

# TOWN OF WEARE

## PLANNING BOARD

15 Flanders Memorial Rd - PO Box 190

Weare NH 03281

Phone: 603-529-2250 - Fax: 603-529-7527

August 25, 2011 - Meeting Minutes

**\*\*FINAL COPY\*\***

**PRESENT:** Neal Kurk, Secretary; George Malette, Member; Thomas Clow, Dani-Jean Stuart, Chip Meany, Land Use Coordinator; Sheila Savaria, Recording Secretary

**GUESTS:** Derek Robichaud, Jennifer Robichaud, Randi Whitney, Jim Kincaid, Catherine Kincaid, Kathy Laporte, Robert Baskerville, Art Siciliano, Andy Fulton

### **I: CALL TO ORDER:**

Secretary Neal Kurk called the meeting to order at 7:10 pm at the Weare Town Office Building, and appointed Dani-Jean Stuart as a voting member.

### **II: PUBLIC HEARINGS:**

Signage: Rick Hurst - Weare Gold & Coin Shop

Rick Hurst showed the Board a picture of letters and signs that have been put up. He is making sure that the signs he has put up will comply with the Town's sign ordinance. The main sign in question was the window letters. Tom Clow feels it is okay as long as it meets the size requirements because Mr. Hurst doesn't have a wooden sign on the front of the building like the ordinance would allow.

Tom Clow moved to approve the Weare Gold & Coin Shop signage as presented in their application and shown in the photographs accompanying the application; Dani-Jean Stuart seconded, all voted in favor.

Lot Line Adjustment: Brookshire Crossing LLC, Elanor Way LLA in cul-de-sac  
Map 407, Lots 197-16, 17, 18 & 20 in the RA Zone

Robert Baskerville, Manager and member of Brookshire LLC and President of Bedford Designs presented this case. Mr. Baskerville is asking to turn the ownership of the cul-de-sac over to the town rather than it being owned by the individual land owners. Also, when the subdivision was originally approved, the Conservation Committee did not want a conservation easement and asked him to take it out of the deed. The Town only approved 6 of the 8 lots with that conservation easement removed, so tonight Mr. Baskerville is asking to have the other two eliminated.

Tom Clow moved to accept the application as complete; George Malette seconded, all voted in favor.

Neal Kurk opened the hearing to the public on the application for Brookshire Crossing to extinguish certain easements and change property lines.

Comments from the public:

Andy Fulton, Chair of the Conservation Commission, said the Commission did not give the plans a full review and had no official recommendations. Mr. Fulton asked that any decision on the application be held until they could speak with Mr. Baskerville. If the Board did decide to act on the application at this meeting, he suggested the 100' easement be maintained as a setback, and that the right of way that was established between the 2 end lots be maintained.

Neal Kurk closed the public hearing at 8:17pm.

Tom Clow moved to approve the Brookshire Crossing lot line adjustment with the following conditions:

1. The language in the area labeled as conservation easement in lots 17 & 18 be changed and replaced with a 40' building setback.
2. The lot line of the cul-de-sac be adjusted with the Town assuming ownership of the entire cul-de-sac.
3. Notes 10 & 11 are to be changed to reflect condition numbers 1 & 2.

Dani-Jean Stuart seconded the motion, all voted in favor.

Subdivision: Esther McLain & Charles and Maureen Bates  
Map 407, Lots 170, 171 & 172, 845, 883 & 911  
Deering Center Road in the Residential Zone

Art Siciliano presented for this case. There are 3 parcels involved in this lot line adjustment/subdivision. Two lots are involved in the lot line adjustment, and the 1<sup>st</sup> lot is a subdivision.

George Malette moved to accept the waivers for items 13 & 14 on the design review checklist; Tom Clow seconded, all voted in favor.

Tom Clow moved to accept the application as complete; Dani-Jean Stuart seconded, all voted in favor.

Neal Kurk opened the hearing to the public at 8:40pm.

Comments from the public:

Catherine Kincaid, 702 Deering Center Road had concerns that the plan was to not only make the lots bigger, but to try and get a cul-de-sac in the area which would be hurtful to traffic, animals, etc. Mr. Siciliano explained his plans further to Ms. Kincaid and said there is potential for further development, but that is not what he is trying to do tonight and there is nothing on the application asking for a cul-de-sac. Chip Meany added that increasing the sizes of these lots would allow them to be in current use.

Randi Whitney asked for clarification of the non-buildable status. The Planning Board said that if approved, they would have the understanding that the lot is not buildable.

Neal Kurk closed the public hearing at 8:51pm.

Tom Clow moved to approve the lot line adjustment and subdivision as indicated on the plan, with the condition that language be added about a non-buildable lot; George Malette seconded, all voted in favor.

### **III: OTHER BUSINESS:**

Minutes: George Malette moved to accept the August 11, 2011 minutes as written; Dani-Jean seconded, Neal Kurk and George Malette voted in favor. Dani-Jean Stuart abstained.

Moody Pond Marketplace: George Malette asked the Board if they felt the Moody Pond Marketplace needed to file a change in use application because he does not believe the business they are doing now is reflected on their original application. Chip Meany agreed to try to find the original application for the next meeting.

Moody Pond Signage: George Malette asked if the Moody Pond Marketplace signs placed over the Town Offices were approved by the Town, and if there is a certain time the signs can remain to advertise after a donation has been made. Mr. Clow said the donations of flowers and planters should have been formally accepted as a gift, but they were not. Mr. Clow feels the flowers were beautifully done and are well maintained, and does not want to discourage donations, but feels there may be too much advertising. Mr. Clow is not aware of any time limit that advertising can be displayed for donations.

**IV: ADJOURNMENT:**

As there was no further business to come before the board; Neal Kurk declared the meeting adjourned at 9:06 pm.

Respectfully submitted,

Sheila Savaria  
Recording Secretary