

**TOWN OF SUTTON**  
**Planning Board**  
Pillsbury Memorial Hall  
Meeting Minutes  
October 13, 2015

Present: Planning Board Members: Carrie Thomas, Chairperson; Julie McCarthy, Roger Wells, and Carole O'Connell, members; and Jim Lowe, Alternate; (Bob DeFelice and Peter Blakeman, Members; Dan Sundquist, Ex-Officio; and Lisa Hogarty, Alternate; members, were absent); and Laurie Hayward, Land Use Coordinator (LUC); Applicant, Gillian Martlew and interested parties Judy Parkinson; Bob and Lind Preston; and Mike and Sinead Sokolskiy.

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

**Public Hearing:** The Chair opened the Public Hearing and asked the LUC to read the notice. The LUC stated that this is the Public Hearing for case PB 2015-04 and read:

“You are hereby notified of a Public Hearing to be held on Tuesday, October 13, 2015 at or around 7:00 p.m. at the Pillsbury Memorial Town Hall, 93 Main Street, Sutton Mills, NH, concerning a request by Gillian Martlew ND, for a Site Plan Review for a Change of Use to include a home business as a Naturopathic Doctor, a permitted use, at 37 Newbury Road, Tax Map Lot# 06-446,174, in a Residential district.

You are invited to appear in person or be represented by agent or counsel and provide reasons why the request should or should not be granted. Please address written responses to: Sutton Planning Board, PO Box 487, North Sutton, NH 03260. All responses will be read into the record. Plans are available for your review at the Town Office.”

Wells asked the applicant to explain the number and configuration of the parking spaces. Gillian Martlew stepped forward and showed Wells and members where the parking spaces are located, using the map that she submitted with the application and that was provided to members. Wells expressed some concern about having four vehicles parking in the driveway that currently exists on the property. Martlew explained that under most circumstances her vehicle would be in the garage and one vehicle would be parked for a patient and, perhaps a second vehicle for the incoming patient. Asked how many employees she has, Martlew replied that at this time she does not employ anyone else. The Chair called for public input and there was none. **Wells moved to close and move to deliberations. The motion was seconded and voted unanimously.**

Wells stated that he is inclined to approve the application as long as there are no employees. Lowe asked Martlew if three vehicles could be parked abreast. Martlew said that it would be too close and there would likely be problems entering and exiting the parked vehicles. Judy Parkinson spoke, explaining that she shares the house with Martlew. Parkinson works in New London and generally her vehicle is not on site during Martlew's office hours which means that under most circumstances, there would only be two vehicles in the driveway. Parkinson also offered that there is only one area in the

house which is appropriate for use as an office. Members agreed that if there was an expansion requiring a larger or a second office that would constitute a change of use and the applicant should come before the board again.

There was a brief discussion about whether to consider adding some condition to approval and it was agreed that this situation did not seem to warrant that. **Wells moved that the application be approved; Lowe seconded the motion and it was unanimously approved.**

The LUC explained to the applicant that there is a 30 day appeals period. She also told the applicant that the approval will be recorded at the Merrimack County Registry of Deeds and she will be sent a copy of that recorded notice.

**Administrative:**

**Minutes of previous meetings:** The Chair then asked for a motion on the Minutes of Meeting September 22, 2015. McCarthy moved that the minutes of September 22, 2015 be approved; O'Connell seconded the motion and it was approved unanimously.

**Correspondence:** The LUC stated that there had been communications regarding two of the cases that are on the Open Conditions report and will include those in the discussion of that report.

**Reports:** There was no Select Board report.

**LUC Report:** Members packets included the Open Conditions report for October.

The LUC opened the discussion with an update on the open conditions for Jon Feins' three-lot subdivision. She explained that Feins has provided draft easement and plat language; but it did not fully address the conditions the Planning Board set for approval. The LUC told members that town counsel is working with Feins' attorney to see if they can get agreement on the language and get the corrected plat in hand- complete with the added New London sign-off box and the required language approved by town counsel.

Regarding the ITW cell tower on the Blaney property, the LUC has had some communications regarding the Blaney lot that includes the cell tower site. Apparently Blaney has it for sale. The LUC has directed people to come to Town Hall if they want more information and/or to check the records available from the Merrimack County Registry of Deeds, especially the Notice of Decision.

McCarthy told the LUC that the Mapes maple saplings are not looking good and she worries that they were not given adequate attention. Wells suggested that they give it until next spring as the trees may be stressed after the past summer; but, will quite likely revive in the spring.

The LUC told members that the tree isn't down on the property that Bob Stewart subdivided for T&G Group [lot #01-141,370] as per the Condition of Minor Subdivision approval. Wells asked if the Driveway permits and the recording of the plats were still being held and the LUC stated that she thought Stewart had said they would be taken down and released the permits and had the plat recorded. The LUC agreed that next time, she would wait to release until the tree removal was actually done. Wells asked the LUC to notify the Town Administrator that there should be no

Building Permits issued for those lots until the Condition is completed. The LUC agreed to do that.

**Other Business:** Wells says a landowner on Keyser Street had a New Hampshire Department of Environmental Services (DES) permit in 2014 to develop a path on her property. Wells says he may contact DES regarding the terms of the approval. Lowe spoke in support of the landowner saying that he believes that she appropriately applied to DES and then simply did what made sense to her. Wells expressed his sense that the removal of those trees went well beyond just making a path and questions whether the DES permit really approved the removal of three large trees.

The LUC suggested that Wells let the members know about the meeting they both attended along with Derek Lick, the Vice Chair of the Zoning Board of Adjustment (ZBA), with town counsel, expressly to discuss some questions that had cropped up in ZBA meetings regarding Ordinance language. Wells spoke about the meeting and his sense that the meeting clarified the reasons that the Planning Board has drafted language the way they have. Most of the discussion was on the issues of language regarding Manufactured Housing, Driveways and Steep Slopes. The LUC told members that the next ZBA meeting would be held on Wednesday, October 21<sup>st</sup>. At that meeting, Lick will have an opportunity to share what was discussed with ZBA members and to get feedback from them. Wells pointed out that his hopes are that language can be worked out that both boards can support.

**Work session:** The Chair asked Board members whether they wished to move into a work session. It was agreed to do so. Wells stated that he continues to hope that Sundquist will be at one of the work sessions soon because he feels that they can only effectively address the language in the Soils Article with Sundquist who wrote the current draft language present.

There was a brief discussion about how to proceed in order to efficiently make progress on completing the draft revision language. The LUC suggested that the approach used recently to draft language for the Sign Ordinance and again for the Minor Subdivision and the Four-year Exemption, which concentrated effort on a single subject matter at a time, did produce completed and voted new language. Wells asked the Board to take up a document that had his July recommendations. He told members that the LUC had updated language for Articles I through III, giving additional detail and reasons pro and con for revised language. That document was included in the notebooks.

The first recommendation was taken up and quickly decided. **Wells moved to use the term “Applicant” instead of and to replace “Subdivider” throughout the Sutton Subdivision and Site Plan Regulations; McCarthy seconded the motion and it was voted unanimously.** Wells then suggested that the Board take up the next item in the list and approve that. There was a brief discussion about the language in Article II Section B. Then, Wells questioned whether members would rather be better prepared by taking the notebooks home with them. It was agreed that they would review the draft language that is under discussion, Articles I through III, at home and study them in preparation for the next work session and be prepared to vote to approve or to offer suggestions for change. Board members agreed that they would like to take the notebooks home and review them and would be willing to then get them back to the LUC in advance of the next meeting. As not all Board members were present, Wells asked the LUC to contact members not at the meeting and arrange for them to pick up their notebooks. She should ask them to return the notebooks in advance of the next meeting.

*Approved October 27, 2015*

Wells then suggested that it would be useful to do the same with the Zoning Ordinance and asked the LUC to prepare the most up-to-date version of the Ordinances and have that in the notebooks for the next meeting. The LUC agreed to provide a complete update to the Ordinances for next meeting.

There being no additional business, Wells moved and O'Connell seconded the motion to adjourn.

**Currently there are no new applications. Next regular meeting is scheduled to be held** on October 27, 2015 at 7:00 PM and will be a work session.

**The meeting was adjourned** at 8:17 PM.

Respectfully submitted,

Laurie Hayward  
Land Use Coordinator