

**TOWN OF LYNDEBOROUGH  
PLANNING BOARD MEETING MINUTES  
February 17, 2011**

**MEMBERS PRESENT:** Chairman Tom Chrisenton, Vice Chair Bret Mader, Mike Decubellis, Larry Larouche, Selectmen's Representative Arnie Byam and Alternates Bill Ball and Julie Zebuhr

T. Chrisenton began the meeting at 7:30 p.m. B. Ball recused himself and stepped down for the following public hearing:

**PUBLIC HEARING:**

**Pauline Ball; 110 Crooked S Road; Map 215 Lot 12; proposed two (2) lot subdivision for residential use; Rural Lands I.**

Present: Tim Ferwarda of Meredian Land Svcs.; Bill and Pauline Ball

Mr. Ferwarda presented a proposed two (2) lot subdivision site plan. He pointed out the existing house, driveway, leach field and well on Lot 215-012 which is located at 110 Crooked S Road. He said that the owner intends to cut off a 12.996 acre parcel from the southern end of the original 34 acres and keep the land in current use. There is 500+ feet of road frontage for the new lot and well over 500 ft. for the existing house lot (20.9 acres). Mr. Ferwarda said that the topography shown on the site plan is based on USGS data. The wetlands were mapped from the field survey and they are the closest points to the buildable area. He pointed out the hatched areas which show two (2) contiguous acres of dry land for each lot. He stated that there's an existing driveway for the residence and a bar break for driveway access to the new lot. A right of way easement from Lot 220-41 is also indicated on the site plan. Mr. Ferwarda doubted that it would be used because it isn't in a favorable location.

For the benefit of abutters who were present, Mr. Ferwarda again pointed out the spots where the leach field and well could be situated. He also noted that there were other locations on the proposed parcel that could be used that are away from the 75 ft. setback from the brook. Ronald Roberts, an abutter, asked if there was a particular location for a house. Mr. Ferwarda replied no and stated that any location away from the setbacks, further into the property, could be used. He added that the lot is not being proposed as a building site, but it will be a buildable lot.

At this time, Mr. Ferwarda asked for questions from the Board and the abutters. M. Decubellis asked if there was sufficient sight distance. Mr. Ferwarda said that the road is pretty straight and there's good distance between the existing driveway and the proposed driveway. Mr. Ball commented that there's 250 ft. of sight distance in both directions.

Fred Douglas, an abutter, asked if test pits were taken. T. Chrisenton said that because the lot is more than five acres with 500 ft. of road frontage, test pits are not required.

Mr. Douglas asked about the boundary markers at the corners of the property and asked to be shown the location of the drill hole that were set in the northwest corner of his property. Mr. Ferwarda explained that when the survey was done, they used drill holes that were set. Mr. Douglas voiced his concern that many years in the past there was a dispute over the boundary location in the northwest corner which abuts his property. He stated that if the drill hole isn't there, then the accuracy of the boundary is questionable. After reviewing the plan, Mr. Ferwarda noted that the site plan indicated proposed drill holes at the northwestern corner. He also stated that the site plan indicated proposed drill holes along the northern boundary. Mr. Ferwarda asked if Mr. Douglas was concerned about where the boundary intersected the stone wall, because the wall is the property line. Mr. Douglas again questioned where the property line was in that northwest corner.

T. Chrisenton asked if there was a reason why the drill holes have not been set. Mr. Ferwarda replied that he would have to ask the surveyor who did the survey work. Mr. Douglas stated that he was asking because he did not want to have any problems in the future. Mr. Ferwarda said that the property was resurveyed for accuracy in their certification. T. Chrisenton said that a drill hole should be set in place so that Mr. Douglas could see where it belongs. Mr. Ferwarda, reviewing the survey notes, said that the location should be 34.12 ft east of the wall corner.

Mr. Douglas asked when the survey had been done. Mr. Ferwarda replied that it was performed in December. Mr. Douglas explained that there is an imaginary line and some old barbed wire that represents the property line running north to south but where it intersects with the stone wall is unknown. There isn't any barbed wire that runs to the stone wall. He wanted to see a drill hole that matches up with the survey he had completed on July 31, 1989. **(Noted as #4 under Reference Plans on the site plan)**

Mr. Ferwarda, referring to the owner's 1979 site plan which was surveyed by William Bean, said that the drill hole in the northwestern corner was set. T. Chrisenton reviewed the new site plan and said that, to eliminate any confusion, the site plan should indicate a (found) drill hole and not a (proposed) drill hole.

J. Zebuhr suggested that the surveyor and the concerned abutter go back to that corner together and determine the location of the drill hole. T. Chrisenton responded that this site plan should have reflected Mr. Douglas' drill hole as found, since his 1989 survey preceded Meredian's recent survey. Mr. Ferwarda answered that if his surveyors had found the drill hole they would have indicated so on the site plan. Mr. Douglas commented that the drill hole was there at one time but it can not be found now. Because there was still some confusion, Mr. Douglas indicated on the site plan that both stone walls disappear before reaching the corner; instead there is some sporadic barb wire and a large oak tree which represents a line running north to the intersection. There isn't any

barbed wire to show where it intersects. Mr. Ferwarda responded that the site plan gives a bearing and a distance which indicates where it intersects. Mr. Douglas said that he would be amenable to meeting with Meredian's surveyor to check out the measurements that are referenced on the plan. T. Chrisenton asked if Mr. Ferwarda could arrange a meeting to make a determination; then the site plan could be amended to indicate a found drill hole rather than a proposed drill hole. Mr. Ferwarda agreed.

After a little more discussion on surveying procedures and setting drill holes, M. Decubellis asked if there were any restrictions on the deed that would prevent the subdivision. P. Ball replied that she was not aware of any restrictions.

At this time, A. Byam made a **motion to conditionally approve the site plan subject to verifying that the proposed drill holes are actually where they should be set and that a meeting between the surveyor and abutter is arranged to visit the location that is in question.** L. Larouche seconded the motion. T. Chrisenton asked for any further discussion. Having none, the vote in favor of a conditional approval was unanimous.

Because the checklist had not been reviewed, T. Chrisenton went through each item and asked if a driveway permit had been issued. P. Ball said that they had not applied for a permit, as yet. T. Chrisenton said that a driveway permit would be another condition of approval that must be fulfilled. A future meeting will be scheduled when the conditions of approvals are met.

B. Ball returned to his seat for the remainder of the meeting.

**INFORMATION:**

**PSNH; Old Temple Road (a scenic road) and Beasom Road; to correct improper clearance of electrical wires**

T. Chrisenton acknowledged receipt of a letter from Jeffrey Enman of PSNH which stated that there were two code violations of improper clearances of electrical wires crossing over Old Temple Road and Beasom Road. Because Old Temple Road is a scenic road, Mr. Enman has requested a public hearing to discuss this issue.

P. Ball told the Board that Mr. Enman responded to her e-mail saying he was amenable to March 17<sup>th</sup> as a scheduled date for the public hearing. The Board agreed to that date.

**OLD BUSINESS:**

**Follow-ups:**

**(1) Mason/Arsenault driveway issue; Forest Rd.; Map 239-085; Village District**

Arnie Byam told the Board that the Selectmen's office has sent out letters notifying the appropriate parties about the concern over an existing driveway to the Arsenault property

that has not been closed; this closure was one of the 2007 Conditions of Approval for the Arsenault subdivision. This issue has been discussed at recent Planning Board meetings.

**(2) Rose Farm Road issue**

Arnie Byam said that a request to change the status of Rose Farm Road, a private road, to a town road will be presented as a warrant article at the March town meeting. This was a condition of approval for the Brandon Greene's three lot subdivision at the November 19, 2009 meeting. Due to an oversight, this request was not presented at the 2010 March town meeting. M. Decubellis also noted that the Planning Board, as stated in the November 19, 2009 minutes, does not recommend that Rose Farm Road become a town road.

**(3) Darrell Cooper and Carl & Gail Rowell; Center Road; Map 232 Lots 20 and 21; lot line adjustment**

P. Ball informed the Board that the Cooper/Rowell lot line adjustment which was presented and approved by the Board at the January 20<sup>th</sup> meeting has not been finalized. According to Robert Degan of Monadnock Survey, in his phone conversation, said that the site plans have not been signed; therefore cannot be recorded at the Registry of Deeds. Because of a misunderstanding between the parties, Mr. Degan said that he would schedule another presentation some time in the future when the issue has been settled.

**(4) Enforcement issues**

Arnie Byam mentioned that the Selectmen's office has requested a formal letter be sent to the Town Administrator when enforcement issues become a concern and need to be addressed by the Board of Selectmen. The Planning Board agreed to this request.

**NEW BUSINESS:**

**(1) Revenue ideas**

T. Chrisenton made a suggestion that the Planning Board discuss, at the next meeting, ways in which the Board can help to generate more revenue for the town. One idea was to review ways to create incentives that would encourage the expansion of small businesses. He asked members of the Board to come up with other ideas for discussion.

**(2) Granite State Concrete, Inc.**

T. Chrisenton said that the Board has received a copy of a NHDES notification to Granite State which states that effective 1-1-09, revised Alteration of Terrain rules require the permittee to submit a written update of, and revised documenting the project status every five (5) years, rather than six (6) years as identified in their permit. The next progress report for WPG-5750B will be due on August 2014.

**MINUTES:**

**Review of minutes for January 20, 2011**

B. Ball made a **motion to accept the minutes for January 20, 2011, as written.**

M. Decubellis seconded the motion and the vote in favor of acceptance was unanimous.

**ADJOURNMENT:**

B. Ball made a **motion to adjourn the meeting at 8:15 p.m.** B. Mader seconded the motion and the vote in favor of adjournment was unanimous.

The next meeting will be held on Thursday, March 17th at 7:30 p.m.

Pauline Ball  
Clerk

**Approved by the Planning Board on March 17, 2011**