

**NEWTON PLANNING BOARD**  
**MINUTES OF PUBLIC HEARING AND MEETING**  
**October 9, 2018**

**Call to Order:** B. White called the meeting to order at 7:00 PM. In attendance were: Chair Barbara White, Planning Board members: Roger Hamel, James White, Sandra Estabrook and Circuit Rider Planner Jennifer Rowden.

Also in attendance: Todd Fitzgerald, Applicant; Dennis Quintal, PE, Applicant's Representative; Conservation Commission members Trish McCarthy and Nancy Slombo

Minutes were transcribed by Gail LeBlanc

The meeting began with a salute to the flag.

**1. Public Hearing Continued, Father & Son Realty Trust, Todd Fitzgerald, 5 Lot Subdivision Currierville Road (Map 15 Block 2 Lot 1-1)** Chair White opened the public hearing. Dennis Quintal, PE, presented for Mr. Fitzgerald. Mr. Quintal provided Board members with revised Site Plans. Mr. Quintal reviewed what has been going on since the first meeting/public hearing. Sub-division plans have been submitted to the State and approved. Mr. Fitzgerald has agreed to a 15' easement across the front of the property so that if the Town should decide to pave the road one day. The location of septic areas has been shifted away from the front of the lots for some lots. The lots are lower than the street so drainage from the road will go down the driveways. Mr. Fitzgerald has proposed adding 6" of gravel the full width of the property.

Mr. Quintal read from a memo that he sent to the Town Engineer.

*"Regarding the Fitzgerald Subdivision off Currierville Road in Newton, see attached are 3 bids for placing, grading and compacting 400 tons of Crushed Asphalt along the frontage section of this property. I just spoke with Road Agent Mike Pivero, and he believes this to be acceptable to him. The bids are \$10,000.00 and less. So we will be requesting that the Planning Board accept that a \$10,000.00 Bond be put in place as a condition of Approval for off-site improvements. Another condition will be a Bond in the amount of \$5,000.00 to cover the cost of additional grading of the Road resulting from extra traffic during the construction of these lots. The Plans will be modified to show a 15' wide "Grading and Drainage Easement" across the frontage of all lots to allow the Town the ability in the future to cut trees and excavated for drainage swale along the edge of the road. The driveways will show grading to verify that they will slope away from the road so drainage from that edge of the road will go down the driveways. Regarding the issue of a future drain from the existing puddle on the Town property across the street, the distance from the puddle crossing the street then down the closest lot line will be over 300 feet. If the drain were to go down the edge of the roadway it would be less than 200 feet. I believe this to be the*

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*best solution. The Easement along the frontage will be provided space for that option.*

*Please let me know if you believe this solves the concerns of the Newton Planning Board.”*

Ms. Estrabrook asked about access to Currierville Road. Access is by Dugway Road or Maple Avenue.

The Conservation Commission said that they had met Thursday night. Tricia McCarthy of the Conservation Commission requested a Delineation Map for lots 1-4 and 1-5. It is a wetland area. She requested erosion control along the limit of the work area. A request was made not to clear more trees than needed in order to prevent run-off and good storm water control. She asked about the waiver of the Stormwater regulations. J. Rowden stated that they are not disturbing the wetlands. Mr. Quintal responded that he would provide the Conservation Commission with a set of plans and that a delineation report can be done. He stated that erosion control is standard.

**B. White made a motion to grant a conditional approval for a five-lot subdivision for the Currierville Subdivision, Map 15, Block 2, Lot 1-1, prepared by Civil Construction Management, Inc.**

- **Provide a Mylar with all appropriate stamps;**
- **Set the bounds;**
- **Provide a Delineation Report for lots 1-4 and 1-5;**
- **Acquire all necessary state and federal permits;**
- **Note on the Plan there will be sediment/erosion control along the limit of the work area;**
- **Provide a \$10,000.00 bond/letter of credit for off-site improvements; and**
- **Provide a \$5,000.00 bond/letter of credit to cover additional grading of the road.**

**Second by J. White. 2 in favor – B. White and J. White. 2 opposed – S. Estabrook and R. Hamel. Motion fails.**

**B. White made a motion to continue the public hearing until October 23, 2018. R. Hamel second with unanimous vote.**

R. Hamel stated that typically the PB receives Bond recommendations from the Town Engineer. He would like to see the recommendation from the TE.

J. Rowden asked if a Site walk would be helpful? R. Hamel stated no. He's concerned about the road itself, not the subdivision.

**2. Discussion of Stormwater Management Ordinance** Tabled until a future meeting.

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Ms. McCarthy stated that the Conservation Commission would like for Ms. Rowden to attend one of their meetings to discuss Stormwater Management. The Conservation Commission would like to work in conjunction with the Planning Board on best management practices.

### **3. Board Business and Correspondence**

**a. Acceptance of Minutes from 9/25/18** R. Hamel moved to amend the minutes of the 9/25/18 meeting. The 9/25/18 meeting minutes will be amended. They will be attached to tonight's meeting minutes. Second by S. Estabrook. All in favor.

**b. Manifests** R. Hamel moved to accept the Operating Budget manifest in the amount of \$4,964.00. Second by J. White with unanimous vote.

R. Hamel moved to accept the NPREA manifest in the amount of \$33.75. Second by S. Estabrook with unanimous vote.

### **c. Correspondence** None

R. Hamel attended the Planning Board Fundamentals Law Lecture Series sponsored by the NHMA. He said that the RSA's do not require that notices for public hearings for site plans and subdivisions do not need to be noticed in the newspaper. If we change our Regulations, we still need to post in two places and notify abutters, but do not need to post in a newspaper. J. Rowden will check with NHMA and get back to the PB.

**4. Adjourn:** R. Hamel moved to adjourn at 7:55 PM. Second by J. White with unanimous vote.

Meeting adjourned at 7:55 PM.

Respectfully Submitted,

Gail LeBlanc, AA  
Newton Planning Board

## **September 25 minutes**

There were some typos corrected throughout the body of the minutes.

Page 1

Ms. Estabrook made a motion to reconsider the waiver; Mr. Zelensky seconded. Ms. Estabrook asked to see the request for waiver as she was not present at the August 28 meeting. The motion to reconsider failed.

It was requested to indicate how the motion was voted. There was no verbal indication on who voted either way, so this cannot be added.

Page 3

Minutes read: Mr. Hamel asked how wide the town easement was. It was noted to be approxi-mately 16 feet on either side.

Corrected to read: Mr. Hamel asked how wide the town ROW was. It was noted it was one (1) rod (16.5 ft) in either direction from the centerline of the road for a total of 33 feet wide.

Page 5

Minutes read: The board had received a memo from the Fire Department regarding the office/ storage space they were utilizing on the property.

Corrected to read: The board had received a memo from the Fire Department regarding the office/storage space they were utilizing on a separate piece of property.

Page 5

The Board motioned to send a letter to the Selectmen asking them to release the funds back to 125 Development.

It was requested to indicate how the motion was voted. Motion by R. Hamel; second by S. Estabrook with a unanimous vote.

## **August 28 minutes**

Page 2 – Before Paragraph 4 – insert the following

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There was discussion of the small amount of impervious material and that the water flow is from the road over the grass towards the wetlands.

Page 3 – Paragraph 2 – last line – correct to read as follows:

Mr. Doggett stated because of the class of the road, it would probably never be paved.

Paragraph 3 – line 9 – correct as follows:

Dirt roads are maintenance. Correct to: dirt roads are maintenance...

Page 5 – Paragraph 4.a.-line 3 – correct as follows:

...move the statement R. Hamel recused himself to follow AFTER 2 to read: move R. Hamel recused himself to between #2 and the discussion.

Page 6 – first line – correct to read as follows:

...upon receipt in hand of the Project Completion Bond.