

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
DECEMBER 12, 2018

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Robert Cote, Selectmen's Representative Fred McGarry. Also present Town Planner Sylvia von Aulock, secretary Jane Boucher and William Perron.

7PM Chair Schibbelhute called the meeting to order.

APPROVAL OF MANIFEST

Fred McGarry voted to approve the manifest (time sheet for Jane Boucher 15 1/2hours). Robert Cote seconded. Voted in favor.

APPOINTMENT

Fred McGarry moved to appoint William Perron to serve as a member of the Planning Board. Robert Cote seconded. Voted in favor.

APPROVAL OF MINUTES

Fred McGarry moved to approve the minutes of November 28, 2018. Robert Cote seconded. Voted in favor.

MCCARRON SUBDIVISION

The Board reviewed a letter to Kevin Cole from Richard Pelletier, Code Enforcement Officer, regarding the subdivision on Middle Road. This letter indicates a "Notice of Lapse of Conditional Approval and Violation".

Board members made some revisions to the letter which is attached to these minutes. They added "If you would like to meet with the Planning Board to discuss the process to apply for Subdivision Approval please contact the secretary to schedule an appointment with the Board." It was agreed to have the Police Department deliver the letter.

Peter Schibbelhute advised that he spoke with David Price, DES, who did visit the site and will send Mr. Cole a letter of deficiency

7:30PM CONCEPTUAL MEETING: SITE PLAN REVIEW/DAVID IRISH 145
SOUTH ROAD/ MARK CRISMAN

Mark Crisman was present.

Mr. Crisman provided updated plans showing the detail requested by the Board at the conceptual meeting on November 14.

Mr. Crisman advised that what is proposed is nothing significantly different from what has been going on for years. All access to the property will be off of Birch Road. There will be no increase in traffic. All horses on the property will be owned by Ms. Merrick.

He noted that an access off of South Road will not be used after construction. Peter Schibbelhute suggested that Mr. Crisman apply for a driveway permit and install a gate to the access. Mr. Schibbelhute noted that a gate could be closed when not in use but access could be used if necessary.

Mr. Crisman noted that the plan showed detail on the rain garden, as the PLanning Board requested.

Mr. McGarry said that calculations need to be shown on the run off into the garden.

Mr. Crisman noted that the soils and plants have been identified.

Fred McGarry said that more detail needs to be included on the drip edge, also existing gravel and paving need to be shown.

Mr. Crisman submitted a form for a Lot Merger. This will be scheduled for approval at the January 9, 2019 meeting.

Fred McGarry questioned exterior lighting and noted it should also be shown on the plan. He added that the pole for electricity also be added.

Mr. Crisman will try to submit the application for a Site plan Review and revised plan in order to be heard at the January 9, 2019 meeting.

CIP

Sylvia von Aulock advised that she has met with Department Heads and will meet with the School Board to discuss the CIP update.

OTHER BUSINESS

Fred McGarry moved and Robert Cote seconded to authorize Sylvia von Aulock to purchase four heavy duty files not to exceed cost of \$1,800.00. Voted in favor.

ROLLINS EXCAVATION

Earl Sandford submitted an application for Earth Excavation Permit and updated plans. Board members will be given copies at the January 9, 2019 meeting. Members would like to meet with Earl Sandford and Steve Rollins on January 23, 2019 for a conceptual meeting. Sylvia von Aulock will contact Earl

PLANNING BOARD 12/12/18

Sandford to confirm.

The meeting was adjourned at 8:30PM.

Recorded and transcribed by Jane Boucher
Pending Approval by the Planning Board

**Town of Deerfield
P.O. Box 159
Deerfield, New Hampshire 03037**

Notice of Lapse of Conditional Approval and Violation

To: Kevin Cole, Sr.
58 Brown Road
Deerfield, NH 03037

Date: December 4, 2018

Re: McCarron Subdivision (Phase III), Map 413, Lot 7, Deerfield, N.H. (the "Project")

Property Location: Middle Road, Deerfield, New Hampshire

Dear Mr. Cole,

The conditional subdivision approval granted by the Planning Board for the Project has lapsed, in accordance with Section III-7 of the Planning Board Regulations.

The property identified above is being used in violation of State or Town of Deerfield land use regulations, ordinances, or approvals.

Conduct Constituting Violations:

A. You are performing land clearing and construction of roadways and infrastructure improvements without an approved subdivision plan, in violation of Deerfield Subdivision Regulations, §V-1 B, following lapse of conditional subdivision approval.

B. Required erosion controls are not maintained or have failed, resulting in erosion and sediment deposit in adjoining stream, in violation of permits issued under RSA 485-A:17 and in violation of RSA 482-A.

You are hereby ordered to take the following remedial action to bring property into compliance within Thirty days from the date of this letter:

A. Cease all construction activities on the Property;

B. Restore all erosion and sediment control structures on the Property.

C. Submit to the Town, with a copy to the Department of Environmental Services, a plan for remediation of all wetlands damaged by the failure to maintain erosion controls required for the Project.

If the violation is not resolved within the time period specified, this matter may be referred to the Town's attorney, who will be instructed to seek judicial relief in the form of injunctive relief, a fine of \$275 for each day the violation(s) continues following the date of this notice, and an award of attorneys' fees and costs, in addition to all other remedies allowed by law.

If you believe this Notice is in error in the application or interpretation of any provision of the zoning ordinance, you may have the right to appeal to the Zoning Board of Adjustment.

If you would like to meet with the Planning Board to discuss the process to apply for Subdivision Approval please contact Jane Boucher @ 463-7924 to schedule an appointment with the Board.

The Town of Deerfield

By: _____
Richard H. Pelletier,
Code Enforcement Officer