

**Planning Board
Board Room, Municipal Building 7:30 pm
March 6, 2007**

In Attendance:

Members: Nancy Collier, Jim Hornig, Bill Dietrich, Michael Mayor, Judith Esmay

Alternate: Joan Garipay

Selectmen Alternate: Bill Baschnagel

Staff: Vicki Smith, Jonathan Edwards

Others: See attached sheet

AGENDA

1. 07-03 Submission of application for public hearing and subdivision review on request by Samuel D. Doyle for a minor subdivision to create a new 10.2 acre lot with existing house and outbuildings at 17 Goodfellow Road, in the "RR" zoning district.

Dr. Samuel Doyle introduced himself and recounted a brief history of his property. When he and his wife purchased the property from the Dukes in 1961, they wanted to buy the land across the street. They were told at the time that the Goodfellows had life tenancy on the little house there. Years later, the Doyles did buy that property with the understanding that the Goodfellows had life tenancy. Both of the Goodfellows have since died. Dr. Doyle stated that his mother and father built a house on the property in the mid 1960s. In the 1990s, he worked with the State Fish and Game Department to conserve the property with conservation easements. He subsequently acquired land that belonged to Tom Goodfellow to the east of his land; these properties are shown on the Town tax maps as 12/37 and 12/38. He pointed out the areas that are conserved and the approximate 17 acres of land that the State judged did not qualify as conservation land. Dr. Doyle stated it has become apparent that all of this land is more than he can now care for. In 1993, Dr. Doyle sold four acres of the property to the Ridgeways and kept the rest. Now, Dr. Doyle stated that he wanted to subdivide the house and 10 acres on the south side of Goodfellow Road so that the house could be sold separately from the rest of the land.

Dr. Doyle stated the new lot will be restricted so that no future owner could apply to the Planning Board to subdivide the lot further. He pointed out that the new lot will encompass the existing house, barn, shed and pond and a good deal of road frontage.

COLLIER asked if the ten acre lot line followed the easement boundary. Dr. Doyle stated it did and pointed out the boundaries on the plan. Dr. Doyle stated that he had alerted the Office of Energy and Planning of his intention to subdivide and that they are aware of this meeting tonight.

HORNIG asked why the plan noted a 42.2 acre easement. Dr. Doyle stated the 42.2 acre easement area is just one of the two easements on the property. The smaller one was completed prior to the sale of his mother's house to the Ridgeways. He stated at the time he talked to the State about the easements he thought he might sell the whole parcel rather than just the four acres, but in order to do that the State drew up a separate easement. Dr. Doyle said that if he put the whole property on the market including the house and the land he would have absolutely no control over future use of the land. He felt that he has put too much of himself into the land to want to do that. Dr. Doyle stated doing it the way he was proposing he has more control of how the land will be used and conserved. He hopes for a buyer who will be a good steward.

COLLIER stated the Staff had noted some waivers necessary prior to complete plan acceptance. COLLIER asked Ms. Smith if the waivers listed on the staff review sheet would be appropriate. Ms. Smith stated yes and that it was her recommendation to do so.

COLLIER observed the second Staff comment noting that the location of the existing and proposed conservation easements should be noted on the plan. Ms. Smith explained that the plan showing the easement areas submitted at the hearing by Dr. Doyle was sufficient to show the easement areas for the entire property and would satisfy this comment; there would be no need to change the plan itself.

COLLIER stated the Staff also said the applicant should indicate on the plan the approximate locations of the well, driveway, and septic system. Ms. Smith stated that those features were shown on the recently submitted plan and felt that was sufficiently shown on the new submission as well. COLLIER stated then that the only outstanding item would be the statement mentioned in the first Staff comment, which is required by regulation to be on every plan. The statement needs to be added to the subdivision plan.

Christa Canty, an attorney representing Dr. Doyle, requested waiver of the requirement that the statement be printed on the mylars, explaining that Dr. Doyle already has mylars printed up without the statement and would prefer to avoid the additional cost of reprinting them. Ms. Smith stated she could just add the statement to the plan.

ESMAY asked if there was a septic tank on the 10 acres. Dr. Doyle pointed out where the septic was and stated it was entirely in the boundary of the 10.2 acre lot.

HORNIG made a motion to accept the application complete with the waivers.

ESMAY seconded.

All voted in favor of this.

HORNIG made a motion to approve the subdivision with the conditions listed in staff notes that cover one, two, and three.

ESMAY seconded.

All voted in favor of this.

2. 06-26 Continuation of submission of application for modification of approved site plan by Nation Grid Company, agent for Dresden School District, to remove a fence and replace trees along Hovey Lane in order to accommodate power lines, at Hanover High School, Map 34, Lot 68, in the "I" zoning district.

Jim Hurst, representing National Grid, stated that following considerable review of the Hovey Lane situation, National Grid will be completing a reconstruction of the power line with underground facilities. He stated construction will be coordinated with the Department of Public Works in Hanover and will take place as soon as possible, weather allowing. He stated National Grid did not feel they were under any obligation to put these facilities underground, but recognized that lengthy discussions on the subject could take considerable time and might also incur considerable cost. He stated that as the Town looks forward to putting more facilities underground, National Grid will be cooperative as they have been with other projects. He then stated he was withdrawing the application by National Grid.

Baschnagel asked what the exact route for the new line would be. Mr. Hurst answered it had not yet been determined, because National Grid has to work with the School.

HORNIG stated there was nothing left for Planning Board action. Mr. Hurst stated it was a business decision and National Grid felt they should come in person to the Board in case there were any questions that needed to be answered.

3. Discussion of possible zoning amendments

COLLIER stated that the discussion on zoning amendments would be limited to two primary amendments as she saw it: hilltops and ridgeline protection in the "RR" and "F" districts with the latest version dated

February 28th, and detached accessory dwelling units in the "RR" district with the latest version dated February 28th.

Detached Accessory Dwelling Units

COLLIER stated that since she was the initiator of this amendment that she would explain the changes proposed. She was concerned about the possible effect of people building new accessory structures to house detached accessory dwelling units because the housing pressure is so great. COLLIER stated that she hoped this amendment would help people in the RR district help pay the mortgage, provide housing for people involved in the care for the elderly or sick, create additional affordable housing. COLLIER stated the amendment was crafted so as to allow a conservative approach to adding housing this year; specifically she noted the wording on page 3 under "C" that Detached Accessory Dwelling Units be contained in an accessory structure existing on May 8, 2007, the date of the Town Meeting at which the ordinance would be adopted. COLLIER stated the Tax Assessor can document all of the outbuildings in existence at the time of Town Meeting.

COLLIER pointed out another change listed as "F" which stated that the Detached Accessory Dwelling Unit shall not contain more than one bedroom.

HORNIG asked if this meant that if someone had a building now they would be allowed to do whatever conversions are needed to make it a dwelling. COLLIER stated it would depend on their soils and if it passed the State requirements for the septic system. Outbuildings located in the building setback could not contain a dwelling unit, which is disallowed in the setback area. COLLIER stated that on any given lot in the "RR" district, there could not be more than two units. Those two units could take the form of a detached accessory unit in an existing outbuilding or a duplex, but not both. COLLIER stated that the amendment was created to allow more housing, but to do so within strict limits.

Mr. Edwards asked about the restriction to one bedroom, observing that the residents might desire a guest room that could also function as a den or study. Ms. Smith said that two students might each prefer a separate bedroom. Town ordinance restricts occupancy to three unrelated individuals; two unrelated people could live in one unit, each having a bedroom. GARIPAY said an elderly person living in a detached accessory dwelling unit might need the second bedroom for a caretaker. Mr. Edwards stated that it can be difficult to enforce a limitation on the number of bedrooms. Ms. Smith stated that with the exception of a kitchen or bathroom, any room is considered a bedroom if you cannot walk through it. COLLIER stated two-bedroom units are likely to be preferred over one-bedroom units. COLLIER also stated that, just to be clear, her understanding was that the Board could make changes tonight and Ms. Smith will advertise any amendment tomorrow for the formal hearing on March 20th.

DIETRICH asked if this was the last opportunity to modify the text. COLLIER stated it could still be turned down on March 20th.

Arthur Gardiner spoke of his concerns from the ZBA's point of view. There was additional discussion on the number of bedrooms and bathrooms, the footprint size, and whether the septic system is sized by the number of bedrooms.

HORNIG made a motion to bring this forward to the March 20th hearing with two minor changes.

MAYOR seconded.

All voted unanimously in favor of this.

Hilltops and Ridgelines

Mr. Edwards explained the areas portrayed on the two maps distributed to the Board showing the extent of the proposed hilltop and ridgeline areas that survived last Wednesday's meeting. He suggested adding an overlay district designation onto the existing zoning map. Lighting, scenic areas, and structures were discussed.

COLLIER pointed out the changes on Stevens Road she has observed in the last 20 years, especially the visual impact of the houses. Mr. Edwards noted that the Rural Resource Map does have contours on it for reference. Mr. Edwards explained the blue hatching, the red contour lines, and the contour interval used. There was discussion on reference points and the measurement of elevations and the rewording of language.

Rod Finley asked about amendment number three on page 1. Mr. Edwards directed attention to the introductory wording, which needs to be changed.

COLLIER asked Mr. Edwards if it would be possible to put a dot on any parcel in the blue hatched area that has a house on it. Mr. Edwards stated it would need a lot of research.

There was discussion on possible impact of the ordinance on the Appalachian Trail.

**A motion was made and seconded to bring this forward to the March 20th hearing with the map changes.
All voted in favor.**

4. Other Business:

Route 120 Study

HORNIG gave an overview of the Route 120 meeting.

Conservation Priorities.

COLLIER stated she would like to go to the Conservation Commission as she felt the time was right to work on a Conservation Plan in conjunction with Lebanon and lay out the conservation priorities in the Route 120 vicinity, right down to the lot lines, so that those conservation priorities are on the table before the next highway expansion or development.

DHMC Plans for Expansion in Lebanon

Ms. Smith stated she has reminded DHMC twice that the Planning Board would like them to come before this Board before they submit plans for expansion in Lebanon. The Koop Center is scheduled for June submission to the Lebanon Planning Board, other projects are being planned.

5. Adjourn: Meeting adjourned at 10:18 pm

Respectfully Submitted,

Erin Hammond, Recording Secretary
Judith Esmay, Clerk