

Final



**WEARE PLANNING BOARD
MEETING MINUTES
September 23, 2021**

PRESENT: CRAIG A. FRANCISCO, CHAIRMAN; BRUCE FILLMORE, JR., VICE CHAIRMAN (via phone); JOHN (JACK) MEANEY, EX-OFFICIO; FRANK (CHUCK) BOLTON ; WILLIAM (BILL) STOCKHAUS, SECRETARY; RAYMOND (RAY) MENARD, ALTERNATE; NAOMI BOLTON, INTERIM LAND USE COORDINATOR

ABSENT: none

GUESTS: Frank Burl, Dan Higginson, Jacques Belanger, Gina & Dwayne Duprey, Eric Houle, Linnea Hargraves, Kristen Fischer, Art Siciliano, Connie Sullivan, Al & Melissa Croteau, Avril & John Hardy, Joe Leroy, Karl Benedict

I. CALL TO ORDER

Chairman Francisco called the meeting to order at 7:00 pm. and welcomed those present to the September 23, 2021 meeting of the Weare Planning Board.

II. DISCUSSION

A. (Continued) Subdivision: The Francis & Nancy Burl Family Trust – Rockland Road & Route 77, Tax Map 202, Lot 094, Rural Agricultural & Commercial Zone. Application is for a two-lot subdivision, one containing 8.23 acres and the other containing 10.3 acres.

Dan Higginson, Higginson Land Services, presented the Board with newly revised plans. He stated he added a tie line, bearing & distances around the proposed lot (sheet two), along with an easement for the cistern. Recording sheets 1, 2 & 3 (easement).

Chairman Francisco requested:

- the well move so the radius is not in the road
- new updated DOT driveway permit
- show well radius on Lot 202-95
- needed Wetland Stamp
- noted on sheet one directing you to sheet two
- put lot # & amounts on sheet two

Chairman Francisco mentioned Fire Chief Vezina's comments regarding the cistern. Dan stated Michie Corp. has revised the plan reflected on sheets 1, 2 & 3 of the cistern. Reading through the letter from Town Engineer Keach-Nordstorm Associates, Dan agreed the changes needed would be easy to take care of.

Chairman Francisco asked the Board for questions or comments. Jack Meaney asked for clarification the sheet has the revised 15,000-gallon cistern. Dan responded yes.

Chairman Francisco asked why do you have an existing house when the owner has a proposed well, Lot 202-94. Dan replied he would change it to existing.

Chairman Francisco asked the public for comments or questions. There were none.

Dan explained most of the monuments are recovered and those that need to be set will be done on Monday, if the Board grants conditional approval.

Chairman Francisco stated all monuments are to be set and asked about the southeast corner of Lot 202-95. Dan stated he would set that one, all others to be set and marked up.

Chairman Francisco moved, Secretary Stockhaus seconded to approve with conditions as follows:

- 1. Keach-Nordstorm approval on the cistern design**
- 2. Fire Chief Vezina signs off on the cistern**
- 3. Well shown on Lot 202-95**
- 4. Move well radius on Lot 202-95**
- 5. Note on sheet one to see sheet two**
- 6. Sheet two needs Lot #'s and acreage for both 94.3 & 94**
- 7. Wetland Stamp on both sheets**
- 8. Need north arrow on sheet two**
- 9. Changed proposed well radius to existing well radius on Lot 94**
- 10. Set the monuments and corners**
- 11. Add a monument at the southeast corner of Lot 95**
- 12. Move well radius so not in the road**
- 13. NH DOT Permit needed**
- 14. Notes on sheet two**

Chairman Francisco accepted the revision with the conditions provided by Interim Land Use Coordinator Naomi Bolton. Discussion: Being none. Passed 5-0-0

B. Conceptual Meeting: Hargraves Mountain View Ranch, LLC, Linnea Hargraves, owner; 91 Dudley Brook Road, Tax Map 105-55; 55.1 & 55.2, Rural Agricultural Zone. Applicant is seeking to convert barn into event center.

Linnea Hargraves stated she owns the property on Dudley Brook Road, 52 acres, mostly agricultural. Her intent is to preserve the one existing 1790's house, renovating it into an Arts & Crafts building, attracting merchants. The attached barn would be removed. An Event Center, an old barn reproduction, would be built with an elevator attached to the 1790's renovated structure. The existing Hoop Barn would be removed. She stated she owns across the street, 86 Dudley Brook Road, 28 acres and another property behind, used to be all one farm. Roughly, all together about 100 acres.

Her goal is to hold weddings, capacity of 300 - 500 people, parking in the field across the street. Facility to include a kitchen with outside catering and bartending, modeling Lake Shore Village Resort. Linnea stated schools could access the property for educational purposes, yoga classes, retreats, corporate outings/meeting place, parties, fundraising for church events and outdoor activities as well. Larger events to have security detail.

Linnea shared she owns a few Horace Lake front properties as well. Because she also has stables with horses, she would like to offer moving people back and forth via horse and carriage to "...where they are staying."

Her plan is to keep it in a current use state just moving the fence line. Offering valet parking. The income is to support her taxes and increased costs, stated Linnea. Her interest lies in renovating, preserving and restoring her properties in keeping to the old, New England, Weare heritage. A beautiful setting, she maintains the roadside frontage stonewalls. Many people take pictures.

Chairman Francisco complimented Linnea on how well she maintains the stonewalls, but added he does not see how her plan fits into a Residential Agricultural (RA) zone. Jack Meaney agreed, as it is not permitted to run a business in a RA zone.

Linnea asked the Board what category would it fit in. Jack Meaney answered commercial. Chairman Francisco listed some allowed uses such as churches, forestry, etc. He suggested she needs a Variance from the Zoning Board.

Linnea inquired about Lake Shore Village holding tent weddings along Horace Lake. Jack Meaney stated they are commercial.

Linnea asked what is involved when applying for a Variance with the Zoning Board. Chairman Francisco stated you would have to be very specific in what your intended use is. Zoning Article 17.3, 674:32 (b), Zoning Book page 426 is Agritourism RSA 21:34 (a).

Vice Chairman Fillmore agreed she needs to go before the Zoning Board with a lot more details. He questioned Linnea about overnight accommodations. Linnea responded yes in some of the other houses she owns, but not that many people.

Chairman Francisco stated 300 - 500 people worth of traffic could be an issue on Dudley Brook Road. He reiterated how specific she needs to be when presenting her uses to the Zoning Board.

C. Lot Line Adjustment: Mark & Cynthia Levensailor; Gary R. Labrie; Randy Paiva – Bartlett Drive, Tax Map 410-030; 410-031 & 410-032, Residential Zone. Application is to adjust the lot lines between all three (3) lots.

Jacques Belanger, J.E. Belanger Land Surveying, presented his plans to the Board.

Vice Chairman Fillmore moved, Jack Meaney seconded to grant the waiver for the wetlands, soil and topography. Discussion: Being none. **Passed 5-0-0**

Chairman Francisco moved, Jack Meaney seconded to accept the application as complete.

Discussion: Being none. **Passed 5-0-0**

Jacques introduced himself as the surveyor who prepared the plans. He stated the first three lots on the left on Bartlett Drive have encroachment issues. He balanced out the acreage between the lots working around existing homes and driveways. Some existing accessory buildings may need to be moved. The owner of Lot 30 is looking to sell and proposing a driveway easement that will service Lot 31 not altering the frontages. A friendly situation they just want it fixed.

Chairman Francisco asked about the shed structures between Lot 30 and Lot 31. Jacques responded all four temporary storage boxes on the side would be removed. The shed out back will be moved to Lot 30.

Chairman Francisco asked the Board for questions or comments. Jack Meaney stated there would be many monuments to set. Jacques agreed.

Chairman Francisco asked the public for questions or comments. Being none, Chairman Francisco closed the public hearing at 7:55pm.

Chairman Francisco stated outstanding is:

- Sheds removed or relocated before the monuments are set and the plan is signed
- Easement document and deeds need to be recorded with the plan at the registry

Chairman Francisco moved, Jack Meaney seconded with the following conditions:

- 1. Five sheds or trailers have to be relocated noted on Mylar**
- 2. Monuments have to be set before signing on Mylar**
- 3. Easement Deed has to be executed and recorded simultaneously with the plan**
- 4. Owners signature on the plan**

Discussion: Being none. **Passed 5-0-0**

D. Subdivision: AMS Properties, LLC – Perkins Pond Road & Mountain Road, Tax Map 410-053, Rural Agricultural Zone. Application is to subdivide tax map 410-053 into 7 lots.

Art Siciliano presented. No waivers being requested. Test pits provided on new plan.

Jack Meaney moved, Secretary Stockhaus seconded to accept the application as complete.

Discussion: Being none. **Passed 5-0-0**

Art Siciliano explained this 39.01-acre property is on the west side of Perkins Pond Road and north side of Mountain Road. Not in flood hazard zone, no aquifer protection area, but in current use. Each lot is over 5 acres with over 250 feet of road frontage. All lots meet area in Table 1-1 for non-wetlands, each at least 127,000 sq. ft. All driveways to conform to the Town regulations. Note 6: phasing to building permits. Art stated the builder would like to install sprinkler systems. However, a cistern is required per the Fire Department.

Chairman Francisco verified none of the driveways to affect any wetlands or wetland buffers. Art responded no they were avoided.

Chairman Francisco asked for questions or comments from the Board. Chuck Bolton clarified the build would be phased. Chairman Francisco replied yes, a building permit per year.

Chairman Francisco opened the floor for public comments.

Dwayne Duprey, 66 Mountain Road, an abutter, asked how big would the houses be. He is concerned where a house will be placed as it relates to the distance to his property. His home is 25 feet to the boundary line and the closer the new build would be would devalue his property, a small lot. Dwayne explained his house is 25 feet from the stonewall with a shared driveway.

Chairman Francisco stated the Planning Board does not regulate where the house is placed. Dwayne replied he understands, but he'd like to know where the house is to be built. He stated the builder has already knocked down the existing stonewall with his excavator, not approved by the Select Board. Because of this, he is concerned if they will follow the rest of the guidelines.

Chairman Francisco and Jack Meaney stated they have to go by the rules. Dwayne asked what should he do if they do not. Jack Meaney responded for him to come before the Board of Selectmen.

Dwayne explained he is not happy about the subdivision as he is worried this will affect his ability to shoot his guns in his backyard. He would have preferred to be notified the land was for sale, no sign.

Karl Benedict, 43 Mountain Road, an abutter, asked if any ledge was encountered during test pits. He asked how would that be managed. Because of the prime wetlands would any land be designated for conservation.

Chairman Francisco stated the Planning process does not have any control on that aspect. He explained there is a 25 foot no cut buffer around all wetlands and a 50-foot wetland-building setback.

Karl asked for clarification as to citing a house on the plans and if the driveway cuts are shown on the plan. Chairman Francisco reiterated the Planning Board only regulates driveways. Art stated he would provide Karl a plan because there will be two driveways that are changing.

Karl suggested offsetting the driveways from each other because of the amount of traffic and speed of traffic. He stated alternating driveways on Mountain Road is a terrible idea. He would like a proposed building schedule for construction and a plan for review. The answer is at least two buildings this year.

Joe Leroy, 4 Perkins Pond Road, stated a culvert currently comes into his yard. He would like reassurance he would not have future drainage problems.

Connie Sullivan, 18 Perkins Pond Road, stated she is concerned as her property is downhill of the proposed subdivision. With the clearing of land, and if the driveways were placed directly across, there would be a lot of runoff. How much clearing and where would the driveways be placed. Jack Meaney stated the DPW Director would require a culvert at the end of the driveways. Connie stated her property has a natural spring at the bottom of her driveway. Her concern is an increase in runoff. The answer is typically enough tree clearing for a house lot.

Melissa Croteau, 30 Perkins Pond Road, expressed concern over placement of driveways as well. She does not want lights coming into her house. She too asked how much clearing would take place. The extra noise will affect her and her dog as she works from home. If blasting were to take place, she would like to be notified. Jack Meaney explained neighbors would be notified in the event of blasting.

Melissa expressed her frustration on the increased traffic on Perkins Pond Road with all of the new houses. It is already a heavily traveled road.

Chairman Francisco closed public comment at 8:25pm.

Vice Chairman Fillmore suggested scheduling a Site Walk.

Town Administrator Bolton made extra copies for the neighboring residents in attendance of the smaller plan and reminded Art Siciliano he needs to visit with the Fire Chief.

Site Walk set for Tuesday, October 5, 2021 at 5:30pm. Chairman Francisco asked for an updated plan to have before the site walk. Art replied he would send the amended plan with test pits and driveways.

Chairman Francisco stated the public is invited. There will be no decisions, no votes.

Vice Chairman Fillmore asked what are the comments from the Conservation Commission. Town Administrator Bolton responded they did see the plans and had no comment.

Jack Meaney moved, Chairman Francisco seconded to continue the discussion to October 28, 2021.

Discussion: Being none. **Passed 5-0-0**

IV. MINUTES

September 9, 2021 Minutes: **Secretary Stockhaus moved, Jack Meaney seconded to accept the minutes of September 9th as amended, passed 5-0-0.**

V. NEXT MEETING

October 14, 2021

Being there was no further business to come before the Board, Jack Meaney moved, Secretary Stockhaus seconded to adjourn the meeting at 8:34 pm. Passed 5-0-0

A True Record

Karen Nelson

Karen Nelson transcribed from

You Tube Recording, TA Bolton notes