

**TOWN OF SUTTON**  
**Planning Board**  
Pillsbury Memorial Hall  
Meeting Minutes  
April 9, 2013

**Present:** Planning Board Members: Carrie Thomas, David Burnham; Julie McCarthy; and Dan Sundquist: Ex-Officio; (members Peter Blakeman and Bob DeFelice and alternate Roger Wells were absent); and Laurie Hayward, Land Use Coordinator.

Carrie Thomas came forward as Acting Chairman

**The meeting was called to order** at 7:00PM, by Carrie Thomas

**Public Hearings:**

**Duquette/St. Cyr, Case: PB 2013-02, Tax Map Lot# 02-413,537 & 02-436,517:** Dan Sundquist moved; David Burnham seconded; and it was unanimously voted to open the public hearing. Jeffrey Evans came forward to speak on the St. Cyr/Duquette application for a property line adjustment. Mr. Evans explained that the parties came to the Planning Board a year ago; but, the original property line adjustment was not acceptable to both parties. Bob Duquette stepped forward and also spoke, stating that there was an error on the map presented the year prior and they have created and now put forth a new map with different lines than were on the original plan. The acreage transferred was reduced and an error was corrected. Jeff Evans stated that they made a few changes and those changes resulted in reduced acreage. Dan Sundquist asked Mr. Duquette whether he is now in agreement with the new map and he said "yes". The question was asked: does this give more buildable lots? And the answer was "no"; that was not the purpose. The chair asked for any additional questions. There were none from the public. Jeff Evans asked if he could have the mylar signed if it is approved tonight and be allowed to carry it to the registry. Joan Duquette stepped forward and personally verified the map. Dan Sundquist moved and Julie McCarthy seconded and it was unanimously voted to close the public portion of the hearing. The members of the board briefly discussed the case; noting that the current changed configuration of the lot line adjustment was less non-conforming and is agreed to by both parties, resolving an old issue. Dan Sundquist moved and Carrie Thomas seconded and it was voted unanimously to approve the lot line adjustment. The Board members signed the mylar and handed it to Mr. Evans who will take it to the Merrimack County Registry of Deeds to be recorded.

**Carr/Beaton, Case: PB 2013-04, Tax Map Lot# 06-932,131 & 06-948,169:** Julie McCarthy moved and it was voted unanimously to open the hearing on the Beaton/Carr lot line adjustment. Kevin Carr and Mike Beaton both stepped forward and showed the Mylar and explained the background on the lot line adjustment. The change will give Mike Beaton a good horse pasture and Kevin Carr will get the additional acreage that he needs to place the bulk of the property in "Current Use". The lot line adjustment is complex as the properties are both in Sutton and Newbury. Kevin Carr explained that he plans to merge the lots once the lot adjustment is approved. No one was left in attendance so there was no comment from the public. The chair called for additional questions. There were none. Julie McCarthy moved to close the public hearing; Carrie Thomas seconded the motion; and it was voted unanimously. The members of the board looked at the mylar presented by the

applicants and Dan Sundquist moved they approve the lot line adjustment as proposed. Julie McCarthy seconded and they voted unanimously to approve the lot line adjustment. Kevin Carr then asked the Board why the Sutton fees were higher than Newbury's fees. Dan Sundquist explained that each town sets its own fees. The fees do not represent a "profit center" for the Town of Sutton; rather they are set and intended to cover the costs associated with hearing cases. Mr. Carr noted that he thought he had paid for recording costs; but, he thinks, in this case, that Newbury will make the recording. Laurie Hayward, the Land Use Coordinator, stated that she will check to see whether he was charged a recording fee and once she has the recorded plan back from the registry and that it is clear that Sutton will not have to pay any fees, she will have any money for fees returned to the applicant. The Board members signed the mylar and handed it to Mr. Carr who will take it to Newbury Public Hearing which is still to be heard. **This closed the Public Hearings and cases to be heard.**

**Old Business:**

There was discussion regarding the Rogers proposed subdivision case that was cancelled for this public hearing. Dan told the members that the night prior the Select Board held a discussion regarding the costs towards the road and perhaps some tree removal or trimming. By the end of next Monday's Board of Selectmen meeting they will likely have a plan for how to move forward. Dan described the road on Birch Hill as rough and in need of work. Carrie asked if it was true that in the final analysis, the town will do the work on Birch Hill Road. There was some discussion about the exaction fee which was a condition of the 2010/11 subdivision approved with conditions. Part of the discussion revolved around whether the amount, roughly \$4,500 was calculated on 3 lots and would need to be recalculated based on 5 lots if the current subdivision request is approved. Dan suggested that the Land Use Coordinator contact either Laura or Jae at Mitchell Group, the town counsels, both of whom were involved with the earlier subdivision. Additionally, it was noted that moving forward might require a town warrant article in order to pay for the road work and therefore might need to wait until town meeting- March 2014 and that in many towns there would be a minimum 5 years before resubmitting the same subdivision. Dan discussed the need to make sure that town roads are up to usual standard. It was agreed that a special meeting be called for the thirtieth of April, specifically to have the public hearing on Mr. Rogers' proposed 3 lot minor subdivision.

**Minutes of previous meetings:** Carrie Thomas moved to approve the minutes from the meetings of February 12, 2013 and March 26, 2013; Julie McCarty seconded the motion and it was voted unanimously.

**New Business:**

Dan Sundquist explained that the Board of Selectmen has decided to seek a new Building Inspector and they are working on a job description and will then post it. He also asked the LUC to place the ad for the new Planning Board member in the InterTown Record.

Laurie Hayward, the Land Use Coordinator advised the Board that she would be out of town second week of May (5/8 - 5/14). It was agreed that the reschedule of the John Michael Rogers, subdivision would be moved to April 30<sup>th</sup>, not the more usual April 23<sup>rd</sup>, because of the length of time required for noticing the hearing. Also, both the April 23<sup>rd</sup> and the May 14<sup>th</sup> meetings would be cancelled.

The April Open Conditions Report: The report was handed out to members and there was

*Approved 4/30/2013*

A brief discussion of what was on the report and what should be on the report. Laurie explained that the report run this month only included 2011, 2012, and 2013 cases. It was agreed that there were a few important older cases that should be on the report, including Harborview, the Falvey subdivision, and Meadowview. Laurie agreed to research the cases and add them to the report.

Dan Sundquist stated that he expects to add a regular "Select Board Report" and that should be included on future Agendas.

**There being no further business, the meeting was adjourned at 8: 15 PM.**

**Next meeting is to be held Tuesday April 30, 2013 at 7PM and the next regular meeting after that will be May 28, 2013.**

Respectfully submitted,

Laurie Hayward  
Land Use Coordinator