



# Town of Plymouth

## Planning Board Meeting

Plymouth Town Hall

Plymouth, NH 03264

# October 16, 2014

FINAL Approved 11-6-14

### MEMBERS PRESENT:

Mike Ahern (Chair), John Randlett (Vice Chair), John Kelly, Paul Wilson, Jack Scarborough, Neil McIver (Select Board Alt.), Bill Bolton (Select Board Rep.) absent, Bob Dragon (Alternate) absent

### OTHERS PRESENT:

Sharon Penney, Plymouth Town Planner

### CALL TO ORDER:

Mike Ahern called the meeting to order at 6:30 p.m. Roll call of members was completed.

### GENERAL PUBLIC COMMENTS:

None

**ADMINISTRATIVE MATTERS: Minor Two Lot Subdivision**- Application by Evelyn MacNeil, 53 Prince Haven Road, by her agent Kevin French, LLS, for a two lot subdivision (5.0 acres and 5.0 acres) from their original lot PID 221-060 (10.0 acres) at 223 Texas Hill Road. The parcel exists in the Agricultural Zone.

- Kevin French spoke on behalf of the applicant for this subdivision. He showed the board the original subdivision plan from 1977. At that time there were two separate lots, 5 acres each. Later on the MacNeil's purchased both lots and merged the lots together. At this point they would like to 'un-merge' the two lots and have a decision from the board to revert back to the original plan. He would like to save them the expense of a new survey when there is already a survey recorded with two lots. Metes and bounds of the two lots would exactly reflect 1977 dimensions of the two lots.
- John Kelly confirmed that this is up where the double wide mobile home is.
- Paul Wilson asked Sharon Penney if there is a requirement to contact the abutters.
- Sharon Penney and Kevin French stated they went through the application process and the abutters have been contacted about this. Sharon stated this is

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an unusual circumstance for a subdivision request. However, there are both an original survey and a merger document on file for the lot at GCRD.

- Paul Wilson asked if the two lots have been developed since the merge and if all setback requirements have been met.
- Kevin French stated that one lot has the existing house and meets all setback requirements and the second lot is vacant.
- Mike Ahern asked Sharon Penney if everything is complete for this application
- Sharon Penney stated that all is complete for this situation, however there were a lot of subdivision checklist items not applicable for this type of application.
- John Randlett asked how this would be recorded at the registry.
- Sharon Penney stated that the notice of decision would be recorded and undo the merger document; essentially 'un-merging' the lots.
- Paul Wilson made a motion to accept this application as complete, seconded by John Kelly. All in favor.

#### **OPENED PUBLIC HEARING:**

- Mike Ahern opened the public hearing at 6:38pm.
- Frank Miller spoke in favor of the application. He feels this is a reasonable request to revert back to the original plan.

#### **CLOSED PUBLIC HEARING:**

- Mike Ahern closed the public hearing at 6:39pm.
- Jack Scarborough made a motion to approve the application. Seconded by John Kelly. All in favor.

#### **Condition of Approval:**

- Recording of subdivision Notice of Decision at Grafton County Registry of Deeds and subsequent new deeds for each subdivided parcel. New pins to be placed to divide the two lots back into their original configuration

**Minor Two Lot Subdivision**- Application by Dean Yeaton, Yeaton Road, by his agent Kevin French, LLS, for a two lot subdivision (3.24 acres and 19.76 acres) from his original lot PID 216-028 (23.0 acres) at 141 Mayhew Turnpike. The parcel exists in the Agricultural Zone.

- Kevin French spoke on behalf of the applicant for this subdivision. He showed a plan to the board of the current lot. The applicant would like to separate the lots according to residential use for the existing house (3.24 acres) and agricultural for the field (19.76 acres). He would like to leave a right of way between the two lots in order to get to the field.
- John Kelly asked about the brook and if there are any environmental concerns.
- Kevin French stated that they have an approved leach field by the road so there really are no environmental concerns as this time, however there is no control for the future.
- John Kelly stated his environmental concerns of someone buying this in the future and putting a home on it.

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- Kevin French noted that the applicant's intent is to keep this as a field. In someone buys this in the future they would have to get septic approval and meet all criteria before building.
  - Jack Scarborough stated his concern for the environmental impact. He stated if they have a huge well on this lot in the future it could contaminate the water supply for the residents as well as the ski area.
  - Sharon Penney stated that anything like this would have to come before the board for a site plan review.
  - John Kelly made a motion to accept the application as complete, seconded by Jack Scarborough. All in favor.

#### **OPENED PUBLIC HEARING:**

- Mike Ahern opened the public hearing at 6:49pm.
- Mr. Weaver is an abutter across the street and spoke to the application. He stated that he knows 19 of the acres are very wet. He stated his concern of contamination from the oil tanks. He noted the state tests that area all of the time due to the tanks. They just received a letter about the MBTE levels. This is outlawed now, however was allowed in the past as a gasoline additive to get the emissions standards met.
- Frank Miller stated he is in favor of the application as this is a simple subdivision and not a change in use. He feels a change in use would have to come in front of the board anyway and all concerns and issued would be addressed at that time.

#### **CLOSED PUBLIC HEARING:**

- Mike Ahern closed the public hearing at 6:51pm.
- Neil McIver made a motion to approve the application, seconded by John Kelly. Mike Ahern, John Randlett and Paul Wilson also voted in favor, Jack Scarborough voted not to approve.

#### **CONDITIONS of APPROVAL:**

- DES subdivision approval
- 50 Foot ROW access to back lot
- All other required permits as applicable

**Minor Two Lot Subdivision**- Application by Dean Yeaton, Yeaton Road, by his agent Kevin French, LLS, for a two lot subdivision (3.93 acres and 7.02 acres) from his original lot PID 216-030 (10.05 acres) at 173 Mayhew Turnpike. The parcel exists in the Agricultural Zone.

- Kevin French spoke on behalf of the applicant for this subdivision. He showed a plan to the board of the current lot. The applicant would like to separate the lot with the oil tanks from the field. The use of the lots will not change.
- Paul Wilson asked about deeded right of ways to this new back lot.

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- Kevin French stated this would be part of the approval of the application. This could be changed in the future by an agreement between the owners. The applicant basically wants to separate out the agricultural part of the land.
  - John Kelly confirmed the land is already zoned agricultural.
  - Kevin French stated that the applicant would actually be using the land for agricultural.
  - John Kelly made a motion to accept the application as complete, seconded by Paul Wilson. All in favor.

#### **OPENED PUBLIC HEARING:**

- Mike Ahern opened the public hearing at 6:57pm.
- Mr. Weaver asked about the checklist with the application. He stated that is mentioned pending septic approval.
- Kevin French stated that this is part of the application process and this permit from NHDES certifies that that lots five acres and larger can support a septic system.
- Frank Miller stated he is in favor of the application as this is a simple subdivision and not a change in use. He feels a change in use would have to come in front of the board anyway and all concerns and issued would be addressed at that time.

#### **CLOSED PUBLIC HEARING:**

- Mike Ahern closed the public hearing at 6:59pm.
- Sharon Penney wanted clarification as to whether or not the State is still monitoring the contamination oversight wells on the property.
- Kevin French could not confirm or deny that, however stated there is a lot of monitoring done on the property in order for the applicant to keep up with his permits for the fuel tank storage use.
- Neil McIver made a motion to approve the application, seconded by John Kelly. Mike Ahern, John Randlett and Paul Wilson in favor, Jack Scarborough voted not to approve.

#### **Conditions of Approval:**

- DES subdivision approval.
- 50 foot right of way access to back lot.
- All other required permits if applicable.

#### **CORRESPONDENCE:**

- Sharon Penney handed out information pertaining to North Country Council and a final public hearing on the regional plan. The event is being held up north in Bethlehem if anyone is interested.

#### **NEW BUSINESS:**

None

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**UNFINISHED AND OTHER BUSINESS:**

- Mike Ahern mentioned to the board that he received a letter of resignation from Paul Wilson due to him moving out of town. He wanted to extend a big thank you to him for his service to the Planning Board.

**PUBLIC COMMENTS:**

None

**ADJOURNMENT:**

- Jack Scarborough made a motion to adjourn; motion seconded by John Kelly. All in favor. Meeting adjourned at 7:05p.m.

PLEASE NOTE:

The public is invited to attend all meetings of the Planning Board. During official public hearings, the public is welcome to speak. For other items the public may speak at the discretion of the chair/board. Files on the applications and items above are available for inspection in the Planning Department in Town Hall, from 8:00 a.m. to 4:30 p.m., Monday through Friday. These applications and items are subject to change prior to final action. Contact the Planning Department if you have questions or comments about these or any related matters or if you have a disability requiring special provisions for your participation at 536-1731 or you can e-mail the Town Planner, Sharon Penney at: [spenney@plymouth-nh.org](mailto:spenney@plymouth-nh.org).

Respectfully Submitted,  
Lisa Vincent