

DRAFT

WEARE PLANNING BOARD

JULY 12, 2018

MEETING MINUTES

Present: Craig Francisco (chairman), Bruce Fillmore, Jr. (vice chairman), Neal Kurk (secretary) and John VanLoendersloot (alternate). Also present: Chip Meany, Code Enforcement Officer

I. CALL TO ORDER

As Mr. Francisco recused himself in order to represent a client, the meeting was called to order at 7:10 p.m. by Vice Chairman Bruce Fillmore. Mr. Fillmore appointed Mr. VanLoendersloot as a voting member.

II. SHARED DRIVEWAY APPLICATIONS

a. Jeff and Gina Stevens (map 107, lot 3)

The lot was purchased in 2013, and the road was re-routed, causing the applicants to lose their road frontage. They acquired a small easement over the Palmer lot through which the Palmer driveway is located and wish to use that easement and driveway for a shared driveway. Copies of the easement and the shared driveway maintenance agreement are needed. Mr. Kurk moved, seconded by Mr. VanLoendersloot, to accept the application and approve it, subject to the receipt and approval by counsel of copies of the aforementioned documents. The motion passed, 3 . 0 . 0.

b. James Dow of 236 Colby Road with respect to 196 Colby Road (map 412, lot 168.10) and Christopher Lovell (map 412, lot 168.9)

Craig Francisco represented Mr. Dow. The existing driveway is on Dow land and is used by Mr. Lovell. Mr. Dow wishes to use that driveway to access a house site located on his land and so requests approval of a shared driveway. An easement and a shared driveway maintenance agreement must be drawn and reviewed by counsel. Mr. Kurk moved, seconded by Mr. VanLoendersloot, to accept the application and approved it, subject to counsel's approval of the aforementioned documents. The motion passed, 3 . 0 . 0.

c. George Merrill (map 406, lots 51.3 owned by Mr. Merrill and 51.2 owned by James and Maria Sappier)

Mr. Francisco assumed the chair. He reviewed the Planning Board's authority over shared driveways, reporting that counsel advised him that the Board can hear shared driveway applications on their own.

Mr. Merrill noted that an easement over the Sappier lot (51.2) exists in each deed and a shared driveway maintenance agreement exists and is referred to in the Sappier deed. In response to a question, he observed that the Sappiers did not support his application.

Mr. Francisco moved, seconded by Mr. Fillmore, to have counsel review those documents, including the chain of title as it applies to the wording of the maintenance agreement, at the applicant's expense. The motion passed 4 . 0 . 0.

Mr. Kurk moved, seconded by Mr. VanLoendersloot, to continue the Board's work on the application to the August 9, 2018, meeting. The motion passed 4 . 0 . 0.

III. SUBDIVISION REGULATION AMENDMENTS

Mr. Francisco opened the public hearing on proposed amendments to the subdivision regulations. There being no members of the public in attendance, he then closed the hearing. The Board proceeded to review substantive and editorial changes. Mr. Francisco will incorporate these in another revision and circulate the same to members.

IV. MINUTES

The Board reviewed the minutes of its June 28, 2018, meeting and made the following changes: corrected a misspelling; described the document that was explained to Mr. Lefebvre as a conditional use permit. The minutes as amended were approved.

The minutes of the meeting of June 14, 2018, were approved as submitted.

The minutes of June 14, 2018 have yet to be approved.

V. ADJOURNMENT

The meeting adjourned at 9:40 p.m.

Respectfully submitted,

Neal M. Kurk, Secretary