

Approved

- July 25, 2007** Mason Planning Board
- In attendance:** Dotsie Millbrandt, Chris Guiry (ex-o), Joe McGuire (alternate), Linda Cotter-Cranston (alternate), Jo Anne Carr (SWRPC)
- Absent:** Mark McDonald (chair), Pam Lassen, Bruce Mann
- Call to order:** In Mark's absence, Joe McGuire will act as chair this evening.
7:45 pm
- Next Meetings:** Regular meeting, August 29, 2007.
- Voting members tonight:** Joe, Chris, Dotsie, Linda

Old Business:

New Business:

Public Hearings:

07-01 Howard M. Turner, 10 Lot Subdivision and Lot Line Adjustment. Brookline Road, Tax Map F-38, F-38-1, F-38-2. Randy Haight of Meridian Land Services presenting.

Abutters present: Shawn Jodoin, Kirk Farrell, Doug Whitbeck.

The site walk was held on July 18. The new Town Engineer, Dennis LaBombard, was present with Mark McDonald and Pam Lassen on the walk. The Town Engineer has written a report. Items in the report include:

- Move existing leach field on the property line between lots F-38 and f-38-8.
- Is the re-grading of the intersection along Brookline Road is necessary? It will disturb stone walls. The lot corner boundaries will need to be reset by a licensed surveyor.
- The plan assumes that station 0+00 for Tom Pasture Drive is at the center of Brookline Road. It should be labeled.
- A street sign should be added to the plan, to be placed at the intersection with Brookline Road.
- The profile at the end of Tom Pasture Drive should tie back into the existing grade. The hammerhead turnaround should be made flatter to reduce the chance of someone sliding off the end of the road.
- The road is longer than 1000 feet; therefore a waiver from the Board will be required.

See the Town Engineer's report for the full list of 26 items.

Discussion begins regarding the length of the road, which is required to be no greater than 1000' in the Town of Mason Subdivision Regulations, paragraph 5.08.10. The board notes that a waiver for a road in excess of 1000' was requested by this applicant in a previous subdivision application for these parcels, and the waiver was denied (October 25, 2006). Mr. Haight contends that the regulations stating that a dead end road cannot exceed 1000' in length does not include the length of the turnaround, and that the length of the road without the turnaround

is less than 1000'. The board disagrees with this interpretation of the regulations, and states that the turnaround is part of the road, and the road cannot exceed 1000'.

Frontage calculation along the turnaround is the next point of discussion. The plan reserves space for a cul-de-sac as part of the road right-of-way, even though the turnaround that will actually be built is a hammerhead that is much smaller than the cul-de-sac. The frontage for the lots bordering the turnaround is measured along the edge of the cul-de-sac. This provides more frontage than would be available if measured at the hammerhead. However, the cul-de-sac will not be built, it only exists on paper. The subdivision regulations indicate that frontage should be calculated along the hammerhead, and specifies what parts of the hammerhead may be included in the calculation (Subdivision Regulations paragraph 5.08.11(e))

There is discussion about a relatively new RSA stating that wellhead protection radii should not extend beyond the property boundary. On some of the lots, the 75' well protection radius extends onto an adjacent lot in the subdivision by a few feet. A note should be added to the plan to make it clear that there are two wellhead protection areas for wells on properties adjacent to the parcels being subdivided.

The board points out that lots should intersect the road at substantially 90 degree angles (Subdivision Regulations paragraph 5.06 (f)). The lots do intersect the road at 90 degrees, but the property boundary does not continue at that angle for more than a few feet. This is most pronounced on lots F-38-6 and F-38-7. On lot F-38-6, the boundary makes a 90 degree turn about 20 feet in from the road. This does not meet the spirit or intent of the regulation.

The board points out that lot F-38-7 does not maintain 90% of the width of the frontage through to the building site (Subdivision Regulations paragraph 5.06.2(n)). Mr. Haight says there is a building site in the wider front portion of the lot. There is space for a 24' by 42' foot house within the building setbacks. The board indicates that is not in the spirit of the regulation. Mr. Haight said there is plenty of room in the back of the lot. The board points out that a shared driveway would be needed to access the back portion. A shared driveway would require a waiver from the board, because of a wet area. But if the applicant requested a shared driveway waiver to the back portion, then the back portion is the building site, and the lot does not meet the 90% width requirement.

Dotsie summarizes the areas where the application does not comply with the provisions of the Town Of Mason Subdivision Regulations, or does not comply with the intent of the provisions of the Town Of Mason Subdivision Regulations:

- The length of the proposed road exceeds 1000' in length, which is not permitted by the Town of Mason Subdivision Regulations, paragraph 5.08.10.
- The lot frontage for lots F-38-5 and F-38-6 is not calculated according to the provisions of the Town of Mason Subdivision Regulations paragraph 5.08.11(e).
- The intersection of the property boundaries with the road is right angles at the road (per paragraph 5.06(f)), but subsequently changes abruptly.
- Lot F-38-7 does not maintain 90% of the frontage width through to a suitable building site (Town of Mason Subdivision Regulations, paragraph 5.06.2(n)).
- The overall layout of lots is confusing. It will be very difficult for the owners of these lots to tell where their property boundaries are, and this may result in disputes and

encroachments that will need resolution by the Town. It is the board's responsibility to approve lots with good design that will promote harmonious development.

Dotsie makes a motion to deny approval to this application, based on the problems listed above. Linda seconds the motion. There is discussion on the motion. Mr. Haight suggests to the board that they seek the advice of town council. The board states that there are too many discrepancies with the Town of Mason Subdivision regulations. The board votes on the motion. Vote: Chris – vote to disapprove. Dotsie – vote to disapprove. Linda – vote to disapprove. Joe – vote to disapprove.

Approval of this application has been denied.

07-02 Estate of Bronson Potter, Lot Line Adjustment, Old Ashby Road, Tax Map G-82 and G-83. Bob Larochelle of the Conservation Commission presenting.

Abutters: None.

The Town now has title to the Bronson Potter Estate properties.

Drainage easements for maintenance of the two culverts on Old Ashby Road have been obtained.

Notes have been added to the plat:

- The parcel sizes have been clarified
- Lot G-82 is not in current use; lot G-83 is in current use
- There are to be no wetlands crossings constructed on the property
- There is to be no further subdivision of the property
- The parcels are not in the 100 year flood zone
- No well was found on the property

Joe makes a motion to approve this application. Chris seconds. Vote: Chris – approve. Dotsie – approve. Linda – approve. Joe – approve.

Adjourn: Joe makes motion to adjourn at 9:25 pm. Seconded. Approved.