



Newton Planning Board Public Meeting Minutes February 8, 2022



The Newton Planning Board public meeting was called to order at: 7:01PM

Present were members: Mr. Andrews, Mr. LaVoie, Mr. Moran, Ms. Collyer, Alternate Mr. Marchand, also James Doggett – PB AA

Via Zoom was Member Ms. White and Ms. Rowden - Circuit Rider

Chairman Andrews led the salute to the Flag.

Chairman Andrews appointed Mr. Marchand as a voting member for the excused Mr. White.

1. Public Hearing

Chairman Andrews called the Public Hearing to order at: 7:03PM and read:

Joseph and Amanda Spence of Newton, NH, request a public hearing for a 2-Lot Subdivision at 37-39 Amesbury Road, Newton NH. The property is referenced as Tax Map 16, Block 4, Lot 1-1.

Chairman Andrews asked Ms. Rowden for her input on Completeness of the application

Ms. Rowden offered her opinion that the application was complete, and the waiver request was reasonable. She further suggested that Council be asked to review the easement language for the driveway and line-of-sight easements.

Chairman Andrews ask if any member wanted to make a motion on completeness of the application.

Mr. Moran **MOVED** to accept the application as being complete and take jurisdiction.
Mr. LaVoie seconded the motion.

Mr. Andrews asked Administrative Assistant Doggett to call the roll:

Mr. Andrews – Aye Mr. LaVoie – Aye Mr. Moran – Aye Ms. Collyer – Aye
Ms. White – Aye Mr. Marchand – Aye vote **UNANIMOUS**

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Chairman Andrews invited the Mr. Zilch to present the application.

Mr. Zilch made his presentation for a 2-lot subdivision at 37-39 Amesbury Road. He listed the particulars and intent. He covered how the driveway would serve the existing house and the subdivided lots in accordance with the requirements of the State D.o.T. and to provide the required lines-of-sight. Moreover, he discussed the necessary easements to facilitate the new driveway. He put forward that the exact location on the home on the larger of the 2 lots was indeterminant at this time and the landowner understood that accommodations may have to be made to ensure the home and/or driveway met fire code requirements and the possibility of an emergency access road.

The board discussed the driveway and line-of-sight issues.

Chairman Andrews put the matter of the waiver before the Board.

A waiver from the following:

8.1 SUBDIVISION PLAN

8.1.5 Specific Plan Information - Existing Site Conditions

- G. Natural features such as streams, marshes, lakes, ponds, rock outcrops, wooded areas, significant trees, ledge, and other significant environmental features, including wetland soils as defined under current Newton Wetlands Ordinance, wetlands may be identified by a NH certified soil scientist or NH certified wetland scientist.
- K. A High Intensity Soil Survey (HISS) of the entire site, or the portion as determined by the Board. Calculations shall be provided and shown on a sheet appropriate to the plan. Such soil survey shall be prepared and stamped by a certified soil scientist in accordance with the standards established by the Rockingham County Conservation District. Any cover letters or explanatory data provided by the certified soil scientist shall also be submitted. (Amended May 1999)

The Board discussed the matter.

Ms. White **MOVED** to grant the waiver as requested, Ms. Collyer seconded the motion.

Mr. Andrews asked Administrative Assistant Doggett to call the roll:

Mr. Andrews – Aye Mr. LaVoie – Aye Mr. Moran – Aye Ms. Collyer – Aye
Ms. White – Aye Mr. Marchand – Aye vote **UNANIMOUS**

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Chairman Andrews invited the Public to give input or ask questions stating: *“Please announce your name and address so the Administrative Assistant can note it for the minutes.”*

Mr. Robert Moore, 44 Amesbury Road, (seller of the land) talked about his driveway situation and how this would improve it and that he fully supported the application.

Mr. Steven Roberts, 59 Amesbury Road asked about the width of the driveway where it would connect to Amesbury Road.

Mr. Moran told him it would be fifteen feet wide.

Mr. Zilch stated it would be 25-30 feet wide up to where it split and then fifteen feet wide up to the houses.

Chairman Andrews closed the public comment period.

Chairman Andrews asked for Board comments or questions.

Ms. White asked about the culvert shown on sheet four.

Mr. Zilch informed her that it was to prevent runoff from the driveway spilling onto Amesbury Road.

Mr. Andrews asked about the flow of stormwater from the culvert.

Mr. Zilch said that it would be directed toward wetlands a distance downhill from the driveway.

Mr. LaVoie asked about the stone walls to be moved/removed and their historical significance.

Mr. Zilch informed him that it was a retaining wall build to support the existing driveway.

Mr. Moore stated that it was a fairly recent addition part of which had been moved last year after an automobile hit it.

Mr. Andrews asked if the State would have to issue a permit for an emergency access road.

Chairman Andrews asked Ms. Rowden for any final comments on the conditions.

Ms. Rowden’s reiterated her earlier comments.

The Board discussed possible conditions for their approval.

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Chairman Andrews asked for a motion on the application.

Ms. Collyer **MOVED** to Approve the Application with the following conditions:

Conditions Precedent:

1. Set the Bounds.
2. Land Use Council's review the of easement language for the shared driveway and sight line maintenance.
3. Add note #13 from the cover sheet to the first sheet of the recorded pages.
4. Show the State Driveway Permit number on the first sheet of the recorded Mylar.
5. Supply recordable Mylars.

Conditions Subsequent:

1. Supply copies of recorded deeds

Mr. Moran seconded the motion.

Mr. Andrews asked Administrative Assistant Doggett to call the roll:

| | | | |
|-------------------|--------------------|-----------------|-----------------------|
| Mr. Andrews - Aye | Mr. LaVoie – Aye | Mr. Moran - Aye | Ms. Collyer – Aye |
| Ms. White – Aye | Mr. Marchand – Aye | | UNANIMOUS vote |

Chairman Andrews closed the public hearing at 7:43PM.

2. Board Business

A. Acceptance of minutes of the 1/25/22 meeting

Mr. LaVoie **MOVED** to accept the minutes as printed; Mr. Moran seconded the motion.

Mr. Andrews asked Administrative Assistant Doggett to call the roll:

| | | | |
|-------------------|--------------------|-----------------|-----------------------|
| Mr. Andrews - Aye | Mr. LaVoie – Aye | Mr. Moran - Aye | Ms. Collyer – Aye |
| Ms. White – Aye | Mr. Marchand – Aye | | UNANIMOUS vote |

B. NPREA Manifest

Ms. White **MOVED** to pay the manifest dated 2/8/2022 in the amount of \$294.01, Mr. Marchand seconded the motion.

Mr. Andrews asked Administrative Assistant Doggett to call the roll:

| | | | |
|--------------------|------------------|-----------------|-----------------------|
| Mr. Andrews - Aye | Mr. LaVoie – Aye | Mr. Moran - Aye | Ms. White – Aye |
| Mr. Marchand – Aye | | | UNANIMOUS vote |

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3. Adjourn.

Mr. Andrews adjourned the meeting at 7:49PM

Respectfully Submitted,

James L. Doggett, AA
Newton Planning Board

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