

Place: Raymond High School; Media Center

Call to Order: 6:32 p.m.

Members Present: Bill Cantwell, Chairman; Peter Buckingham, Vice Chairman; Steve Naoum, Secretary; Frank Bourque, Selectmen's Representative; Jonathan Wood.

Staff Present: Ernest Creveling, Community Development Director; Robert Price, Planning Technician.

Pledge of Allegiance

Kelley Lot Line Adjustment

Application #2008-002: An application for a Lot Line Adjustment has been submitted by RSL Layout & Design, Inc. on behalf of Mark & Linda Kelley. The proposal is to adjust the lot line between Raymond Tax Map 4, Lots 15 & 16; NH Route 102.

Community Development Director Creveling stated the plans should be accepted as complete for review purposes.

MOTION: Jonathan Wood made a motion to accept the plans as complete for review purposes. Seconded by Peter Buckingham. The motion passed with a unanimous vote of 5-0-0.

Craig Walsh of RSL Layout & Design presented the plan to the Board. He noted the following:

- Both lots are owned by Mark & Linda Kelley
- Lot 15 has over 200 feet of frontage
- Lot 15 has over 40,000 square feet of buildable area in two different locations
- The existing horse paddock crosses the proposed lot line, and the Kelleys do not want to move it. As a result, a horse paddock easement will need to be created and reviewed by the Town's Legal Counsel

Jonathan Wood asked if the existing woods road is intended to serve as the driveway if the property is to become developed. Mr. Walsh replied that a driveway could possibly be located there. Mr. Wood noted that if this is not an intended location for a driveway, then a lot is being created that will require wetlands filling.

Bill Cantwell stated the Technical Review Committee asked that Note 6 be corrected, which says that the property is not located in the flood zone when it actually is. Mr. Walsh stated he remembers the TRC picking up on that error, and the note will be fixed.

Peter Buckingham asked about the potential for flooding in the area. Mr. Walsh stated that topographic work was not conducted for this lot because that is not required for a lot line adjustment. He added that he is unaware if any topographic data is available from previous work.

Frank Bourque stated in order for the access from Ventura Drive to be adequate, it would need to be 50 feet, not 25 feet, which is shown. Jonathan Wood suggested a note be added to the plan acknowledging that the right-of-way from Ventura Drive is only 25 feet wide, and is not of legal width to support a road.

PUBLIC COMMENT

There was no public comment.

MOTION: Jonathan Wood made a motion to approve the *Kelley Lot Line Adjustment, Tax Map 4 – Lots 15 & 16*, with the following conditions:

1. The conditions of approval designated as conditions precedent must be fulfilled within six (6) months, unless otherwise specified or this approval shall become null and void. The following are conditions precedent:
 - a. Applicant must receive all required local, state and federal permitting for the project;
 - b. All fees authorized to be charged to applicant pursuant to subdivision and site plan review regulations including, but not limited to, application fees, costs of special studies and legal review, shall be paid by the applicant **prior to signing the Mylar;**
 - c. Deeds, easements (*for horse paddock*), conservation easements, condominium documents maintenance agreements, and any other legal documentation pertinent to this development shall be reviewed and approved by Town Counsel, and where applicable, the Board of Selectmen pursuant to RSA 41:14-a;
 - d. A Performance Guarantee Agreement shall be executed between the Town of Raymond and the Applicant within 30 days of the plan approval date of March 6, 2008. **Failure to execute the required agreement will result in plan approval revocation.**
2. The following items must be completed within twelve (12) months of Planning Board approval of this project to constitute “active and substantial development or building” pursuant to (RSA 674:39):
 - a. Placement of new property pins.
3. Other Conditions Imposed by the Planning Board:
 - a. A note shall be added to the plan specifying what the 25-foot easement from Ventura Drive allows and disallows.
 - b. Note 6 regarding the floodplain must be corrected.
 - c. All conditions outlined by the Technical Review Committee must be satisfied.
4. Off site improvement fees for specific deficiencies found to have a rational nexus to this project are as follows: (*describe in detail and amount*)

- a. _____
- b. _____
- c. _____

Peter Buckingham seconded. The motion passed with a unanimous vote of 5-0-0.

“Bohle Way” Conservation Subdivision

Application #2008-001: An application for a 12-unit conservation subdivision known as “Bohle Way” has been submitted by Jones & Beach Engineers, Inc. on behalf of James Gregoire. The property is shown on Raymond Tax Map 23, Lots 4; Batchelder Road.

Community Development Director Creveling stated the plan should be accepted as complete for review purposes.

MOTION: Frank Bourque made a motion to accept the plans as complete for review purposes. Steve Naoum seconded. The motion passed with a unanimous vote of 5-0-0.

Community Development Director Creveling stated the applicant will be going before the ZBA on March 12 to seek an Area Variance for relief from the building setback, but this does not affect what can actually be built. He stated there are some outstanding engineering issues that still need to be worked out. He noted that the applicant received a Use Variance from the ZBA so they could show a private road on a yield plan for a conservation subdivision, and he noted that the yield plan was approved by the Planning Board in December. He stated the applicant is here tonight to generally introduce the project to the Board and to collect any Board and public comment so they can do one revision of the plan following their upcoming ZBA hearing. He added that the applicant is seeking two waivers, one for road width and the other for road length, noting that the TRC voted to recommend both waivers be granted.

Erik Saari of Jones & Beach Engineers, Inc. stated he would like to address the waivers first. He stated the layout of the proposal has not changed since it was last before the Board. He noted that the road will have cape cod berm with a four foot shoulder on both sides.

Frank Bourque asked if the wetland crossings were new. Mr. Saari replied that the wetland permit was actually approved two times. He stated that sheet C4 of the plans shows driveway impacts, and they have always been a part of the plans.

Frank Bourque asked if Mr. Saari has the wetlands permit, to which Mr. Saari replied he has it in hand, noting that the permit has been amended to reflect the reduced impacts of the fire pond.

Community Development Director Creveling stated the applicant will need to apply for a Special Permit for the wetland crossings.

PUBLIC COMMENT

Fred Richard stated his land does not have a 50 foot right-of-way. He asked if the road ever becomes a Town road if he could be granted access to it. Community Development Director Creveling stated this issue has been raised before. He stated the Planning Board can not mandate a connection to the private road.

The public comment session was closed at this time.

WAIVER FOR ROAD WIDTH

- A. The granting of the waiver WILL/WILL NOT be detrimental to the public safety, health, or welfare or injurious to other adjacent property:**

Peter Buckingham: Will Not

Jonathan Wood: Will Not

Steve Naoum: Will Not

Frank Bourque: Will Not

Bill Cantwell: Will Not

- B. The conditions upon which the request for a waiver is based ARE/ARE NOT unique to the property for which the waiver is sought, and are not applicable generally to other property:**

Peter Buckingham: Are

Jonathan Wood: Are

Steve Naoum: Are

Frank Bourque: Are

Bill Cantwell: Are

- C. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner WOULD/WOULD NOT result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out:**

Peter Buckingham: Would

Jonathan Wood: Would

Steve Naoum: Would

Frank Bourque: Would

Bill Cantwell: Would

- D. The waiver WILL/WILL NOT, in any manner, vary the provisions of the Zoning Ordinance, Master Plan or Official Zoning Map:**

Peter Buckingham: Will Not

Jonathan Wood: Will Not

Steve Naoum: Will Not

Frank Bourque: Will Not

Bill Cantwell: Will Not

MOTION: Frank Bourque made a motion to grant the requested waiver from the Town of Raymond Subdivision Regulations, Article V, Section 6D to reduce the roadway width from 24' to 20'. Steve Naoum seconded. The motion passed with a unanimous vote of 5-0-0.

WAIVER FOR ROAD LENGTH

- A. The granting of the waiver WILL/WILL NOT be detrimental to the public safety, health, or welfare or injurious to other adjacent property:**

Peter Buckingham: Will Not

Jonathan Wood: Will Not

Steve Naoum: Will Not

Frank Bourque: Will Not

Bill Cantwell: Will Not

- B. The conditions upon which the request for a waiver is based ARE/ARE NOT unique to the property for which the waiver is sought, and are not applicable generally to other property:**

Peter Buckingham: Are

Jonathan Wood: Are

Steve Naoum: Are

Frank Bourque: Are

Bill Cantwell: Are

- C. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner WOULD/WOULD NOT result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out:**

Peter Buckingham: Would

Jonathan Wood: Would

Steve Naoum: Would

Frank Bourque: Would

Bill Cantwell: Would

- D. The waiver WILL/WILL NOT, in any manner, vary the provisions of the Zoning Ordinance, Master Plan or Official Zoning Map:**

Peter Buckingham: Will Not

Jonathan Wood: Will Not

Steve Naoum: Will Not

Frank Bourque: Will Not

Bill Cantwell: Will Not

MOTION: Frank Bourque made a motion to grant the requested waiver from the Town of Raymond Subdivision Regulations Article V, Section 5.6.A.5 for roadway length. Steve Naoum seconded. The motion passed with a unanimous vote of 5-0-0.

Jonathan Wood asked what happened to sprinkler systems in the homes. Mr. Saari replied that Fire Chief Pratt stated he was happy with the fire hydrant proposal and dry hydrant. Community Development Director Creveling noted that the applicant has received permission from Southern NH Services to create an emergency access. The Board requested something in writing from the Fire Chief stating that he is ok with the homes not being sprinkled, and how he reached that decision, so the record is clear.

Jonathan Wood asked how deep the retention pond will be. Mr. Saari stated it will be eight feet deep.

MOTION: Frank Bourque made a motion to continue this hearing to April 17 at 6:30 p.m. at Raymond High School. Steve Naoum seconded. The motion passed with a unanimous vote of 5-0-0.

Fordway Brook Development – Design Review

Application #2007-035: A design review discussion with Fordway Brook Development, LLC and their agent, Eric Mitchell & Associates, Inc. regarding a proposal to adjust the lot line between Map 15, Lot 6 and Map 15, Lot 7; and subdivide the parcel into 6 individual lots. In a design review phase (section 3.2 of the Raymond Subdivision Regulations), the Raymond Planning Board may engage in non-binding discussions with the applicant beyond conceptual and general discussions, which involve more specific design and engineering details provided, however, that the design review phase proceeds only after identification of and notice to abutters and the general public, as required. The property is shown on Raymond Tax Map 15, Lots 6 & 7; Lane Road.

Eric Mitchell of Eric Mitchell and Associates, Inc. presented the plan to the Board. He explained that they will be seeking a variance before the ZBA next week. He explained that the proposal is to adjust the lot line between the two lots. This would allow for the existing house to remain as is on lot 6. Then, with the remaining land, they would subdivide to create four new lots. He noted that two would be single family home lots, and the other two would be duplex lots.

Jonathan Wood asked if the intent is for the proposed road to become a public road. Mr. Mitchell responded it is the intent to make the road public.

Jonathan Wood offered that the applicant could perhaps place the road on the other side of the existing house, or relocate the existing house and place the road where the house currently sits. He stated his concern is with future potential flooding, and he provided photos that he personally took on April 17, 2007. Mr. Mitchell stated the applicants have restored the home, and they would prefer not to move it. Mr. Wood stated the road location, as proposed, looks as though it would flood. Mr. Mitchell noted that he spoke

with Dennis McCarthy, Public Works Director, who stated he did not request that anything be done with Lane Road in terms of raising it.

Frank Bourque stated he also is struggling with the location of the road. He stated it would make sense to walk the site again to refresh everyone's mind and take a fresh look at it.

Peter Buckingham asked Mr. Mitchell to review fire protection. Mr. Mitchell stated the road is built to 24 feet wide. He explained that fire trucks can enter, use the cul-de-sac to turn around, and go back out. He noted that Fire Chief Pratt stated fire protection would be necessary if the project were to continue into phase two, linking the land owned by Thompson Engineering to this site.

Jonathan Wood asked if the property owned by Thompson Engineering has its own road frontage. David Thompson, owner of the property stated that his parcel is landlocked. He noted that during Technical Review, there was some discussion that Mr. Thompson would relinquish his existing easement over the Fordway Brook Development land if he could gain access to the proposed road.

Frank Bourque stated it looks to him like the road waiver may not be required. He asked why the cul-de-sac is designed so far beyond the last lot. Mr. Mitchell replied that they are trying to avoid having to do a lot of permanent cutting into the hill in the event that the cul-de-sac ends up being permanent.

Frank Bourque asked how large the Thompson parcel is. Mr. Thompson stated it is approximately 30 acres.

Bill Cantwell asked if the plan is to eventually develop the steep side of the property. Mr. Mitchell replied that the only way they could see developing the higher side of the property would be if there was a way to access it from the top, not from any access on this property.

MOTION: Frank Bourque made a motion to hold a site walk on Map 15, Lots 6 & 7 located on Lane Road on April 5, 2008 at 8:00 a.m. Peter Buckingham seconded. The motion passed with a unanimous vote of 5-0-0.

MOTION: Peter Buckingham made a motion to continue this hearing to April 17, 2008 at 6:30 p.m. at Raymond High School. Frank Bourque seconded. The motion passed with a unanimous vote of 5-0-0.

Approval of Minutes

MOTION: Frank Bourque made a motion to approve the minutes of 02/14/08 as drafted. Steve Naoum seconded. The motion passed with a unanimous vote of 5-0-0.

Other Business

Jonathan Wood noted that the Conservation Commission met on March 5, and reviewed the Natural Resources draft chapter of the Master Plan as had been requested. He stated that the Conservation Commission will be ready to make comments during the March 27 Planning Board meeting.

Frank Bourque stated the Board of Selectmen decided to accept the EPA Energy Challenge as brought forward by David Preece of Southern NH Planning Commission. He added that the Town Manager has been speaking to the Superintendent of Schools, trying to get them to follow suit.

Community Development Director Creveling stated there is a grant opportunity available that deals with promoting mixed use development and affordable housing concepts. He stated he would like to write a proposal for this grant. The Planning Board offered their support to Mr. Creveling to write the grant application.

Peter Buckingham stated he would like to thank Frank Bourque for his service to the Planning Board as the Selectmen's Representative in case he does not return following the election on March 11.

Adjournment

MOTION: Jonathan Wood made a motion to adjourn. Steve Naoum seconded. The motion passed with a unanimous vote of 5-0-0. Meeting adjourned at 8:16 p.m.

Respectfully Submitted,

Robert Price
Planning Technician