

Approved

November 19, 2008 Mason Planning Board

In attendance: Chris Guiry (ex-o), Dotsie Millbrandt, Pam Lassen (acting chair), Bruce Mann

Absent: Joe McGuire (alternate, Linda Cotter-Cranston (alternate), Mark McDonald (chair, arrived 9:00)

Call to order: 7:45 pm

Next Meetings: December 3, 2008

Old Business: Approved minutes from October 29, 2008.

New Business: None

Public Hearings: None

07-08 Howard M. Turner, 9 Lot Subdivision and Lot Line Adjustment, Brookline Road, Tax Map F-38, F-38-1, F-38-2, newly created lots F-38-3 through F-38-8.

Randy Haight of Meridian Land Services presenting. Mr. Turner is also present.

Abutters present: Kirk Farrell, Shawn Jodoin, Howard M. Turner, Jr, Teri Parker, Dave Parker, Matt Chehan, Anita Crehan

Bruce recuses himself, stating that he is not familiar with the subjects being discussed.

This subdivision was approved on February 14, 2008.

Mr. Turner has submitted a letter describing a development plan. It lists a set of milestones and dates of completion to satisfy the RSA 674:39 requirements for "active and substantial" development and "substantial completion" of the subdivision. The letter also indicates when a bond will be posted and when building permits can be issued.

The board discusses Mr. Turner's development plan in regard to the town's requirements for road construction, maintenance and bonding, which are summarized here:

Town of Mason, New Hampshire

Developer's Road Construction and Maintenance Responsibilities:

- *The developer is the sole responsible entity for road construction and maintenance until the time that the road is accepted by the Board of Selectman.*
- *After the road has been constructed and the base coat of the asphalt surface has been applied:*
 - o *The developer is responsible for maintenance of road for a minimum period of two years.*

- o *If the developer posts a bond or passbook for a sum agreed upon with the Board of Selectmen, the developer can apply to the Building Inspector for building permits. The amount of the bond or passbook must cover the estimated cost of road maintenance and snowplowing for two years.*
- o *One year must pass before the final coat of asphalt is applied.*
- o *Two years must pass before the developer can apply to the Board of Selectman for acceptance of the road. Until the road is accepted, the developer remains responsible for maintenance of the road.*
- o *When the road is accepted, any unexpended bond or passbook monies will be returned to the developer.*

Lots F-38-1 and F-38-7 have frontage on both Brookline Road and Tom Pasture Road. These lots could be developed before the road is constructed.

Dotsie makes a motion to allow lots F-38-1 and F-38-7 to use temporary driveway access on Brookline Road while Tom Pasture Road is under construction. Once the base coat has been applied, the lots will use only the driveway cuts on Tom Pasture Road, and use of the driveway cuts on Brookline Road will be discontinued. Chris seconds. Pam – aye, Chris – aye, Dotsie – aye.

The board reviews Mr. Turner's plan in detail, adding estimated costs of maintenance and plowing to item #2, clarification of responsibility to item #3 to include the list of "Developer's Road Construction and Maintenance Responsibilities" described above, and clarification that the bonding and road acceptance is handled by the Board of Selectmen.

The board will produce a revised letter for the December 3, 2008 hearing. [[[See attached.]]]

06-12 David and Teri Parker, 4 lot subdivision, Brookline Road, Tax Map F-30-2. Tobin Farwell presenting.

Mr. Parker will give the town the deed to lot K-45 to satisfy the open space requirement, as agreed to in the hearing minutes of January 31, 2007. In those minutes, the lot was identified as K-44, approximately 5 acres.

The board will send a template for a developer's agreement to the Parkers.

Chris will find out if a bond is acceptable in lieu of a 4-year developer's agreement. Discussion to be continued on December 3, 2008.

Proposed Rules of Procedure

Reviewed. First page, #5, "recorder" instead of "secretary". 2nd page, meeting #2, time of posting and notification on board members 48 hours in advance. Page 3, Public Notice posting "and" newspaper. Joint meetings, "including the Zoning Board of Adjustment and Building Inspector." Each "entity" instead of "each board". E-Mail and Other Communications, formatting changes for readability.

NRPC Contract

On last hearing, it says 10:30 pm while the Rules of Procedure say 10pm. Change this to 10 to match. At top of contract, "last Wednesday of every month", "or other meeting date that is agreed upon".

Still looking for the town meeting minutes that authorized the CIP.

Floodplain Ordinance

Reviewed a new sentence defining 'new construction'.

Workforce Housing

Discussion about new state requirement to take effect July, 2009.

Adjourn: Chris makes a motion to adjourn. Pam seconds. Meeting is adjourned at 10:30.

ATTACHMENT: Proposed Revision of Turner Development Plan

- 1 Completed construction of the drainage/treatment swale within Lot F-38-8 at the common lot line of Lots F-38-8 and F-39, as approved by the Town Engineer, by the end of September, 2009 will satisfy the requirement of RSA 674-39-I.a as to beginning active and substantial development or building.
- 2 Prior to February 15, 2012, a bond or other surety to cover the costs of construction of road and drainage structures, plus the costs of maintenance and snow plowing for two years, shall be filed with the Board of Selectmen.
- 3 Construction of Tom Pasture Drive and the drainage systems within the subdivision, built to base coat pavement to the approval of the Town Engineer, together with a bond remaining in place to cover the remaining construction and cistern construction as may be approved and accepted by the Mason Fire Department by February 14, 2012, will satisfy the requirement of RSA 674:39-II as to substantial completion of the subdivision. The developer agrees to the following statement of responsibility for construction, maintenance and snow plowing of Tom Pasture Drive until said road is accepted as a town road by a vote of the Board of Selectmen:

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 - o *If the developer posts a bond or passbook for a sum agreed upon with the Board of Selectmen, the developer can apply to the Building Inspector for building permits. The amount of the bond or passbook must cover the estimated cost of road maintenance and snowplowing for two years.*
 - o *One year must pass before the final coat of asphalt is applied.*
 - o *Two years must pass before the developer can apply to the Board of Selectman for acceptance of the road. Until the road is accepted, the developer remains responsible for maintenance of the road.*
 - o *When the road is accepted, any unexpended bond or passbook monies will be returned to the developer.*
- 4 Lots F-38-1, F-38-7 and F-38-8 may be built upon after items 1 and 2 are completed. Lots F-38, F-38-2 through F-38-6 may be built upon after items 1, 2 and 3 are completed, and all upon proper application for building permits to the Board of Selectmen and Building Inspector.