

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
MARCH 27, 2019

MINUTES OF MEETING

PRESENT; Board members Peter Schibbelhute, Selectmen's Representative Fred McGarry, Robert Cote, Harriet Cady. Also present Cameron Prolman, SNHPC, and secretary Jane Boucher.

7PM Chair Peter Schibbelhute called the meeting to order.

APPROVAL OF MANIFEST

Fred McGarry moved to approve the manifest in the amount of \$1,537.98 and a time sheet for Jane Boucher. Robert Cote seconded. Voted in favor. (SNHPC \$673.82 (Contract), SNHPC \$864.16(CIP), time sheet 21 1/2 hours).

7PM DANA CASKO/JAMES CORTEZ-HARTFORD BROOK ROAD

Dana Casco and Mrs. Casco along with James Cortez were present.

Mr. Cortez and Mr. and Mrs. Casco were present to discuss water coming onto their property.

Mr. Cortez submitted an e-mail to Sylvia von Aulock describing the situation. (A copy is attached to these minutes along with response from Ms.von Aulock after she and Cameron Prolman conducted a site visit) Mr. Casco also provided pictures of damage done to his property.

Peter Schibbelhute told Mr. Cortez and Mr. and Mrs. Casco that they need to contact the builder, Reggie Moreau, as it is his responsibility to correct the problems. Mr. Schibbelhute said he had spoken with Mr. Moreau this morning and advised him to visit the site.

Mr. Cortez said the situation was not as bad as snow had been melting.

Mr. Schibbelhute said that this situation was the responsibility of the builder. He noted that Sylvia von Aulock and Cameron Prolman, SNHPC, had visited the site and reviewed the plans concluding that drainage was built according to the plans.

Chair Schibbelhute said that the Builder, Reggie Moreau, was the person responsible and suggested that Mr. Cortez and the Cascos contact him. Mr. Schibbelhute said they he will contact Mr. Moreau as well. He suggested that registered letters also be sent to Mr. Moreau.

Mr. Casco expressed concern regarding surface water around

their propane tanks

7:15PM APPLICATION FOR PUBLIC HEARING; MINOR SUBDIVISION NORTH ROAD/THELMA SIDMORE; PHILIP SIDMORE; K. REMIS; K. MOUSHEGIAN Jason Franklin as well as the applicants were present.

Chair Peter Schibbelhute read the Notice of Public Hearing by which Thelma Sidmore, Philip Sidmore, Kristie Remis and Kimberly Moushegian are making application for a Public Hearing to consider approval of a Minor Subdivision for property located on North Road, Deerfield, NH (identified as Tax Map 405 Lot 68) and owned by the applicants. The intent of the application is to create one new lot consisting of 6.042 acres. The existing house and barn will be located on the proposed lot.

Mr. Franklin provided revised plans for the Board's review.

Fred McGarry moved to accept the application. Robert Cote seconded. Voted in favor.

Cameron Prolman reviewed a memo noting that the original plans submitted the locus map was a little confusing and it has been corrected. He also noted that, according to the Zoning Ordinance this will be the last lot created because of the requirement of Open Space Subdivision (325.3.C.1.). Jason Franklin said that two of the created lots were approved prior to the Open Space Ordinance and therefore not subject to the requirement. Therefore there would be two more lots that could be subdivided.

Fred McGarry moved to grant conditional approval for a Minor Subdivision on Map 405 Lot 68 with the following conditions:

- . Certificate of monumentation
- . Staking iron pins showing easement for Christmas tree maintenance area identified on the plan.
- . Show dimensions from Northeasterly corner of the lot to corner of Lot 68-3.

Conditional Approval to lapse in 90 days. (June 27, 2019)

Harriet Cady questioned access from Sweatt Road to the Christmas tree area.
It was noted that Mr. Sidmore did have access.

Robert Cote seconded.

It was noted that a request from the applicants for three waivers had not been addressed.

Fred McGarry moved to re-consider his motion for conditional approval. Voted in favor.

A waiver request was submitted for the following:

- . A full perimeter boundary survey of Lot 68
- . A full topographic survey of Lot 68
- . A full soils survey of lot 68.

Fred McGarry moved to grant the waiver requests. Robert Cote seconded. Voted in favor.

Fred McGarry moved to grant conditional approval for a minor subdivision Map 405 Lot 68, with the conditions previously stated. Robert Cote seconded. Voted in favor.

REQUEST FOR RELEASE OF BOND/THIBEAULT CONST./MAJOR JOHN SIMPSON WAY

Fred McGarry will visit the site to inspect the stone bounds.

7:45 APPLICATION FOR PUBLIC HEARING; RENEWAL OF EARTH EXCAVATION PERMIT; STEVE ROLLINS PARADE ROAD; OWNER NELLIE ROLLINS

Steve Rollins and Neil Smith, Sandford & Son, were present.

Chair Schibbelhute read the Notice of Public Hearing by which Steve Rollins, 35 Parade Road, Deerfield, NH will make application for renewal of an Earth Excavation Permit for property located on NH Rte 43 and Parade Road, Deerfield, NH identified as Tax Map 209 Lot 35 consisting of 153.95 acres. the owner of the property is Nellie Rollins, 30 Raymond Road, Deerfield, NH.

Mr. Smith presented plans. He noted that there was some questions regarding water quality of 4 abutters and he provided copies of well tests results.

He noted areas on the plans and explained the project was on going and noted areas that have been excavated. The majority of the excavation, shown on 2A and 2B on the plans will probably be done by the end of the year.

Fred McGarry moved to accept the application. Robert Cote seconded. Voted in favor.

Steve Rollins showed the location of the wells tested on the plan.

Mr. Smith said that the line on the east and west be flagged and that has been done. The extension to the berm has also been done. Planting has been done.

Board members reviewed the results of the four wells tested.

Fred McGarry moved to approve the Earth Excavation Renewal Plan

for Steve Rollins, 35 Parade Road, Deerfield, NH subject to water testing for Brosnahan, Savard, and Penguin Realty to be submitted by March/April, 2020. Robert Cote seconded. Voted in favor.

Fred McGarry will submit a permit for signature approval.

REQUEST OF LOT MERGER

A request to combine Lots was received from George Kelley IV. The request was to combine Map 420 Lot 4 and Map 419 Lot 15 located on South Road Deerfield, NH.

Fred McGarry moved to approve the request from George Kelley IV. Harriet Cady seconded. Voted in favor.

APPROVAL OF MINUTES

Fred McGarry moved to approve the minutes of February 27, 2019. Peter Schibbelhute seconded. Voted in favor.

Fred McGarry moved to adjourn the meeting at 8:30PM. Robert Cote seconded. Voted in favor.

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

From: Sylvia von Aulock <svonaulock@snhpc.org>

To: Jane Boucher <f5fy@aol.com>

Subject: FW: Structural damage at 100 Hartford Brook rd

Date: Wed, Mar 27, 2019 2:42 pm

Attachments: Site Investigation for 100 Harford Brook Road.docx (2357K)

Hi James,

After Cam and I met with you, I dropped in the Town Office and discussed the issues with both Jane and Rick. Jane found the plans. Rick and I reviewed them and discussed the subdivision. Evidently the hillside has many forested wetlands and poorly drained soils. The attached reviews photos from the site, around your property, the neighbor next door, neighbor up hill, and photos I took from the plan set. Image #6 shows areas of poorly drained soils in your immediate backyard and up the hill and Image #7 shows the design for the grading and drainage from Cobbler Trail Rd. . Considering our site investigation and the plans, I conclude that the drainage was built according to the design.

Thanks, Sylvia

Sylvia von Aulock

Executive Director

Southern NH Planning Commission - Celebrating Over Five Decades of Planning Services

438 Dubuque St.

Manchester, NH 03102

603-669-4664

From: james cortez <jdcmanch@gmail.com>

Sent: Sunday, March 17, 2019 3:24 PM

To: Sylvia von Aulock <svonaulock@snhpc.org>

Subject: Structural damage at 100 Hartford Brook rd

Good afternoon Sylvia. My name is James Cortez and I live at 100 Hartford Brook Rd, Deerfield, NH 03037 with my wife Amy and daughter Alair. I hope I can have just a moment of your time to fill you in on our current situation. We bought our home here in Deerfield back in 2016 in the forest glen development with the intention of starting some roots here in Deerfield. Unfortunately every year has presented new problems that only seem to grow due to the negligence and total disregard of the developer Reginald R. Moreau in our, and probably quite a few others residents on the roads, opinion. Our first spring here we raised concern to the developer about the

water coming onto the back of our property. The first and second year we had no back yard and tried combat the water to best of our ability. But this past winter with the warming trends and the finished phase up the hill, we were hit with more than just a wet back yard, we had our foundation compromised to the level of structural damage. We just paid close to \$6000 to start to have devices installed in our basement along with on going water sealing for the cracks. The house is only 3 years old and at this rate our value is only gonna continue to go down. We had plans of digging a swale around the back of the property this summer after realizing that the developer was never going to do anything for us. He has promised many times to come see for himself and give us direction but has failed us and has maintained dialogue for legal purposes I'm sure only. This is a huge disappointment paying for a house that's falling apart and we are worried more severe damage may come in the near future. We are doing the best we can but seem to be losing here. Please tell us that the town has some advice and recourse for a situation like this cause we are unsure where to go from here.