

TOWN OF SUTTON
Planning Board
Pillsbury Memorial Hall
Meeting Minutes
March 22, 2016

Present: Planning Board Members: Carrie Thomas, Chairperson; Carole O'Connell, Jim Lowe Members; Bill Curless, Ex-Officio; (Bob DeFelice, Roger Wells, and Julie McCarthy, Members; were absent); and Laurie Hayward, Land Use Coordinator (LUC); Steve Bagley, Sutton Road Agent; and Thomas Schaumburg, interested party.

The meeting was called to order at 7:04 PM, by Carrie Thomas, Chairperson.

Administrative: The Chair noted that she had hoped to have the consultation that was noted on the agenda first; however, neither the applicant nor the owners have arrived. The Chair noted that the Road Agent is present as he must approve any change in a Condition that involves driveways as this does.

The Chair suggested that they take up a couple of quick agenda items while they wait to see whether the consultation can take place.

Minutes of previous meetings: The Chair called for a motion on the minutes of the three meetings held January 5, 2016, February 1, 2016 and February 23, 2016. **O'Connell moved that all three be approved; Lowe seconded and it was approved unanimously.**

Correspondence:

Application for Voluntary Merger PB 2016-05, made by Michael Carrier: to merge 2 lots, 01-954,394 & 01-931,372 into a single lot. There was a very brief discussion regarding the applicant's request to merge two lots. **The Chair asked for a motion. O'Connell made the motion; Lowe seconded and voted unanimously to approve the merger of lots, 01-954,394 & 01-931,372 into a single lot.**

The Chair asked the LUC about the document that requires signatures of members. The LUC handed the chair the Voluntary Request for Merger taken up at the last meeting. The LUC noted that Julie McCarthy who is not present had already signed. Thomas, the Chair; O'Connell; and Lowe; who were all also present and voted in favor of the Lovett Trust merger on February 23, 2016, signed the document.

The Chair noted that neither the applicant nor either of the owners who had requested a consultation had arrived.

Consultation: The Chair noted that Robert Stewart, applicant, and Joseph Torro and/or Theodore Gallop, owners of T&G Land Holdings, were not present. The Chair asked the LUC whether the applicant wasn't the one who requested the consultation. The LUC explained that she had been regularly contacting Stewart and pushing for him to resolve the issue. Presumably in response to those efforts, Stewart had asked the Planning Board for a consultation with the applicant and owners regarding the incomplete condition from case 2014-03.

The issue is connected to the application for minor subdivision of lot 01-141,370 on Eaton Grange Road at Stevens Brook Road. The Chair noted that the Road Agent was attending the meeting specifically to report on the driveway

conditions that he had placed and anything pertinent based on the consultation/discussions. The Chair asked the LUC about her communications regarding this.

The LUC expressed her surprise that Stewart wasn't in attendance. She explained that the statutes allow two years for action on a Subdivision approval and the Conditional Approval given in 2014 is nearing two years old with no action. Because the Conditions haven't been met, the owners cannot work on the driveways. Thus, they could lose the approved subdivision. The Board asked the LUC to write Stewart and T&G Holdings regarding the failure to appear at the meeting for their consultation. O'Connell suggested the LUC let them know that the Road Agent was here. It was agreed that the LUC would write to Stewart and T&G Holdings to express the Board's unhappiness with the lack of attention to this crucial matter. The LUC should make sure the letter is clear that this issue cannot be ignored indefinitely. Curless also expressed his surprise that the applicant and owners would risk losing the money invested in getting this subdivision approved. The LUC confirmed that she would write the letter to the applicant and owners.

Steve Bagley, the Road Agent, showed members photographs of the site that he had planned to use for the consultation. Bagley pointed out the tree which is within the sight distance for one of the lots and makes the proposed driveway a danger to traffic. Bagley also explained that there is a drainage concern with that property. The LUC asked Bagley if the reason there was a possible problem with drainage was due to the presence of steep slopes and Bagley replied that, yes, there may be steep slope conditions and there are issues in connection to some logging done on the property. The LUC kept the photos for the land use file.

There being no consultation, Steve Bagley left the meeting at this point.

Reports:

Select Board- William Curless, the new Select Board Ex-Officio, stated that he had nothing to report at this time.

Land Use Coordinator- the LUC asked Board Members whether they would like her to contact Mark Moser. The engineer working on the ITW cell tower installation and request a final inspection and report. There was a brief discussion about the history and status of that cell tower. Members asked whether the tower is complete as the tower does not seem to have equipment on it. The LUC explained that the tower might be complete and there are no co-locators at this point. LUC stated further that this is about determining whether the project is complete and simply getting the engineer to do a final inspection and provide the Board with a report so that the Board may determine whether the Conditions have been completed. If the project is complete and the final inspection done and paid for, then the final accounting can be done and the escrow account closed.

The Chair asked the LUC whether there were any additional items on the Open Condition Report. The LUC stated that the only other items are the T&G Land Holdings mentioned earlier and the Board also agreed to wait for spring to see if the Mapes' maples come in and look relatively healthy so that the Condition regarding the planting of trees can be considered to be completed. The LUC reminded members that last fall they agreed to wait until late this spring to see whether the maples which seemed in poor condition at the end of a dry summer, have survived and the Board is comfortable accepting the condition as completed.

The LUC told members that she had a conversation with the Town Administrator and there was a question about whether placing all of the Select Board "cease and desist" letters on the Open Conditions Report and treating them the same as Open Conditions that are the direct result of Planning Board and/or Zoning Board of Adjustment Conditions of approval makes sense. There was a very brief discussion and it was agreed that the LUC could stop providing the Planning Board with tracking on Select Board issues and only track those issues that are truly Open Conditions and that come out of cases before the Planning Board or the Zoning Board of Adjustment. There was a brief discussion with members agreeing that it makes sense to drop Select Board items from the report provided to the Planning Board.

Old Business:

The Chair asked the LUC for the status of a few open issues that had been discussed at previous meetings:

The request was made by Tom Chadwick & Jake Messer to access property on the Sutton Class VI portion of Stonehouse Road. The lot has 50 or 100 acres and lengthy frontage on Stonehouse Road. The LUC explained to them that she thinks the Stonehouse Road frontage is on a Class VI road and that to subdivide the property; it would need to be Class V or better. The LUC also explained about Stonehouse not having access through Sutton, but only through New London or via Haynes Road in Newbury which means both towns, Newbury and Sutton, would need to also approve.

The LUC recommended that Chadwick and Messer begin by making the same request of town officials in Newbury. The LUC also told members that she contacted her counterpart in Newbury and was told that Newbury has agreed to allow a man to build a house on the Class VI portion of Stonehouse Road. They did that with the understanding that he would maintain, grade and plow the road, not the Town of Newbury.

The Chair asked the Curless, the new ex-Officio, about the effort to resolve the property and town line question with the Town of Warner, Curless indicated that he did not believe that has yet been resolved. The LUC told members that in her research into some very old Sutton Maps, some of them show a bow in the eastern portion of the town line. In more modern maps that portion of the town line is shown as absolutely straight, she suspects that it is this change in the way maps are shown that is the problem.

Work session:

The Chair pointed out that the only agenda item left is to work on the Subdivision and Site Plan Regulations. After a very brief discussion it appeared that the members were not ready to vote on the proposed language that Roger Wells had provided before he travelled to Florida. Curless had not read the proposals because he did not have copies. The LUC stated that she would email him the proposed changes.

Tom Schaumberg left the meeting at this point.

There was a discussion about the need for additional members and that current board members should really try to think of possibilities. The LUC noted that she regularly has difficulty finding enough members to make a quorum. There was a brief discussion about the issue of getting a quorum. Reducing the size of the Board was included as an idea. The LUC mentioned that the Board, by statute could be reduced from seven members to five which would reduce the number required to make a quorum from four to three. The LUC added that this could only be done through a whole town vote and Town Meeting was just held a couple of weeks earlier. After some discussion it was agreed that the Board is now without Peter Blakeman and Carole O'Connell, both were full members and contributed a great deal and without Lisa Hogarty, who was an alternate. Jim Lowe can be moved to full member status and still the Planning Board is short one member and 2 alternates; therefore; three more members are needed, one as a member and two as alternates.

Jim Lowe stated that he had found a possible member for the Board. He offered that David Angeli may be willing to take on volunteering for the Planning Board. The LUC asked for an email expressing interest from Angeli. Lowe asked if they couldn't just vote to make the recommendation to the Select Board. **Lowe moved that the Board recommend Dave Angeli for the Planning Board; O'Connell seconded the motion, and it was approved unanimously that the LUC let the Select Board know their recommendation regarding David Angeli.**

At this point in the meeting, the LUC, in error, suggested the Members vote Lowe a full Member which was done. [This was an error on the LUC's part - the Planning Board had previously recommended Lowe to the Select Board for full membership and the Select Board had appointed Jim Lowe a full member after that recommendation.]

The Chair told members that she has discussed becoming a Planning Board member with two others, Nance Brook-Heckel, who is also on the Library Board, and Keith Bagley and she will follow up with them.

The next regular meeting is scheduled to be held on April 12, 2016 at 7:00 PM.

There being no further business, Lowe moved, Thomas seconded and it was unanimously voted that the meeting be adjourned at 8:05 PM.

Respectfully submitted,

Laurie Hayward
Land Use Coordinator