

TOWN OF JAFFREY, NH
PLANNING BOARD
Zoom Meeting Minutes
October 13, 2020

The Right to Know Checklist was displayed on Zoom prior to the meeting. Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Present via Zoom: Chair Amy Meyers, Members Dillon, Dupuis, Belletete, Merrell, McKenzie, Peard (alt), Taylor (alt)

Absent: Shirley Despres

Roll Call: Amy Meyers, Ed Merrell, Margaret Dillon, Laurel McKenzie, Jack Belletete, Keith Dupuis, John Peard (alt), William (Bud) Taylor (alt)

Absent: Shirley Despres

Staff via Zoom: JoAnne Carr, Director of Planning and Economic Development, Becky Newton, David Chamberlain

Others via Zoom: Cody Gordon, Jeff Clark-Kevan, Wendy Pelletier, Casey Leach, Brian Rohde, Charlie Koch, Jacqueline Woods

CALL TO ORDER – Chairman Meyers called the public hearing to order at 6:02 pm.

PRELIMINARY CONCEPTUAL - None

MEETING MINUTES APPROVAL

On a **motion** by Merrell, seconded by Belletete the minutes of Sept 9, 2020 were approved as presented. (6-0-0) KD, LM, EM, MD, JB, AM

PUBLIC HEARING – CONTINUED

PB 20-14 Greylock Properties, LLC, Owner, TFMoran, Agent
Main Street, Map 237, Lot 12
Zone: Rural with Town Water

Subdivision – applicant proposes a 3-lot subdivision with private wells

Presentation: Jeff Kevan, TFMoran

The applicant has submitted a revised plan proposing Lots 237/12 and 12.1 be gravity fed into the sewer line on Main Street. Lot 237/12.2 will also tie into the sewer line on Main Street and be served by a force main through the private right of way. The existing private sewer line will not be altered. J Carr asked if the sewer lines were shown on the plans. J Kevan responded yes, they have been identified.

The stormwater analysis has been updated with additional detail. There are two discharge points one running to the northerly terminus of the ROW and the other toward Main Street terminating in a closed swale. The wetlands are located to the north west of the ROW (lot 12.2), in the center of the property (lots 12 and 12.1), and a wetland to the southeast of the site (lot 12.1). There will be no increase in the flow or volume of runoff in either direction off site or into wetlands.

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J Kevan noted that the northerly culvert would be reduced from a 15" pipe to a 6" to retain water in the swale to allow it to infiltrate, decreasing runoff and balancing flow. He indicated the plans will be updated to reflect that change.

M Dillon asked where will the sewer line go on lot 12.1? It appears the corner of that lot is wetland. J Kevan identified the location of the sewer line for that lot which would be within the building envelope as drawn on the plan.

No abutters spoke for or against.

Chairman Meyers closed the public hearing

L McKenzie stated that the solutions proposed addressed all the issues that were raised in September. Plan notes should be updated to reflect that any notes regarding sewer and drainage are consistent.

DECISIONS

PB 20-14 Greylock Properties, LLC, Owner, TFMoran, Agent
Main Street, Map 237, Lot 12
Zone: Rural with Town Water

Subdivision – applicant proposes a 3-lot subdivision with private wells

On a **motion** by McKenzie, seconded by Belletete to approve the subdivision as presented per testimony given subject to the following conditions. (6-0-0) EM, JB, MD, LM, KD, AM

Conditions Precedent:

1. Storm drainage revisions per testimony given shall be updated on the plans.
2. All plan notes to be updated to reflect redesign of sewer mains per testimony given.
3. Owner shall obtain a driveway permit from the DOT if necessary.

OTHER - *W Taylor will vote.*

Brian Rohde, owner – Annett Road, Lot 257/1

Mr. Rohde is requesting a building permit to construct a house on a Class VI road. Per the land use code, consistent with state statute 674:41 Erection of Buildings on Streets, the local governing body has voted to authorize the issuance of building permits on private Class VI roads after review and comment by the Planning Board.

Mr. Rohde is requesting a determination on the standard to which the road must be maintained for purposes of building on Map 257 Lot 1.

Mr. Rohde purchased a 17-acre lot at the SE corner of Jaffrey on Annett Road in the 70s. Annett Road is bordered on both sides by Black Reservoir. In 2014 he sold off a 13-acre parcel with a small house, leaving him with a 4-acre parcel that he is currently trying to sell. An offer was made on the property last year, subject to the buyer getting approval for a building permit. An agent for the buyer came before the PB with a proposal. The requirements put forth by the Town were significant enough to cause the buyer to withdraw his offer. Randy Heglin submitted a report to the PB detailing the issues and outlining the

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upgrades needed in order to meet the Land Use Code. Mr. Rohde feels these conditions would be nearly impossible to meet.

The old 4' steel culvert has been in place since before he purchased the property. This pipe has been used by general traffic, fire and safety vehicles and logging trucks without issue. The concern is that this culvert does not have the integrity to support safety vehicles that may need access to the homes. Chief Chamberlain and Todd Croteau have submitted letters to Mr. Rohde outlining the changes they require in order for the road to meet to road standard requirements.

The Road is roughly 12'-13' wide, the land use code requires 16' with a clear-cut width of 25', this expansion would extend the road base into Black Reservoir. According to Mr. Rohde, it would not be economically feasible to make the changes to the road. However, he is confident that the culvert can be addressed. The culvert would either be tested and certified by an engineer or replaced.

Mr. Rohde added the roadway is about 700 feet up to the existing driveway from the end of the Class V road. Todd Croteau has plans to do work on the Class V section of the road. There can be no more development in that area due to the location of the lot.

Charlie Koch, Conservation Commission – In November 2019 ConCom submitted a letter to the PB recommending they follow land use code which calls for a 16' travel way and 2' apron on both sides. However, it's up the Town to determine if that it is too wide.

K Dupuis asked is the construction of a second house the issue? J Carr answered yes. A Class VI road is not Town maintained, therefore it must be brought up to standard to ensure that public safety vehicles can access the homes in an emergency. The property owner(s) must also sign a waiver of municipal liability. The PB makes the recommendation to the Board of Selectmen (BOS), but the BOS makes the final decision.

K Dupuis noted part of the reservoir would need to be filled in in order to widen the road bed up to the Town standard.

Mr. Rhode added that Annett Road goes all the way through Annett State Park before it gets to private land. It is unlikely for someone to build on the New Ipswich border.

L McKenzie stated it is not reasonable to widen a road that is located between two bodies of water. Is it reasonable to improve the road to 16' where it does not abut bodies of water? Mr. Rohde stated yes.

J Belletete noted it would be unlikely for any additional expansion in that area given its proximity to Annett State Park and the Town line. It would be a benefit to the Town to have the homeowner make improvements to the road and culvert.

W Taylor feels that Mr. Rhode has demonstrated a hardship as he cannot upgrade the road to the Town's standards without filling in the wetland. J Carr responded it is up the Board to decide.

J Carr stated any additional concerns from the Conservation Commission should be addressed directly to the BOS.

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On a **motion** by Dupuis, seconded by McKenzie to make a recommendation to the Board of Selectmen, pending inspection and certification of the integrity of the culvert by a professional engineer, that the upgrades to Annett Road be consistent with the Town Road Standards to the greatest extent possible and approved by the Superintendent of Highways and Facilities, be completed prior to the issuance of a Certificate of Occupancy. (6-0-1)
EM, JB, KD, LM, WT, AM - In favor
MD - Abstained

Zoning – the zoning subcommittee, Margaret, Amy and Bud, will meet next week. The plan is to address a few housekeeping items including workforce housing and Res B density.

ZONING BOARD DECISIONS – No October meeting

ADJOURNMENT

The meeting adjourned at 6:51 pm

Submitted:



Rebecca Newton
Recording Secretary

Attest:



Amy Meyers
Chair, Jaffrey Planning Board