

PLANNING BOARD

Monday, June 27, 2005
Belmont Corner Meeting House
Belmont, New Hampshire

Members Present: Chairman P. Harris; J. Pike, G. Flack, W. Peterson, C. Patten, J. Marden and R. Caldwell.
Alternates Present: C. Shibles.
Alternates Absent: C. Gilbert.
Staff: C. Daigle, R. Ball and E. Murphy.

The chairman opened the meeting at 7 p.m.

PUBLIC HEARING – DURRELL MOUNTAIN ROAD L.L.C: Continuation of a request for a Boundary Line Adjustment approval. Properties are located on Durrell Mountain Road & Rogers Road, Tax Lots 214-012 & 214-009 in the “R” Zone. PB # 0905

The chairman explained that late today they received confidential information from Town Counsel regarding this application. The Board has had a chance to review the information and must decide if they will release this information to the applicant.

MOTION: J. Pike moved to release the confidential information to the applicant.

The motion was seconded by C. Patten and carried. (7-0)

The applicant received a copy of counsel’s opinion. The chairman asked Mr. Warren if he would like some time to review counsel’s opinion while the Board continues with the next two applications. Mr. Warren agreed to take time to review the information and allow the next two applications to proceed.

PUBLIC HEARING – PUBLIC SERVICE OF NEW HAMPSHIRE: Proposal to trim and remove trees and brush adjacent to and beneath its power lines running along a designated “Scenic Road” known as Cotton Hill Road. PB # 1505

Mr. Bruce Fosburgh from PSNH explained that they need the town’s permission to do work on a designated scenic road. They are planning to trim the trees along the power lines. J. Marden wanted to know if they plan on working with the individual landowners. Mr. Fosburgh stated they need permission from the individual land owner as well as the town. W. Peterson wanted to know how long they would need the permit for. Mr. Fosburgh stated that they usually are good until December 31st. This would give them time to contact the landowners especially the absentee landlords. They hope to complete the work in the fall.

The chairman asked if anyone in the audience had any questions or comments. Mr. Sweeney stated that

he is in favor of the proposal. There being no more comments the chairman closed the public hearing.

BOARD'S ACTION –PUBLIC SERVICE OF NEW HAMPSHIRE:

MOTION: W. Peterson moved that PSNH be granted a permit to trim and/or remove trees along the entire length of Cotton Hill Road in Belmont under the terms of RSA 231:158 on the following conditions:

1. Permit shall remain in effect until 12/31/05.
2. Work shall progress as represented during the public hearing and in the written submitted documents.
3. Payment of noticing cost of \$125.

The motion was seconded by R. Caldwell and carried. (7-0)

PUBLIC HEARING – ROBERT GEBO: Request to extend a Boundary Line Adjustment approval for one year (6/23/06) to transfer 1.86 acres from Tax Lot 235-072 to Tax Lot 236-005, 1.15 acres from Tax Lot 235-072 to 236-006 and .058 acres from Tax Lot 235-072 to 236-007. Property is located at 298 Depot Street and 15 & 17 Gebo Way, in the "I" Zone. PB # 1705

Mr. Robert Gebo presented the application.

Mr. Gebo stated that he needs to refinance his property and he can't do that until next spring. That is why he needs to extend the approval until next year. C. Daigle explained that there have been no changes to the regulations that would affect this application.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

BOARD'S ACTION – ROBERT GEBO:

MOTION: J. Marden moved that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by 08/31/05 subject to extension or waiver.

The motion was seconded by R. Caldwell and carried. (7-0)

MOTION: J. Marden moved that the application to extend the previous approval be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with prior to plan being recorded:

1. The extension is to 6/23/06.
2. Transferring deed drafts to be reviewed/approved by Town.
3. Transfers require mortgage releases (paid taxes/fees).
4. Compliance hearing shall be held by Board as necessary.

General conditions to be complied with subsequent to plan being signed and decision recorded:

5. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by G. Flack and carried. (7-0)

PUBLIC HEARING – DURRELL MOUNTAIN ROAD L.L.C.: Continuation of a request for a Boundary Line Adjustment approval. Properties are located on Durrell Mountain Road & Rogers Road, Tax Lots 214-012 & 214-009 in the “R” Zone. PB # 0905

The chairman asked Mr. Warren if he had enough time to review counsel’s opinion and if he wanted to continue with the application tonight. Mr. Howard agreed to continue with the application.

Mr. Warren stated that he has read counsel’s opinion and would like to present the Board with exhibits that support his argument that road frontage and access do not have to be one in the same. P. Harris stated that he is concerned that the remainder of land not be falsely portrayed. He is concerned about the safety of vehicles accessing the lot.

Mr. Warren stated that they are not trying to misrepresent the land. He presented notes used on a previous Durrell Mountain Road LLC subdivision plan that stated “development occurring on Class VI Highway requires compliance with and is dependent upon approvals required under RSA 674:41”. This was part of the conditions of approval for that plan. He used this example to show that they are not planning on misrepresenting the property. This plan is recorded and should be taken into consideration and the issue of municipal liability should not be an issue.

He presented the Board with the section of the zoning ordinance for a pre existing nonconforming lot that may be use for building purposes that states “the lot has a minimum of 20’ frontage as defined by this ordinance.” The town’s definition of frontage is “the distance along a lot line on a Class 1 or 2 State Highway, or a Class 5 Town street or an approved private street.” The State’s definition of frontage “means that portion of a lot bordering on a highway, street or right-of-way”. He stated that neither the Town’s or State’s definition state that frontage and access have to be synonymous with each other. Mr. Howard used a 1983 plan to show that the lot had 1654’ of frontage on a class 6 road and that the driveway access shown on the plan. The frontage and driveway access has been shown on subsequent plans. He also presented the Board with the 1985 letter from the Board of Selectmen where they authorized the issuance of a building permit for a single family home. The physical access to the property has been there for 20 years.

Mr. Warren explained that the question about access/frontage came as a result of the May staff report from R. Ball. R. Ball interprets RSA 674:41 to require that in order to get a building permit the frontage must be

on “the street giving access to the lot upon which such building is proposed.” Mr. Warren explained that staff’s interpretation is incorrect. There are five types of road that can be used for access. The street giving access to the lot

- Shall have been accepted or opened as, or shall otherwise have received the legal status of, a class 5 or better highway prior to that time.
- Shall correspond in its location and lines with:
 1. A street shown on the official map; or
 2. A street on a subdivision plat approved by the Planning Board;
 3. A street on a street plat made by and adopted by the Planning Board; or
 4. A street located and accepted by the local legislative body of the municipality, after submission to the Planning Board; and in case of the Planning Board’s disapproval, by the favorable vote required in RSA 674:40;
- Is a class 6 highway.
- Is a private road.
- Is an existing street constructed prior to the effective date of this subparagraph and is shown on a subdivision plat that was approved by the local governing body or Zoning Board of Adjustment before the municipality authorized the Planning Board to approve or disapprove subdivision plats in accordance with RSA 674:35, if one or more buildings have been erected on other lots on the same street.

He also stated that RSA 674:41 states “the street giving access to the lot means a street or way abutting the lot and upon which the lot has frontage. It does not include a street from which the sole access to the lot is via a private easement or right of way, unless such easement or right of way also meets the criteria set forth in subparagraph I(a), (b) or (c).

The second item on the staff report was the zoning ordinance intent to do the same. Mr. Warren used case law *Belluscio v. Town of Westmoreland* as a similar situation. The plaintiffs wanted a building permit for a single family house on their lot, which accessed a class 5 highway via deeded right of way. The courts decision dismissed the town’s contention that “access” is synonymous with “frontage” Had the legislature intended to require frontage on a class 5 or better highway, it could have drafted the statute to include that condition. We will not insert into a statute words that the legislature has not chosen to include. Mr. Warren stated that State and Local law does not state that access have to be frontage. In the case of *Hannigan v City of Concord* it was determined that although the strip of land where the driveway is to be located is only 100’ wide the club has well over 200’ of continuous frontage along the main road. There is no condition in the ordinance that the access point be located at the point of the claimed frontage. Mr. Warren stated that they have frontage on a class 6 road and are willing to sign a waiver for municipal liability.

Mr. Warren submitted an old subdivision plan for Mary Roeder farm. There was discussion at that time about the frontage but the plan was not approved but it is same situation. He used the Seavey Road Development subdivision plan which shows access over Summit Road. The discussion was that if the ROW is on the plan then it can be used. He used the tax map to show a lot on Middle Rte which has frontage on a class 5 road and access on a class 6 road Old Rogers Road. Durrell Mt LLC plan was for a 2 lot subdivision and the small lot sold and house was built on it. They applied and received approval for that lot. The Durrell Mt LLC lot

lot is 16.5 acres and they want to do the boundary line adjustment to give the Sanborn Farm LLC frontage on Durrell Mt. Road. The soils showed that they could not access thru the back road. They received a waiver of municipal responsibility. The Board has allowed access off class 6 roads with frontage on class 5 roads. There is nothing that states that frontage equals access. He has provided three examples where the Board has given approval for frontage that is different than access.

Mr. Warren suggested that the Board table the application in order for them to absorb all the new information presented tonight. P. Harris agreed that there is a lot to absorb and he needs some time to do that. C. Daigle stated that the Board could review the new information and/or send it town counsel to review and then send it to the applicant's attorney if deemed necessary.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

BOARD'S ACTION – DURRELL MOUNTAIN ROAD L.L.C.:

MOTION: J. Pike moved to table the application until July 25, 2005 at 7 PM to give the Board and Counsel time to review all the information.

The motion was seconded by C. Patten and carried. (7-0)

PLAN SUBMISSION MEETING AND PUBLIC HEARING – BBE REALTY, LLC: Request for open space Subdivision approval to subdivide one lot into 38 lots. Property is located off Sargent Lake Road, Tax Lot 238-004 in the "R & RS" Zones. PB # 0705

Atty. Steve Nix and Mr. Richard Gagne presented the application. Mr. Bryan Bailey and Mr. Tom Selling were also present.

Atty. Nix stated that the application was not accepted at the last meeting because the fire plan was not in place. The fire plan is now in place. He has received approval from the fire department for the rest of the existing subdivision. They will have residential sprinkler systems and not a cistern. J. Marden wanted to know how the residential sprinkler system will work. Mr. Gagne stated that the system will not be called in directly to the fire station. There is a small cistern in the each basement that will apply water to the fire. J. Pike wanted to know if there is a back up system in case the electricity goes out. C. Daigle stated that the system is approved by the fire department and meets NFPA requirements. Mr. Gagne stated that the system is designed to allow people to get out of the building. Atty. Nix stated that a residential development does not require that the fire department has to be informed of the fire when the alarms goes off. J. Marden stated that he prefers that the fire department doesn't get notified every time an alarm goes off because there are many false alarms.

BOARD'S ACTION – BBE REALTY, LLC:

MOTION: G. Flack moved that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be

requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by August 31, 2005 subject to extension or waiver.

The motion was seconded by C. Patten and carried. (6-0-1) J. Pike abstained.

The chairman opened the Public Hearing for BBE Realty.

Atty. Nix used a power point presentation to outline the proposal. . He explained that this is an open space residential development. The loop road eliminates the need for excess road. It improves property values because of the large undeveloped lots. They are preserving valuable open space, forest and wetland complexes which are surrounded by brooks. They are preserving the wildlife habitat areas and are avoiding development of slopes and wetlands. The road is at an 8% grade. The development is designed to promote the rural and village character. The lots are laid out in sections that create smaller neighborhoods in the development. The homes will be located away from the open space. Large connected open spaces allow for recreational trails. The frontage needs are met. More than 50% of the open space is buildable. Following the criteria for cluster development they would be allowed 50 lots and they are proposing only 43. Six lots are already developed and tonight they are only proposing 37 lots. Atty. Nix outlined the sequence of development. The homes are on small lots away from the open space. The septic and well locations will be determined for each lot. The road alignment will be driven by the town's regulations. The trail system will be dictated by the home owners association. Ownership and maintenance of common land will be by a home owners association. They will create a Board of Directors, set a budget and fees. Membership in the Association will be mandatory and the Association will have the ability to lien property. The trail system is at the discretion of the home owners. Forestry practices will be followed. The declaration restrictions will be determined at a later date. The common area can be used by home owners for overlaying of the well radius. The road will initially be maintained by the association and then they will petition the Board of Selectmen for acceptance. There will be no sidewalks or lights because they want to maintain the rural character and sidewalks would interfere with winter road maintenance. Mr. Gagne stated that the mail delivery is currently out on Brown Hill Road. He has talked to the Post Master and they will remain there until the road is accepted by the town. Bus stop issues are being discussed with the school district. There was discussion on having a shared bus stop and mail box area in the future. The utilities will be on site water and septic. Letters of intent have been received from PSNH, Metrocast and Verizon. The road design is according to town standard to accommodate emergency vehicles. The power lines will be overhead on the road and underground to the homes. BCCD has reviewed the road and drainage plans. The original design has been approved by NHDES Site Specific. Based on the BCCD engineer report they expect no changes to the road design and minimal changes to the drainage design. Some additional stone at pipe outlets and some increase in stone size. There is a possible increase in culvert sizing.

Atty. Nix stated that the Economic Impact Study estimate is \$9000. He wanted to know what the town is looking for. Are they looking for a housing study which the town is already doing. Should each development pay to have these studies done or could the cost be divided among the developers instead of having each developer repeat the same study. His client is willing to contribute \$3000 towards the housing study. The traffic study for Brown Hill Road that was done in 2002 showed 1,200 cars per day. 37 lots at 10 trips a day would equal 370 trips which is low volume and no additional off site work is necessary. They recommend a 30mph speed limit and a stop sign at the intersection of Aiden Circle and Sargent Lake Road. The sight distance for all

the driveways meets or exceeds the 300' sight distance requirement. The existing condition plan shows the new houses and driveways on the plan. There is a temporary easement for the current cul de sac. The easement will be released. The developer wants the plan recorded before road construction begins. They will be posting a letter of credit or bond for the development. They are requesting the issuance of building permits prior to completion of road but no certificate of occupancy before the base course of road is down. In-Law apartments haven't been addressed but they will have to meet zoning regulations.

J. Pike stated that at the last meeting Mr. Gagne stated that the build out would probably be five homes a year. Atty. Nix stated that Mr. Gagne doesn't want to put a restriction on the build out. J. Pike wanted to know why they do not have a couple of cul de sacs of the road during construction so that vehicles can turn around without having to turn around in driveways. The cul de sacs wouldn't have to have asphalt but could be gravel. C. Daigle stated that they could have hammer head for turnaround and emergency vehicles. Atty. Nix stated they would think about it and come back to the Board.

J. Marden wanted to know where the bus stop is. Atty. Nix stated that it is on Brown Hill Road. Ideally they would like to have the bus go into the development. J. Pike had concerns about the mail boxes. Mr. Gagne stated that he has talked with the post office and has signed a letter that he would maintain the road to have the mailboxes at the end of Aiden Circle but they will not change the location until the road is accepted by the town. C. Daigle suggested a central mailbox at the end of Aiden Circle along with the bus stop.

P. Harris stated that creating 43 lots is not part of the rural character. He feels that this creating a neighborhood that people will spend a lot of their time in and sidewalks and lightings are major concerns. He also stated that this development should pay their fair share for improving Brown Hill Road.

The chairman asked if anyone in the audience had any questions or comments.

Ms. Karen Gilbert, an abutter, had concerns about the location of the bus stop and the mailboxes. Traffic coming from Rte 106 to Rte 107 has to keep alert because of the sharp corner in that area. Having the mailboxes and bus stop at the corner of Sargent Lake Road is a safety issue. Ms. Gilbert also wanted to know why redesigning the open space is not an issue. C. Daigle stated that the attorney is checking into it but they are increasing the open space area and it is a minor configuration adjustment on where it is located. Atty. Nix explained that the issue is vesting for the original 11 lots. They have rights to whatever open space is created in the future. When this plan is recorded they will have the same rights as originally.

Ms. Gilbert wanted to know if the original 6 & 11 lots are going to belong to the Association or would it just be the ones in this proposal. Atty. Nix stated that there is a declaration for phase one that gave the 11 lots rights to the common land. The 6 new lots have to join the association. Ms. Gilbert wanted to know if there is a noise ordinance in Belmont. C. Daigle explained that the applicant should provide hours of operation during construction.

C. Daigle wanted to clarify that the applicant has offered to pay \$3000 for the housing study and an additional \$3000 for the traffic study. Atty. Nix stated that they were because it is better than having developers having to do individual studies to compile the same data. The underlying data base can be shared with other

developers. Sharing the expense for studies is a good idea as long as the other subdivisions come together in a timely manner. C. Daigle stated they could go to Mr. Russ Thibeault to determine the cost of a base study and what the cost would be to for each developer to move forward. The Board discussed having a traffic study done because a number of proposed subdivisions are located in that area.

Mr. Dennis Zielski had concerns about the increase in the traffic count and increase in the number of students. Mr. Jonathan Powell stated that he also has concerns for the impact at the intersection and the increase number of children in the school system.

The chairman asked if anyone in the audience had any more questions or comments. There being none, he closed the public hearing.

MOTION: J. Pike moved to table the application to July 25, 2005 at 7 PM.

The motion was seconded by C. Patten and carried. (7-0)

OTHER BUSINESS:

A. Informal Discussion – James Coviello.

Mr. James Coviello explained that he owns land on Durrell Mountain Road tax lot 212-067. Last year they subdivided the property into three lots. The remaining lot has about 45 acres. He wants to have a recreational campground on that lot, which meets the zoning requirements. J. Marden wanted to know what kind of campground it would be. Would the sites be for weekend tents or built camp structures? Mr. Coviello stated that the property is part of the trail system and he would like to have a seasonal campground where snowmobilers could spend weekends. He would also like to build some cabins for rentals. This would be a seasonal campground with no permanent residences. J. Marden stated that seasonal campgrounds have to shut down for a certain time frame. C. Daigle stated that cabins are not allowed in campgrounds. Hotels, motels and bed and breakfasts are allowed in the rural zone by special exceptions. P. Harris has concerns about the rights of the people in the area with a large number of tents in the area and the noise associated with them. R. Caldwell wanted to know if the sites would have sewer and water. Mr. Coviello stated that they would be pull through sites. He explained that he has walked the land with his soils and wetland scientists to determine where the best area is for bikers, hikers and horses. By having seasonal sites he can control the tenants that they have. J. Marden wanted to make sure that Mr. Coviello understood that he has to go the Zoning Board for approval to have cabins. Mr. Coviello stated that he understood that. W. Peterson said that the end of Durrell Mountain is a bad intersection with lots of accidents. 40' trailers would have a lot of trouble making that corner. Mr. Coviello stated that they had a lot of large trucks making deliveries to the site and they haven't had any problems with the corner. C. Daigle stated that the town has had problems with people living in seasonal campgrounds all year long. She also informed Mr. Coviello that one of the Planning Board's projects is to work on campground regulations. She suggested to Mr. Coviello that he might want to look at them before he comes to the Board with a formal application. J. Pike wanted to know what is going to happen to the campground if the trail is closed. Mr. Coviello stated that he is realistic and it will be just a seasonal campground. J. Pike stated that he does not think it is conducive to that

area. P. Harris stated that tenants in winter claiming residency becomes an enforcement issue. The Board needs to be concerned about the impacts to surrounding areas and wetlands as well as the safety of abutters.

B. Design review plan discussion – Terra Firma Real Estate: Discussion for a 44 lot cluster subdivision (36 new lots). Property is located on Upper Parish Settlement Drive, Tax Lots 226-11, 226-12-001, 226-012-002, 229-053 & 229-053-001 in the “R” Zone. PB # 1605.

Jim Bolduc presented the proposal. He explained that this is his second visit, last month they were in front of the Board for a conceptual. The property is located off Upper Parish Settlement in the rural zone. The rural zone requires 3 acre lots with 100’ frontage which they meet. There was a previous subdivision approval in 1989 for this property that was revoked after a small amount of work was done. There are eight lots off Bennington Road that were built and recorded. There is one vacant lot at end of cul de sac. They are trying to retain the open space and the ROWs that were recorded in 1989. The existing land owners have rights to the ROW and open space. They are not altering the two open space lots on the side of Upper Parish Settlement Drive. They are planning on increasing the number of lots to 43 including the original 8 that are on Bennington Drive. They will be increasing the amount of open space area. Tax map 226-011 is added to the open space adding another 6.2 acres. He explained that the open space will be owned by the individual homeowners with easement rights to use the common land. The use will include passive use only, walking and hiking no wheeled vehicles or snowmobiles. Access to drainage area will be determined on a case by case basis. There will be no covenants. The previous association bylaws will stay in place. Mail delivery will be in front of the individual residences. The bus stop will be determined by the school district. The density was based on the recorded 1989 plan. No sidewalks are proposed unless required by the Planning Board. Additional plans and reports will be provided with the formal application. Cisterns will be provided as designated by the Fire Chief. Maintenance equipment will be stored throughout the site during construction. Lots will be serviced by individual wells and septic systems. Utilities will be underground where feasible. Independent review and studies will be done as required by the Board. Twelve of the proposed 36 lots will directly abut the open space. The exact location of the homes will be determined by the soils conditions and wetlands. Project is estimated to take three years for the final home delivery and top coat of pavement. The project will not be done in phases. They want to record the plan before the first closing and occupancy permits prior to completion of road infrastructure. They are willing to bond any improvements not completed at an agreed upon schedule.

J. Pike wanted to know if there are any plans to move the snowmobile trail. Mr. Bolduc stated that existing trail system will not allow any wheeled vehicles and will be reserved for the common area for residence. They have no plans to build or add onto the existing trails. R. Caldwell wanted to know if they were eliminating the trail system. Mr. Bolduc stated that the trail system go where houses will be built and they will be eliminating the trails.

J. Marden asked if 12 lots will abut the open space where is the access for the other lots? Mr. Bolduc stated that it is through the existing ROW. He stated that the existing trail system could have potential problems with wetland. A lot of the trails are running through jurisdictional wetland. P. Harris stated that he is concerned about wildlife in that area losing their homes. He also stated that lighting and sidewalks are safety issues. J. Pike stated that at the last meeting they represented that they were willing to work with the

town, ATV club and snowmobile club regarding the trails.

Mr. Macomber has concerns about Upper Parish Settlement Drive going through the wetlands. P. Harris stated that soil scientist will have to do a report on the area. Mr. Macomber stated that he was told they could not have access across that area and now they can.

Mr. Richard Gilbert has concerns about the road extending out to Rte 107. He wanted to know what happens to his well when the road goes through his driveway. P. Harris stated that they can't go through his driveway except to take care of the drainage and wetlands. Mr. Gilbert stated that the road goes through his lot. P. Harris suggested that he get pictures and keep records that note any changes to his property. J. Marden stated that they will have to get permits to cross the wetlands. Mr. Gilbert noted that the snowmobile trails will be gone and the trails are part of benefits of that area. He wanted to know if there is a code that regulates the distance between a well and the road. C. Daigle stated that there are no local setback requirements for the distance the road has to be from a well but they are responsible for any runoff.

Mr. Bolduc stated that they are willing to do an impact, traffic and housing studies. He suggested that the first developer before the Board pay the full cost of the studies and the future developers reimburse him for a portion of that study. C. Daigle stated that she has contacted other towns who have tried this method and they do not recommend it. Mr. Bolduc wanted to know if the Board would allow him to use the 60/40 split for open space as approved in the previous subdivision as the plan was recorded. The open space would conform to the ordinance at that time. The Board instructed staff to compare today's ordinance with the ones that were in effect in 1989. The applicant has to comply with the current ordinance.

The chairman explained that it is the Board's policy not to begin new applications after 10 PM.

MOTION: J. Pike moved to table the Design Review for Winnisquam Marine outdoor boat trailer parking until July 11, 2005 at 7 PM due to the lateness of the hour.

The motion was seconded by C. Patten and carried. (7-0)

MOTION: J. Pike moved to table the Design Review for Winnisquam Marine a boat storage building until July 11, 2005 at 7 PM due to the lateness of the hour.

The motion was seconded by C. Patten and carried. (7-0)

MOTION: J. Pike moved to table the Design Review for Amily Management LLC discussion for a 24 lot cluster subdivision until July 25, 2005 at 7 PM due to the lateness of the hour.

MOTION: J. Pike moved to table the Design Review for Johngis Realty LLC discussion for a 47 lot cluster subdivision until July 25, 2005 at 7 PM due to the lateness of the hour.

The motion was seconded by C. Patten and carried. (7-0)

BOARD'S ACTION-MINUTES:

MOTION: On a motion by G. Flack, seconded by C. Patten, it was voted to approve the minutes of the May 23, 2005, meeting as submitted. (5-0-2) J. Marden and R. Caldwell abstained.

MOTION: On a motion by G. Flack, seconded by P. Harris, it was voted to approve the minutes of the June 13, 2005, meeting as submitted. (3-0-4) J. Pike, R. Caldwell, C. Patten and W. Peterson abstained.

STAFF REPORT:

A. CONCORD STREET SIDEWALK:

C. Daigle reminded the Board of the joint meeting with the Board of Selectmen on July 11, 2005 concerning the Concord Street sidewalk project.

B. ALICIA SEGALINI AND MARK MOONEY TAX LOTS 244-028 & 244-029:

The chairman signed the Segalini/Mooney boundary line adjustment.

C. LINDA, DALE & NANCY MOULTON TAX LOT 240-010:

The chairman signed the Moulton subdivision plan.

ADJOURNMENT:

MOTION: On a motion by C. Patten, seconded by W. Peterson, it was voted unanimously to adjourn at 10:32 p.m. (7-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant