

**TOWN OF TUFTONBORO
PLANNING BOARD
September 21, 2023
7:00 PM
Tuftonboro Town Hall, 247 Middle Road**

MINUTES

Members Present: Gary Qua, Chair; Carol Bush, Vice Chair; George Maidhof, Member; Anthony Mirando, Alternate Member; Kate Nesbit, Member; Bob Murray, Selectman's Representative

Absent: Tony Triolo, Member; Jeff Reisner, Alternate Member; Laureen Hadley, Member; Matt Young, Alternate Member

Staff: Susan Burnside

Public: Ladd Eaton, Melvin Village; David Eaton, Melvin Village; Mark Smith, Melvin Village; Daune and Patricia Austin, Tuftonboro; Zina and Nicholas Hall, Tuftonboro; Jill Kenard, Tuftonboro; Sandra McGrath, Bethesda, MD; Joseph and Liz Peters, Bartlett; Rocky (Gerry) Holmberg, Tuftonboro; Tom Berry, Tuftonboro; Paul Blanc and Steve Oles, Norway Plains Associates

7:07 PM Call to Order

- I. Public Comment – none
- II. Gary asked for a motion to appoint Anthony Mirando to sit as a full member in place of Laureen Hadley who was not attending the meeting. Bob so motioned and Kate seconded. All were in favor and the motion passed.
- III. Approval of Minutes: The September 7, 2023 meetings were approved with changes as noted.
- IV. Public Hearings
 - a. Equanimity Builders 5-Lot Subdivision (Tax Map 14-2-39) 421 Governor Wentworth Highway

Paul Blanc, the engineer from Norway Plains Associates, presented an overview of the changes to the subdivision plan that were recommended by the Planning Board during the Preliminary Design Review at the August 3, 2023 Planning Board meeting. Paul re-designed the lots to make the space more usable and moved the intended location of the houses so they do not straddle zoning districts. Paul again stated that the existing structures (house, shed, small barn) will be demolished. A driveway permit application was submitted to the State DOT on September 18. Paul also noted that septic subdivision permit applications are being submitted to the state.

Paul discussed the requested waiver for the portion of the driveway that exceeds the 10% grade, as required by regulations. He described the layout and contours of the driveway noting that the steep portion that approaches 15% grade is very short and is bordered by sections less steep and areas that flatten out. They are asking for the waiver because they want to minimize disturbance of the land by conforming to the natural contours, rather than reducing the 15% grade for a short distance. The Fire Department reviewed the driveway plans, inspected the driveway and signed off on the plans, but asked for updated plans using criteria for the fire truck owned by the town rather than the specifications of another fire truck. Paul said he completed the updated plans and would email them to the Planning Board to be delivered to the Fire Chief.

A Site Visit was conducted just prior to the Planning Board meeting. Minutes of the Site Visit are available.

Gary asked for a motion to open the public session. George so motioned and Kate seconded. All were in favor and the motion passed.

David Eaton asked if each lot will have its own well. Paul responded yes; each lot has 1 well that will serve the 2 houses on each lot. Ladd Eaton raised a concern about the blind spot on the main road when exiting the current driveway and the speed at which cars travel on that area of the state road. John Rossi explained that the new driveway is being moved 60-80' up the hill, which will reduce the blind spot. John also mentioned that they have been in touch with the DOT about the line of site with and without snowbanks and that will be checked as part of the State Driveway application (submitted to DOT on September 18, 2023). Ladd Eaton recommended that the State DOT place a sign that warns motorists that there is a driveway where cars will exit onto the main road. Carol suggested that the steep part of the driveway may need to be paved rather than leaving it as gravel.

David Eaton asked about the type of rentals. Paul and John explained that these will be short term vacation rentals geared toward families. David asked whether the town has a short-term rental policy. Bob told him that the Planning Board is currently discussing this topic, but no policy currently exists.

Paul explained the location of parking and the size and number of parking spaces – 2 per house and 10x20' size. Paul also described the cisterns required by the Fire Department. Gary explained that any subdivision that has more than 7 houses requires a cistern system. The cistern will contain three (3) 10,000 gallon tanks that have capacity monitors and are routinely inspected by the Fire Department.

Ladd Eaton requested a walk around the cul de sac so he could get an idea of what it will look like. Paul agreed to place stakes around the cul de sac location so Ladd will be able to see the outline of the cul de sac. John and Ladd discussed the location and type of fence that would protect Ladd's privacy. The applicant discussed with Ladd Eaton adding a fence for privacy, this fence will be no higher than 8 ft and could extend approximately 200ft in length, additional shrubs and trees will also be added. The type of fence and exact location will be worked out by the home owner (Eaton) and the applicant Equanimity Builders. The direction of travel will be to the right side of the Cul de Sac as you drive in, a sign will be placed for direction. This will help to stop any car lighting from disturbing the Eaton property.

There were no more comments from the public. Gary asked for a motion to close the public session. Anthony so motioned and Carol seconded. All agreed and the motion passed.

Gary discussed the waiver requested to allow the 15% grade and noted that the Fire Department will determine if this is acceptable, as the grade must accommodate the approach angle of the Town Fire Trucks.

Gary asked for a motion to accept jurisdiction of the application. Anthony so motioned and Kate seconded. All were in favor and the motion passed.

Gary informed the applicants that the Town will engage an engineer from Horizons Engineering to conduct a 3rd party review of the plans (per Tuftonboro Subdivision Regulation 2.3.5 B – Special Investigative Costs - to be paid by the applicant). Horizons was asked about completing this review prior to the meeting and agreed to do the review. The application and materials will be delivered to Horizons the next day. Bob noted that there were some typos on the plans with respect to distances. Paul agreed to double check. Gary also noted that the 3rd party engineer will also verify numbers to ensure correctness.

Gary noted that the review of this application will be continued to the October 5th meeting when the results of the 3rd party review are available. Gary gave a preliminary outline of items that will be listed on the Notice of Decision. Gary informed the applicant that some of the items include the following:

- All State of NH and town of Tuftonboro Permits required but not limited to:
DOT road permits by State of NH connecting driveway to Gov. Wentworth Highway
- NH DES Septic Permit
- Other Permits: Fire Dept. Including Addendum D, Well release for all lots with the 75' radius encroaching another lot
- Monuments to be set and a Certificate of Monumentation submitted to the Planning Board
- Road must conform to Subdivision regulations 4.5.4 Street Cross Section Addendum B
- Performance Guarantee Addendum C including a Construction Observation Agreement
- 4-year exemption regulation 2.3.9, Active and Substantial development or building has begun. Active shall be road completion, wells, septic, and clearing
- A protective Covenant requiring the applicant to provide snow plowing and road maintenance

These items will be finalized at the October 5th meeting.

Gary asked for a motion to close discussion of this application. Anthony so motioned and Kate seconded. All were in favor and the motion passed.

b. Austin 2-lot Subdivision (Tax Map 66-2-69):

Steve Oles of Norway Plains Associates presented the application from Daune and Patricia Austin for a 2-lot subdivision at Middle Road and Sandy Knoll Road. This is a simple subdivision and both lots have frontage on Middle Road. Currently, the Austins are completing the construction of their house on the lot, which after the subdivision will be a 2.67 acres lot. The second lot will be 7.49 acres. Both lots are viable for well and septic, per Dan Coons, the soil scientist. The Austins currently have their well and septic in place. There are no wetlands identified on this lot per the soil scientist.

Gary asked about the dotted line representing a road on the plan. Steve explained that this is a gravel road that is no longer used to access the former gravel pit, which is closed. Gary asked that the dotted line be removed from the plan and a new plan submitted to the Board.

Gary asked for a motion to open the public session. Anthony so motioned and Kate seconded. All were in favor and the motion passed.

Daune asked about filling the big hole on his property that was supposed to be filled when the lot was sold to him. Gary stated that the hole must be filled in within 30 days as it is a safety issue. The hole in subject is to the east side of the house and is to be completely filled and smoothed out and all other areas around it that are disturbed shall be smoothed out. Wood chips shall be added to stop rain/water erosion. The hole currently represents a possible safety issue. The applicant shall have 30 days to correct (Oct. 21, 2023).

Gerry Holmberg (son of previous owner) agreed that the hole would be filled within 30 days as specified by the Planning Board.

Bob asked about the “big black dot” on the plan that is not explained in the legend. Steve explained that it represents a very large pine tree. Bob asked that it be removed from the plan. Steve agreed.

There were no more questions from the public. Gary asked for a motion to close the public session. Kate so motioned and Anthony seconded. All were in favor and the motion passed.

Gary asked for a motion to accept jurisdiction of the application as the application and checklist are complete. Carol so motioned and Kate seconded. All were in favor and the motion passed.

Gary enumerated the items that will be included in the Notice of Decision as follows:

All required State and Town permits including a driveway permit from the Town, Fire Department final sign off, Completion of hole filling within 30 days including filling and grading of edges and finalizing with woodchips (deadline October 21, 2023), submission of updated plan with dotted line and black dot removed.

Gary asked for a motion to conditionally approve the application with the above conditions. George so motioned and Carol seconded. All were in favor and the motion passed.

Gary asked for a motion to adjourn the meeting. George so motioned and Bob seconded. All were in favor and the motion passed.

The meeting adjourned at 9:00 PM.

Respectfully submitted by Susan Burnside