

# Westmoreland Planning Board

## June 20, 2016

### Meeting Minutes

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

**Present:** Lauren Bressett, Mark Hayward, Steve Houle, Bruce Smith, Jim Starkey, Clay Stalker, Tim Thompson.

Excused Absence: Alison Fissette and Dawn Lincoln. Tim Thompson seated for Dawn Lincoln. Lauren Bressett called the meeting to order at 6:30pm.

#### **Review of Minutes 5/16/16**

Jim Starkey moved to accept the minutes as read, with the deletion of a second "the" under section B-2, third line, Clay Stalker seconded, passed with a unanimous vote.

#### **B. Application/Hearing**

John Rab represented Cheshire County in the county's Subdivision Application for property R9 Lot 32.

Prior to reviewing the Subdivision Application, Lauren Bressett explained to the Board that the county had asked the Westmoreland Selectmen to unmerge lots owned by the county as allowed under RSA 674:39-aa. This request to unmerge involved lots 9-1, 11-3, 11-4, 11-11, and 9-32. The purpose of the unmerger is to revert back to the original deeds for the respective lots. The Selectmen received the request and asked for additional information before making a determination. They are still waiting for the requested information.

Lauren Bressett and Bruce Smith expressed reservations about the status of the request to unmerge lots, as this could impact the boundaries and abutters of R9 Lot32, the lot that is the subject of the subdivision application. Lauren Bressett also pointed out that the town has R9-32 listed as 115 acres, the deed provided with the application states it as 240 acres, and the application plat shows it as 35 acres.

The Planning Board reviewed the Subdivision Application, spending most of its time on discussion of the Minor Subdivision Checklist. The Board believes that checklist items 4, 5, 6, 12, and 15 are problematic. Issues of concern to the Board include inadequate plat detail about the second lot created by the subdivision; the impact unmerging lots would have on boundaries, abutters, etc., the need for a driveway permit for the second lot, and the need to include any easements or rights of way in the new deed. Items 8 and 10 were also raised as concerns but the board felt that due to the size of the remainder of the lot, these would not be needed items.

Mr. Rab stated that the county requested unmerged lots, and this request is not discretionary; it must be done. Further, Mr. Rab claimed the county does not need to show the complete lot for the Board to approve the Subdivision Application. However, he did present a plat that shows lots superimposed on the Westmoreland town tax map and indicated that the county is working on identifying all the lots that will be unmerged. Mr. Rab stated that the county was considering not keeping the Charles Moore and Blood Farm lots merged. Mr. Rab also feels

that a 40' wide existing access easement as shown on the application could serve as a driveway for the back lot. And he believes that it would be onerous to apply the checklist to the 30-acre second lot.

Lauren reiterated the need for a standard access easement to be included in a new deed, expressed the importance of frontage dimensions and a driveway permit for the second lot. There may be additional existing access that would serve better for a driveway, and if so, the county should seek approval from the town's road agent and it should be shown on the plat. Lauren Bressett then explained that the Board had three options: approve the application, reject it as incomplete (in which case, the county would have to restart the application process), or approve the application conditionally.

Jim Starkey made a motion to continue the subdivision application pending further information from the county, and, after seeking advice from the town attorney, take up the subdivision application at the next regularly scheduled meeting of the Planning Board. Bruce Smith seconded. Clay Stalker appealed to the guiding principle of common sense; Bruce Smith averred that that the Board needed to avoid creating a non-comforming lot. The motion carried unanimously.

### **C. Old Business**

1. The board, responding to a request from the Selectmen, decided that 100 was the correct number of Master Plans to print.

2. Lauren Bressett shared an email received by the town at 6:13 PM from Patricia Rodriguez who was planning to attend tonight's meeting but was unable to make it.

3. Lauren Bressett indicated that she had contacted four towns in Cheshire County, and none of them impose late fees for delinquent reports required as part of their permit. These towns also indicated, however, that late reports were not an issue for them. The Cersosimo report has still not been received. The board request the Selectmen write a letter to Cersosimo notifying them of their deficient report.

4. The Board resumed its discussion of changes to the law regarding Accessory Dwelling Units (ADU's). Members expressed a desire to keep treating ADU's as special exceptions, voiced frustration with the challenge of enforcement of ADU rules, but felt a permitting process would be a burden with our limited town staff. That being said, Ms. Bressett will research HUD standards relating to the number of occupants per bedroom which could be used for limits in ADU occupancy. The only other apparent change will be the reference to a required interior door between the two units which could be added under 407.2 E. The Board should be able to finalize adjustments to ADU Ordinances at our next meeting.

At 8:10pm Bruce Smith moved to adjourn, Clay Stalker seconded, and the Board approved.

Respectfully Submitted,  
Tim Thompson