

## GROTON PLANNING BOARD

May 25, 2016

Meeting Called to Order at 7:10 pm

Present: Chair Deborah Johnson, Ray Blake, Dave LaBar, Russ Carruth, Glen Hansen, Elizabeth Jespersen

Absent: Bob Ferriere (Select board Liaison), Sherry Nelson - Alternate

Audience members present, Otto Jespersen, Ruth Gaffey, Jim Gaffey, and Tom Hahn.

Motion made by Ray to delay reading of April 27 meeting minutes until later in the meeting. 2<sup>nd</sup> by Glen.  
Passed unanimously.

As a courtesy review to Green Acres Woodlands (GAW), Tom Hahn was allowed to present an application for a lot line adjustment to confirm that it is complete. We will not vote to accept the application until our next meeting, June 29, 2016. Deb is an abutter to the property in question. This fact does not disqualify her from acting on this application because she has no bias. If there are objections from the public she would recuse herself.

Tom presented two maps outlining what the property lot lines are presently and then what the properties would look like if the lot line mergers and un-mergers are permitted on the properties in question. Several of the lots are under conservation easement some are not. Main purposes of the lot line adjustment as presented by GAW are attached. Lots 611, 721, 745 and 746 would all be merged to lot 6-1-1 as conservation easement under the Forest Legacy Project, appr. 736 acres. This would EXCLUDE 11.1 acres as outlined on the map which would be its own tax map parcel. After a lengthy and thorough explanation of all the lots involved, Deb asked that GAW explore future conservation plans for Map 7 Lot 26. Tom stated that GAW has been contemplating and exploring their options before moving forward but they are not ready to make a decision at this time.

Tom then presented a draft of the Road Use Agreement. The final draft will be ready by the Public Hearing on the 29<sup>th</sup> of June.

Tom was asked if he has a copy of your Conservation Easement to which he replied yes. DRED is the holder of the Conservation Easement and they are aware of the planned Lot Line Adjustment. Tom said they would be notified of the hearing but they have been given a heads up.

The PB will review the application on Jun 29 and hold a public hearing.

Madden Automotive has not submitted their application for site plan review to the PB. They must come before the board to review the application and then a Public Hearing will be scheduled. This could possibly take place at the June 29 meeting. The application would need to be submitted by June 14-15 to be considered.

Jim and Ruth Gaffey attended tonight as concerned neighbors for the Madden Automotive site plan review. They were informed by the PB that they would have to check the Town website or the publication in the newspaper for notice of the meeting. They can also call Sara, the Town's Administrative Assistant. Deb

explained the timeline and procedures for the Public Hearing regarding the site plan review. If we get Maddens Site Plan review in a timely fashion we will review it at the June 29<sup>th</sup> PB meeting.

It was decided that the Planning Board needs to have rules and procedures in place as to how applications are presented as well as for other issues. We will work on this at a future date. We lightly touched on the subject of increasing our budget for next year to include paying a secretary for both the Planning and Zoning Boards.

The Public Hearing for the Master Plan will not take place on June 29.

Minutes of the April 27, 2016 meeting were reviewed. Dave made a motion to accept them as written, Ray seconded. Passed unanimously. Glen abstained.

Update: No one from the PB will be attending the OEP conference this year.

Deb contacted the ZB regarding sharing the cost of mailing notice to residents for the upcoming Public Hearing on the Master Plan. She was told that they would only contribute \$50 to the appr \$200 cost of the mailing. Therefore Deb made a motion to NOT do a mailing for the June 13 or Public Hearing for the Master Plan. Russ 2<sup>nd</sup>. Passed unanimously.

The PB has agreed to share the Conservations maps that were prepared through State and Federal Grants to the NLRA. Deb contacted both Dan Sundquist and NLRA who prepared the maps using the Grant. Consequently there are restrictions on the use of the maps. Both Boyd Smith (NLRA) and Dan Sundquist have waived their proprietary interest in the maps both verbally and in an email to Deb.

Deb and Elizabeth will attend the NLRA Public Hearing in Groton on June 13.

Deb suggested that all of us review the Site Plan regs in anticipation of Maddens application and that we also review Lot Line Merger documents that she sent via email in reference to GAW's application. The process will be that we accept the application, review it, and decide if it is complete. If not complete they will be told what is lacking. If it is complete we may move directly to approve or disapprove the application at the same meeting. Deb will look at the RSA's to see if we can accept the application and then go to Public Meeting at the same time regarding the Site Plan review. Copies of the email will be downloaded and printed then left in the mailbox at the Town Garage for both Ray and Glen.

Ray handed out copies of a noise complaint by Colony of Forest Hills regarding David Sharp cutting of wood on Michael Madden's property at 115 N Groton Rd. The names of 10 residents supporting the complaint was submitted. Ray stated that at times the chain saw noise starts at 7 am and goes all hours, sometimes as late as 10 PM. He played a recording of the noise as heard from his house at 29 Forest Hills Road. Rays home is several hundred feet from the wood cutting operation.

The PB is limited as to what it can do about the situation. The issue being that he is not technically in business at that location. He does not have a lease for his location, doesn't pay rent, and has no telephone and no mailing address. The PB is very sympathetic to all of the residents complaint but in order to regulate him as a business we must find he is in business and then look at standardized criteria in order to do that. Deb will speak with NHMA to see if under case law that there are other criteria that we can look at to find he is in fact in business. If they provide us with that information Deb will bring it before the PB and we will ask him to come forth and he will have to get a Special Exception from the ZBA and then do Site Plan review with the PB.

The residents of Colony of Forest Hills would then be able to voice their concerns at the ZBA meeting if he asks for a variance. If it is found that he is not in business then our actions as a PB are limited. We can ask him courteously if he can curtail his hours. We have limited zoning in Groton so there is not much we can do because we don't have a noise ordinance. Glen pointed out that State law regarding logging and timber operations allows such use as he has.

Deb will put a notice in the paper and make sure notice is posted at proper places for the GAW Public Hearing on June 29<sup>th</sup>.

Motion to adjourn at 9:10 pm made by Dave, 2<sup>nd</sup> by Ray, passed unanimously.

Respectfully submitted by Elizabeth Jespersen