

**TOWN OF CAMPTON
PLANNING BOARD
MEETING
MAY 13, 2008
MINUTES**

The Planning Board met this date with Stuart Pitts, Chairman, Greg Jencks, Secretary, Charles Brosseau, Jane Kellogg, Chris Kelly, Kelly Bolger, Alternate and Marsh Morgan, Ex-Officio.

Stuart Pitts opened the meeting at 7:30 PM.

First on the agenda, the Minutes for the April 8, 2008 meeting. Charles Brosseau made a motion to approve the minutes for the April 8, 2008 meeting. Marsh Morgan seconded the motion. The Planning Board voted in affirmative, unanimously.

Next on the agenda, the Work Session Notes for the May 6, 2008 meeting. Charles Brosseau made a motion to approve the Work Session Notes for the May 6, 2008 meeting. Marsh Morgan seconded the motion. The Planning Board voted in affirmative, unanimously.

Next on the agenda, Robert and Barbara Sullivan a two lot subdivision off NH RT 175. The Sullivan subdivision does not have the state subdivision approvals, so the meeting will be continued until the June Planning Board meeting.

Next on the agenda, Greg and Cindy Jencks a two lot subdivision off Cindy's Lane. Greg Jencks stepped down, as a voting Planning Board member, for this subdivision, and Kelly Bolger will be the voting member for this subdivision. John March, Greg Jenck's representative/surveyor, had a prior commitment and was not able to attend the meeting, so Greg Jencks will represent himself for the subdivision. The Jenck's wish to subdivide their property on Cindy's Lane into two lots, Lot A with 5.07 acres and Lot B with 9.12 acres. The Jencks currently reside in the house which will be situated on Lot B. Greg showed the Planning Board the two lot subdivision map showing the Wetland Scientist stamp and showing that the lot is over five acres. Melissa Tuchon said that they were told that it would be an eleven lot subdivision only and this is what was stated in covenants for the subdivision. Greg Jencks said that the covenants were exempt on Lot 11. Darlene King-Jennings said that Greg said that he was not going to build on Lot 11. Kelly Bolger asked Darlene King-Jennings if she was an abutter to Jenck's subdivision. Darlene stated that she was a Campton citizen and was allowed to participate in a public meeting. Larry and Rachel Prentice stated that they had water in their yard, and the soil was very wet. They feel that the water is coming from Greg's lot. Larry said that he had asked Greg to divert water towards his well, when he was having problems with his

well. He later found out that his problems with the well were related to the pump. Larry and Rachel wanted to know what Greg was going to do about the water drainage problem. Greg stated that he would re-direct the water to where it had been if the Prentice's thought it would help the situation. Larry was also concerned about the ditches and the erosion on Cindy's Lane. Melissa Tuchon said that she thought that the fill that Greg was putting in this winter had diverted the water. Jane Kellogg said that she had made a site visit to the property, and what Greg was filling in was not in the area in question. Greg said that the Wetland Scientist has made four visits to the property and had flagged the wetland areas. Mr. Anderson wanted to know if the Wetland Scientist had made notes of his visits and if Greg had them. Greg said that the Wetland Scientist would have the notes, and could be available. Mr. Anderson wanted to know if the State had made a site visit to the property. Greg said that the DES had made a site visit in February, and had not seen any problems. Greg felt that a lot of the water problems were coming from the snow being plowed over across the road to his property. Chris Kelly said that pushing snow onto someone else's property was illegal. Marsh Morgan asked Charlie Brosseau if the property had been wet, before any development. Charlie was familiar with the property and the previous owners. At this point there was a multitude of speakers so, Stuart Pitts called for order in the room, and stated that everyone at this point would direct questions through the Chairman. Charlie said that he knew the property, and as far as he knew it had always been wet. He said that there is a brook that runs through it. Mrs. Egan said that she didn't think that the brook was the issue, but still was questioning the covenants and adding another lot to the eleven lot subdivision. Charlie said that it sounded like there were a lot of personal issues, unrelated to the criteria of this subdivision, these were civil matters and should be handled in the courts. Stuart Pitts said that it sounded more like a road drainage issue and that the road agent should make a site visit and assess the situation. Marsh Morgan stated that if the subdivision meets the criteria for our regulations, then the board would have to approve it, and the covenant issue would be a civil matter. Kelly Bolger said that the covenant is an agreement between the buyer and the developer, which has no bearing on the subdivision before the Planning Board. Larry Prentice said that he did not have a problem with the subdivision, except he wanted to have the drainage problem addressed and invited the Planning Board to see it for themselves. Jane Kellogg said that it would be advisable for the Planning Board to make a site visit to check the drainage on the Prentice lot. The Planning Board agreed to a site visit and there were no other objections to the Planning Board making a site visit to the Prentice property. Jane also said that some of the other issues do not relate to the subdivision before the Planning Board. She also said that the property does have wetlands on it, but the lot is a legal lot. Jane went on to say, that keeping in mind that long before the property had houses or roads, the forest absorbed most of the water. We are seeing more water now that the development is in, and it is a matter of figuring out how to deal with it. Marsh Morgan said that the road agent should

make a visit to check out the culverts and the drainage. Larry Prentice asked the Planning Board to continue the subdivision approval until next month. Marsh asked the audience to please direct their questions and comments to the Chairman, as it was getting difficult for the Planning Board to hear what was being said. Mrs. Mello said that she felt that more development and building another house would cause more erosion and water problems. She would like to have the Planning Board continue the subdivision until next month. Mrs. Mello said that she was told that there would only be eleven lots in the subdivision and felt that this was in the covenants. Kelly Bolger said that if the subdivision meets all the requirements, the Planning Board cannot legally turn it down. Marsh Morgan said that the Planning Board could be sued, if it met the criteria for subdivision approval, and the board turned it down. The question was asked that if the Sullivan Subdivision was continued why couldn't the Planning Board continue the Jenck's subdivision. Stuart Pitts explained that the Sullivan Subdivision did not have the State Subdivision approvals back, so it could not go forward and had to be continued until next month. Marsh Morgan wanted to make a motion to continue the Jenck's subdivision until next month, a site visit to the Prentice property by all the Planning Board, and have the road agent make a visit to Cindy's Lane regarding the culverts and drainage. A vote was taken and it was a tie vote, so more discussion continued. Jane Kellogg wanted to clarify that the Wetlands Scientist stamp is not a state stamp. Mr. Anderson would like to see the notes from the wetlands scientist. Greg Jencks said that he would like to have the Planning Board approve his subdivision tonight because he feels that he meets the criteria for approval. Charles Brosseau said that personal and civil issues are not part of the subdivision criteria. Rachel Prentice stated that their property was very wet in the yard most of the year and when you were walking in the yard you would sink into the mud. Stuart Pitts suggested that maybe Mr. Anderson and John March should get together, and resolve some of his questions. Chris Kelly asked Jane Kellogg when she was at the site did she see any fill going into the brook, and were the wetland areas tagged. Jane said that she did not see any fill going into the brook, and the wetland areas were tagged. Charles Brosseau said that the Prentice property with the water issue seems to be the only legitimate reason to continue the subdivision until next month. Charles Brosseau made a motion to approve the Jenck's Subdivision, contingent upon Mr. Jencks taking care of the Prentice water problem. The motion was not seconded, Marsh pointed out that the Planning Board does not approve a subdivision upon contingencies. Marsh Morgan asked for a vote on his original motion, which was that the Planning Board continue the Jenck's subdivision for one month, a site visit to the Prentice property by all the Planning Board members regarding the water issue, and have the road agent make a site visit to Cindy's Lane regarding the culverts and drainage. Jane Kellogg seconded the motion. The Planning Board voted in affirmative, unanimously.

Next on the agenda, Darlene King-Jennings with a five lot subdivision off King Road. Kelly Bolger will be a voting member on this subdivision, Greg Jencks stepped away from the table, and sat in the audience. Kevin French representing Darlene King-Jennings. Darlene King-Jennings and family own a 99 acre parcel on King Road in Campton. At this time they wish to divide the property into five lots. One of the lots, which have Ms. King's residence located on it, is accessed by a driveway off King Road. The lot will maintain its frontage on King Road and will be 46.25 acres. The remaining 4 lots will be accessed off a short subdivision road (+- 500 feet), which they wish to name "Quarry Road". These lots are located in the residential zone and will be 5.38 acres, 13.01 acres, 21.30 acres and 12.22 acres in size. All of the lots will be created for single family residences. Kevin showed the board a map of the subdivision and the road profile. He said that there would be a "T" road to access four lots, and there would be a right-of-way, old logging road to Darlene's house and land. The board would like it noted on the map that this was a logging access road. George Clarke an abutter is very concerned about the erosion problem. Chris Kelly noted that it looks like there could be a road on either side of the Clarke property. Darlene stated that the property was logged and there were very few trees left. Bruce MacDonald was concerned about the culverts not being sized properly, and that the property was logged two years ago with a lot of soil being removed, causing erosion. Bruce MacDonald said that he thought that the project needed an engineering plan. Darlene said that the culverts were replaced with the Road Agents supervision. Marsh said that the development would mean more water run off. The Planning Board would need an estimation of water flow, and an engineering study. Marsh said that the road would have to be paved and the Fire Chief would have to make a site visit. Stuart Pitts said that the "T" would have to meet town road specifications and the Fire Chief is not in favor of "T's". Darlene said that the road would be paved. George Clarke said that he had a concern about the blasting. They have concerns about their well, and their in ground pool with the blasting of the ledge behind their house. Darlene said that they may not have to do any blasting, and that she has contacted Hamilton and Shay a blasting company that uses smaller charges. Mr. Clarke would like to know if Darlene has any insurance if the blasting did any damage to their property. Darlene said that she has insurance, in case they have to blast. Marsh Morgan said that the Planning Board members should make a site visit to the subdivision and the road agent should make a visit to check the road, and Darlene agreed. The Planning Board wants to continue this subdivision until next month, and wants to see an engineering plan and drainage study done.

Next on the agenda, the New Life Church Pantry's temporary location on Perch Pond Road, the Moulton property. Greg Jencks stepped back in as a voting member. Marsh Morgan said the New Life Church Pantry is needed in the area and

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is in favor of the pantry to continue its work of passing out food to the needy in our area. Charles Brosseau made a motion the extend the New Life Church Pantry temporary location on Perch Pond Road, the Moulton property, until September 1, 2008. Marsh Morgan seconded the motion. The Planning Board voted in affirmative, unanimously.

Next on the agenda, the Planning Board went over correspondence and mail. Jane Kellogg brought up the variance that is before the Zoning Board of Adjustment, regarding the Wind Turbines. Marsh said that the Town of Holderness, Planning Board, is having a public hearing regarding wind turbines under Site Plan Review regulations. The Planning Board will continue the discussion of wind turbines, Site Plans, at the next meeting.

The Planning Board adjourned at 9:35 PM.

Respectfully submitted,

**May Brosseau
Campton Planning Board**

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