

Westmoreland Planning Board  
June 15th, 2015  
Meeting minutes

**A. Call to Order, Seating Members**

Present: Lauren Bressett, Bruce Smith, Steve Houle, Mark Hayward, Dawn Lincoln, Russ Austin.  
Excused absence: Dave Hansel    Absent: Jim Starkey    Mark Hayward seated for Dave Hansel.  
Lauren Bressett called the meeting to order at 6:30 pm.

**B. Review of Minutes: 05/12/2015**

Dawn Lincoln made a motion to accept the minutes as written, Russ Austin second, motion passed.

**C. Application/Hearing**

1. 6:30 pm Continuation of Kristopher Walker amending current site plan for (Map U1 Lot 5A).  
Alison Fissette informed the board members she had received an email from the applicant agreeing to waive the 65 day rule and asking to continue his hearing to the board's next regular scheduled meeting of July 20<sup>th</sup>, 2015 at 6:30 pm
2. 7:00 pm Application for Derjue Trust boundary line adjustment (MapR10 Lot 17).  
Lauren Bressett, Chair, and Dawn Lincoln, Vice Chair, recused themselves from the application/hearing. Alison Fissette was seated for Dawn Lincoln.  
Mark Hayward nominated Bruce Smith to chair the application, Russ Austin Second, all voted in favor.

Board members reviewed the checklist.

#7 Would need an easement for well radius

The following items are being asked to be waived

#8 Wetlands (in part)

#9 State Approval and location of perc test and 4000' septic area

#11 Soil data & Topo contours

Items of question

#13 Driveway permit for end lot

#16 Telephone company easement on end lot (copy should be provided).

Alison Fissette stated she had contacted NH Department of Environmental Services in reference to this application, in reference to the NHRSA requiring lots under 5 acres to get State of NH subdivision approval and NH DES stated this would need to be approved, as the lot line change is resulting in more than a minor amount of land and thus would be considered a re-subdivision. The existing ranch house lot has a septic system design approved in 2009 based on a 16 acre lot and the proposed boundary line adjustment/re-subdivision would make the ranch lot 1.21 acres. She also noted that tract one would become a buildable lot, according to ordinances it is not buildable in its current state. She also noted that by observation there appears to be some wetlands and she feels these and the hydric soils should be indicted on the plat.

Attorney JR Davis, representing the applicants asked, to clarify items in question and/or asking for waivers. He reiterated the items he has asked for waivers on, in his letter to the board (on file). He

also stated he did not feel they would need a driveway permit, seeing how the ranch house already has a driveway and the garage also has access on the road. He did agree that there should be a restrictive well easement for the well radius.

Alison Fissette asked Attorney Davis why the applicant didn't just put a deed restriction on the end lot or have the end lot be part of the brick house lot and/or stating no building requiring a septic would be built, Attorney JR Davis replied, they did not want to do this at this point and would prefer not to have lots on either side of the road considered to be one lot and noted at this time the properties are owned by two different Trusts.

While it was noted that the board had not progressed to the public hearing yet, Andy Russell, an abutter, asked to share some information that he felt was important for the board to know. He stated that he has submitted an appeal to the Zoning Board in reference to the variances granted. Bruce Smith thanked him for the information, but informed him this needed to go to Zoning and/or the Selectmen. Andy Russell agreed, but wanted to inform the Planning Board of this and felt the Planning Board's application/hearing might be premature. The Planning Board did not accept any material from Andy Russell.

Bruce Smith asked board members if they felt the board should seek advice from town counsel. Russ Austin thought it would be a good idea. Bruce Smith stated he feels the board is not comfortable with making this decision without advice of counsel as to whether this is a boundary line adjustment or a subdivision.

Alison Fissette made a motion to continue the application to the next regular scheduled meeting, July 20, at 7:30 pm in order to seek advice from town counsel. Steve Houle second, all voted in favor, motion passed. (at the meeting the date was said to be the 15<sup>th</sup> but that was in error, our next regular scheduled meeting is the 20<sup>th</sup>, third Monday of every month)

Application/Hearing adjourned at 8:30 pm

**D. Old Business**

Board members reviewed the draft of the master plan update; board members felt overall the plan was coming along nicely. Lauren Bressett had concerns with the statement that agricultural use has not changed and suggested to Bruce Smith they may need to double check on that data. Alison Fissette stated she felt the board should see any maps and/or charts mentioned in this draft as part of the plan prior to completion. A few other minor changes were suggested.

Alison Fissette made a motion to adjourn, Dawn Lincoln second, motion passed.  
Meeting adjourned at 9:00 p.m.

Respectfully submitted  
Alison Fissette  
Planning Board Clerk