

**TOWN OF TUFTONBORO
PLANNING BOARD
January 5, 2017
MINUTES**

Members Present: Chris Sawyer, Chairman, Jack Parsons, Vice-Chairman, Bill Marcussen, Selectmen's Representative, John Lapolla, Matt Young, Fenton Varney, Members.

Members Absent: Tony Triolo, John Cameron, Members.

Staff Absent: Lee Ann Keathley, Administrative Secretary.

Chairman Sawyer opened the meeting at 7:00 PM.

**I. Consideration of Minutes
December 15, 2016**

It was moved by John Lapolla and seconded by Fenton Varney to approve the December 15, 2016 Tuftonboro Planning Board minutes as submitted. Chris Sawyer, Fenton Varney, Tony Triolo voted in favor. Bill Marcussen, John Lapolla abstained. The motion passed.

II. Discussion Items

a. Emery Farm Estates Subdivision; Extension Request for Phases II & III

Chris Sawyer reviewed a letter from Scott Lawler, Norway Plains Associates, requesting an extension, on behalf of Robert and Jennifer Brennan, to meet the conditional approval for both Phase II and Phase III of the Emery Farm Estates Subdivision. She stated the applicant has requested the extension to allow the developer time to finalize the precedent conditions prior to recording the plans and starting construction. She stated the developer is positioning themselves to start construction of Phase II this upcoming spring with Phase III starting thereafter.

The Board discussed the request and agreed to grant a twelve month extension of the conditional approval for Phase II to January 16, 2018 and for Phase III to January 20, 2018.

It was moved by Jack Parsons and seconded by Fenton Varney to grant a 12-month extension of the conditional approval to Robert and Jennifer Brennan for Phase II (to January 16, 2018) and Phase III (to January 20, 2018) of the Emery Farm Estates Subdivision. All members voted in favor. The motion passed.

b. Zoning Ordinance; Section XI Local Regulation of Excavation

The Board reviewed Town Counsel's letter, dated 12/15/16, and agreed to the following changes;

- Strike "regulator" throughout Section XI and replace with "Planning Board"
- Strike "these regulations" throughout Section XI and replace with "this Ordinance"
- Section 11.3, Definitions; add as 1st paragraph; "For the purposes of this Section XI. Local Regulation of Excavation, the following definitions shall apply:"
- Section 11.6; add "shall require a permit" at the end of the sentence
- Section 11.7.A.,2); change "Section III" to "Section 11.3"
- Section 11.8; add "Except as provided in RSA 155-E:2, RSA 155-E:2-a and Section 11.7," at the start of the sentence
- Section 11.8.1; strike "for such purpose" and replace with "pursuant to RSA 155-E:11"
- Section 11.11.1, 1st sentence to read as follows; "Any owner or operator of an existing earth excavation area, that has filed a State of New Hampshire Department of Revenue

Administration Notice of Intent to Excavate in the two years prior to March 14, 2017 may continue operation subject to Planning Board Site Plan Review approval and issuance of a Permit to Excavate.”

- Section 11.11.6; revise to read as follows “Fines, penalties and remedies for violations of this Ordinance shall be the same as for violations of RSA 676:15, RSA 676:17, RSA 676:17-a and RSA 676:17-b.

It was moved by John Lapolla and seconded by Matt Young to move Section XI Local Regulation of Excavation to public hearing. All members voted in favor. The motion passed.

III. Informational Items

None.

IV. Public Comment

None.

V. Other Business

None.

It was moved by John Lapolla and seconded by Bill Marcussen to adjourn the January 5, 2017 Tuftonboro Planning Board meeting. All members voted in favor.

There being no further business before the Board, the meeting adjourned at 7:37 PM.

Respectfully Submitted,

Lee Ann Keathley

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