

Sugar Hill Planning Board
May 5, 2010

Members: John Strasser, Arthur Chase, Chris Thayer, Jim Keefe, David Thurston, Amy Venezia

Guests: Greg Connors, Beverly Frenkiewich, Barbara Serafini, Harry Burgess

Vice Chairman Chris Thayer called the meeting to order at 5:30pm on Wednesday, May 05, 2010. On a motion made by David Thurston, seconded by Jim Keefe the minutes of the meeting from April 7, 2010 were moved to be approved and accepted. PASSED UNANIMOUSLY. On a motion made by Jim Keefe, seconded by David Thurston the minutes from the Special meeting on April 19, 2010 were moved to be approved and accepted. PASSED UNANIMOUSLY.

Voluntary Merger

Kate Burns Taylor and Barry Taylor
Tax Map # 213 Lot 4 & 5

Board members reviewed the voluntary merger. On a motion made by David Thurston, seconded by Jim Keefe the merger was moved to be approved and accepted. PASSED UNANIMOUSLY.

Barbara Serafini

Final Hearing - Continuation
Tax Map # 219 Lot # 57 and 27.111
Minor Subdivision

Vice Chairman Chris Thayer reviewed the concerns over this subdivision that have been expressed and discussed by Board members and abutters at the last public meeting. He explained that the Planning Board had a special work session in April for Board members to discuss this subdivision. He went on to state that its the Planning Board's job to act in the best interest of the community while keeping the master plan and character of the town in mind. Vice Chairman Thayer expressed that one of the concerns that has been expressed were the number of lots that have been created. He went on to state that in the future if bigger lots were desired the Planning Board would be open to discussing lot mergers.

It was noted that the checklist had been reviewed at the previous meeting and all requirements had been met. It was noted that at this time the taxes are not paid to date and this would need to be taken care of before filing if approved. Ms. Serafini stated that this would be taken care of if approval was granted. Harry Burgess, surveyor presented the plans to the Board and an opportunity for abutters to review was given. It was noted that the only change that had been made to the plan was the addition of note 7, which states -no further subdivision of the Homestead /Annex of lot 27.111 shall be allowed without approval by the ZBA and Planning Board. Abutter Greg Connors expressed

concerns about water that has been accumulating on his land and he is not sure where it is coming from. He asked whether these new lots that have been and are being created are being tested. It was noted that there has been a perk test done on the lot 2 and approval has been received by the State of NH.

The Board discussed the wording of note 7, which is different from what board members had agreed upon at the special meeting as a condition of approval. Ms. Serafini read the following statement prepared by her:

“I was advised you reviewed my subdivision application at a special meeting and requested me to add a condition that would preclude any further subdivision as a commercial property. I was concerned with this wording because I believe your request was actually concerned with the present commercial use and the required acreage involved. A different commercial use could require different acreage. Example: The use of this subdivision could change from hotel to office spaces or historical museum yet your wording would prevent that use. Also it could require different acreage. With the advice of counsel I changed the wording so the owner would not lose their legal right to a different commercial use than at present which I was advised would not be legal. It already has commercial designation and could change with approval of the Board. I do not believe the Board intended to preclude to a different commercial use. Only that the use have the required acreage accompanying it. The Board retains control, but it does not automatically deprive the owner of their legal right to have a different commercial use, as your suggested wording would have done.”

The Board discussed this change to the agreed upon wording at the special meeting and David Thurston expressed that he thinks the Board should get legal advice on this from the Town Attorney. John Strasser expressed that part of the hesitation of the Board has stemmed from a feeling the plans for the entire property have been pieced together 1 subdivision at a time without looking at a master plan from the beginning. Ms. Serafini stated that she does not like the hesitation of the Board on this matter as she feels that she has been very generous in the restrictions that she has put on these lots. She went on to state that she did not have a master plan in the beginning and that she is following the guidelines of the regulations of the Town and has followed everything the Planning Board has asked. She presented that Board a copy of the restrictions that she has placed on these new lots for the record. With some more discussion, Vice Chairman Thayer stated that he is comfortable making the motion and stated that the rewording of #7. On a motion made by Chris Thayer, seconded by Jim Keefe the subdivision was moved to be approved and accepted contingent upon taxes being paid to date and with the following wording noted in note 7:

No further subdivision on the Homestead/Annex Lot, Lot # 219.27.111, shall be allowed without approval by the ZBA and Planning Board.

PASSED UNANIMOUSLY.

It was noted that the Mylar would be signed at the June meeting and will not be recorded with Grafton County until all taxes have been paid to date.

Old Business/New Business

The Board discussed the need for nominations for Chairman and Vice Chairman are required for this year. On a motion made by Jim Keefe, seconded by David Thurston Chris Thayer was nominated for Chairman. PASSED UNANIMOUSLY. On a motion made by Chris Thayer, seconded by Jim Keefe David Thurston was nominated for Vice Chairman. PASSED UNANIMOUSLY.

With no more business, on a motion made by Arthur Chase, seconded by Jim Keefe the meeting was moved to be adjourned.

Submitted by:
Amy Venezia