



SALISBURY PLANNING BOARD

Planning Board – Public Meeting Academy Hall May 6, 2019 Meeting Minutes

Doug Greiner, Chairman	- Present	Schmidl – Alternate	- Present
Ray Deary – Vice Chairman/Secretary	- Absent	Vacant – Alternate	- N/A
Anne Ross-Raymond - Member	- Present	Vacant – Alternate	- N/A
Stacia Eastman – Member	- Present	Vacant – Alternate	- N/A
Jim Hoyt – Selectman Ex-Officio	- Absent	April Rollins, Assistant/Alt.	- Present

Visitors: Louise Andrus, Ted Andrus, Road Agent MacDuffie and Surveyor Craig Bailey.

Chair Greiner opened the meeting at 7:00 p.m.

Review & Approve the draft minutes of April 1, 2019 and April 29, 2019 – The Board reviewed the April 1, 2019 draft meeting minutes. Stacia Eastman made a **motion** to approve the meeting minutes from April 1, 2019 with correction. Anne Ross-Raymond **seconded** the motion and the **motion passed unanimously**. The Board reviewed the April 29, 2019 draft meeting minutes. Stacia Eastman made a **motion** to approve the meeting minutes from April 29, 2019 with correction. Anne Ross-Raymond **seconded** the motion and the **motion passed unanimously**.

Public Hearing Continuance for a Subdivision at 323 Raccoon Hill Road (Map 236, Lot 13 and Map 235, Lot 18) for Tesla Properties LLC and Gregory & Lynda Clites - Surveyor Bailey stated the site walk was a good idea because it opened up Mr. Clites eyes as to why the proposed access strip was going to be difficult and both property owners have agreed to a 220' strip parallel to the stonewall, which lessens the future impact and is the neighborly thing to do. Surveyor Bailey informed the board that he did not have enough time to produce new plans but the frontage has not been increased. Surveyor Bailey drew a redline mark of the new access line to approximate scale and noted that the wetlands have been flagged. Chair Greiner asked Surveyor Bailey to explain the driveway grades because the board has concerns with being able to get emergency services in to the parcel. Surveyor Bailey replied yes, he is aware that the property may need a liability waiver but the standard would be adhered to for the driveway permit. Chair Greiner asked if there had been a discussion between the Clites and the Andrus'. Surveyor Bailey replied he was not sure. Chair Greiner replied this seems to be a good gesture on their part and Surveyor Bailey replied absolutely. Surveyor Bailey requested conditional approval for the

220' access from the stone wall pending setting of the pins, test pits and mylars. Chair Greiner asked if the board should review the subdivision checklist for any potential outstanding items based on the Attorney's advice versus the boundary line adjustment checklist. Surveyor Bailey replied he would not place his stamp on the plans if it is titled as a subdivision plan because it is not. Joe Schmidl asked if the revised plans would show delineated wetlands that were present during the site walk and Surveyor Bailey replied yes. Chair Greiner stated he feels adding the "flag" with frontage puts the plan beyond a boundary line adjustment. Surveyor Bailey replied that is the board's prerogative and additional reports can be requested to be sure any issues are met. Anne Ross-Raymond stated some of the other checklist sections are not relevant but the plans need to be recorded as subdivision plans or they will not be valid. Surveyor Bailey replied he will not change the plan and asked for common sense to rule in this situation. Joe Schmidl suggested bringing the argument back to the Town Attorney. Anne Ross-Raymond made a **motion** to continue the Public Hearing until the 1st week of June. Stacia Eastman **seconded** the motion. Discussion; Surveyor Bailey asked what other checklist items the board feels he should adhere to? Chair Greiner stated he feels it is a slippery slope to add items from the subdivision checklist until they are certain. Anne Ross-Raymond replied the Attorney has suggested a way to move forward without deciding upon the title on the plan, so the board could deny approval and the applicants can then appeal to get a legal decision. Surveyor Bailey stated this is simply two lots with a line change and is not a subdivision and the applicant has gone above & beyond but he wants to protect everyone, so to place this in the court system is crazy. Anne Ross-Raymond made a **motion** to withdraw her previous motion. Stacia Eastman withdrew her previous **second**. The board reviewed the outstanding items from the 1st public hearing and the subdivision checklist. Anne Ross-Raymond noted there was a waiver for the wetlands but now they are being shown for the access. Surveyor Bailey replied correct, the minimum contiguous buildable area (1.4 acres) will be shown and a note will be added for ledge. Natural features and environmental constraints will be shown along the access and in the buildable area. The local driveway permit will also be submitted. Anne Ross-Raymond made a **motion** to continue the Public Hearing until the 3rd Monday in May. Stacia Eastman **seconded** the motion and the **motion passed unanimously**. The Board will request a consultation with Legal Counsel for Tuesday, May 14th at 6 p.m.

2019 Traffic Count Data - PA Rollins reported that the 2019 traffic count data request form is past its submission date but Dean Williams of the Central NH Regional Planning Commission has agreed to accept the Board's request late. The Planning Board unanimously agreed to submit the same primary road locations as last year with one new secondary road location.

Legislative Update - House Bill 245 was adopted by the House & the Senate. The bill amends RSA 676:4, I(b), which sets a minimum of 15 days before the application can be submitted to the Board prior to a meeting.

ADJOURNMENT –The Planning Board adjourned at 8:23 p.m.

NEXT MEETING – The Board will tentatively hold a legal consultation with Attorney Walter Mitchell on **Tuesday, May 14, 2019 at 6:00 p.m.** at the Academy Hall. The next regular meeting will be held on **Monday, May 20, 2019 @ 7:00 p.m.** at the Academy Hall (upstairs).

Minutes prepared by April Rollins, Planning Assistant