

Final



WEARE PLANNING BOARD MEETING MINUTES January 13, 2022

PRESENT: BRUCE FILLMORE, JR., VICE CHAIRMAN; WILLIAM (BILL) STOCKHAUS, SECRETARY; RAYMOND (RAY) MENARD, ALTERNATE; NAOMI BOLTON, INTERIM LAND USE COORDINATOR

ABSENT: CRAIG A. FRANCISCO, CHAIRMAN; JOHN (JACK) MEANEY, EX-OFFICIO; FRANK (CHUCK) BOLTON

GUESTS: Madelyn Lover, Nevin Houle, Frank Campana, Gary Fitzgerald

I. CALL TO ORDER

Vice Chairman Fillmore called the meeting to order at 7:01 pm. and welcomed those present to the January 13, 2022 meeting of the Weare Planning Board. He then appointed Ray Menard as a voting member for this evening.

II. DISCUSSION

A.) Common Driveway Request: Nevin Houle & Madalyn Lover – request approval for common driveway, River Road, Tax Map 409-077

Vice Chairman Fillmore stated a driveway maintenance agreement is required between the landowners for record. Neighbor already has an easement for his driveway. Nevin Houle explained he does not plan on crossing his neighbor's corner. He will move his driveway access over to his land.

Vice Chairman Fillmore suggested to continue and asked the Board for comments.

Ray Menard asked what the address is. Nevin Houle explained no address yet, but abutter is 974 River Road.

Vice Chairman Fillmore asked for public at large to speak. There was none.

Vice Chairman Fillmore asked for abutters to speak. There was none.

Vice Chairman Fillmore closed the public comment at 7:11pm.

Secretary Stockhaus moved, Ray Menard seconded to continue this case until February 10, 2022 at 7:00pm. Three items needed: maintenance agreement with the neighbor for the driveway, move driveway to fully on Nevin Houle's property and Plan #29202 referenced in deed letter and on the Plan noted as #4. Passed 3-0-0

B.) Recommendation to accept Hilbren Road: Owner is looking for Planning Board recommendation to proceed to the Board of Selectmen for a public hearing to have the road accepted and maintained by the Town. This is pursuant to Subdivision Regulations, Article 7.2, Section 2.b: A performance bond may be reduced upon actual completion of public improvements and then only to the ratio that the public improvement dedicated bears to the total public improvements for the subdivision. In no event shall a performance bond be reduced below twenty-five (25%) percent of the principal amount.

Vice Chairman Fillmore stated they did a Site Walk to find buried and broken monuments. Town Engineer was present last year when the disturbed monuments were discovered and replaced with no comments at the time. No new erosion or road damage. He recommends to proceed to BOS. Applicant presented evidence via pictures that monuments were set and verified by the Chairman.

Secretary Stockhaus moved, Ray Menard seconded to recommend to the Board of Selectmen. Passed 3-0-0

C.) Public Comment:

Frank Campana, Quaker Street, stated he is an abutter to a common driveway, an easement. October 2020 he went through the process of getting a driveway permit. His question to the Board is what triggers someone to appeal for a common driveway.

Vice Chairman Fillmore explained there are three ways: shown on a recorded plan at the registry, when the subdivision was done, and if they come in for a subdivision and show it on the plan as long as it is only for two lots.

D.) Final Hearing on Proposed Zoning Amendment No. 1: (which reads): Are you in favor of the adoption of Amendment No. 1 set forth in the town warrant as proposed by the Planning Board for the Town of Weare as follows: To remove the last two portions of Article 3.4.2 so the ordinance ends at “conformity to this ordinance” and strike the rest of the article beginning with “except that the Zoning...”. (Recommended by the Planning Board)

Vice Chairman Fillmore explained there is no language change just striking a sentence out of an existing definition.

Vice Chairman Fillmore asked the public for questions or comments. A speaker spoke from the audience out of view.

Vice Chairman Fillmore asked for more public comment.

Frank Campana questioned if someone wanted to resume a previously existing business would that require a site plan review with the Planning Board.

Vice Chairman Fillmore replied no as it is written now.

Frank restating as it is written now it would not give an abutting neighbor a voice.

Secretary Stockhaus responded correct, gives built in accountability.

Ray Menard added by making the change it would. Vice Chairman Fillmore reiterated eliminating that clause gives the abutters notification.

Vice Chairman Fillmore asked for other public comment. There was none.

Vice Chairman Fillmore closed public comment at 7:38pm.

Ray Menard moved, Secretary Stockhaus seconded to strike the sentence out of paragraph 3.4.2, period after conformity to this ordinance. Strike the sentence except that Zoning Board of Adjustment, after a public hearing may permit the resumption of said non-conforming use. Passed 3-0-0

Vice Chairman Fillmore stated there are two applicants for the Planning Board. A requirement is the applicant has to attend a Planning Board meeting. Dani-Jean Stuart and Paul Gannon.

III. MINUTES:

November 18, 2021: tabled

IV. NEXT MEETING

February 10, 2022

Being there was no further business to come before the Board, Ray Menard moved, Secretary Stockhaus seconded to adjourn the meeting at 7:46 pm. Passed 3-0-0

A True Record

Karen Nelson

Karen Nelson transcribed from TA Bolton
notes & You Tube video