for an ADU.

The chair suggested that members do a site walk. Jacques Belanger stated that the centerline is staked. Bob Pike said if anyone wants to walk the area with him, they can contact Donna. **Ken Swayze moved to continue the hearing to March 16, 2022; seconded by George Holt. All were in favor.** The meeting will be at 7:00 p.m. Attendees were advised to check the Town's website or call Donna for meeting location as it is not yet determined. There will be no further notification.

Other Business

Donna reminded the Board that they will meet again on March 2, 2022. At that time, they will be reviewing information for the improvement of Kelsea Road, relative to the Guiney subdivision application as continued earlier this evening.

Ron Slocum said he has been looking at the Zoning Ordinance and nothing says the calculation excludes the open space separately. There was discussion about the method of calculation of lots, building lots versus lots, the spirit and intent of the Ordinance, typical lots, and the need to review the section for better definition.

Donna presented an agreement between the Town and CNHRPC for the Land Use Regulation Handbook Development. The chair signed on behalf of the Planning Board; it will go to the Selectmen for signature the next evening.

Donna presented an agreement between the Town and CNHRPC for Circuit Rider Planner Assistance which would include engineer review of subdivision road plans. There was some concern about signing the agreement without information on the engineer being used. Donna was asked to get the name and qualifications of the engineer, as well as find out if he does site inspections in addition to plan review.

Chuck Frost informed the group that he met with Ken Swayze and George Holt the evening before to discuss having the road agent on the board. This was a concern brought up recently by town counsel. He said they are all in favor of keeping Jeff Crosby on the Board as a voting member. Mr. Frost said he talked with Mike Kaminski, as the alternate ex-officio because of the current application before the

board, about the matter. It was stated that it is up to the Board of Selectmen to decide who is on the Board. Other Board members agreed that having the road agent on the board is valuable.

Ken Swayze moved to adjourn the meeting at 9:10 p.m.; seconded by Dave Nault. All were in favor.

Respectfully submitted,
Donna White