

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
NOVEMBER 17, 2021

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Fred McGarry, Board of Selectmen's Representative, William Perron, Donald Wyman. Also present Cameron Prolman, SNHPC, Jane Boucher, secretary.

7PM Chair Peter Schibbelhute called the meeting to order at 7PM.

APPROVAL OF MANIFEST

Fred McGarry moved to approve the manifest. (time sheets for Jane Boucher; 25 1/2 and 21 1/2 hours). William Perron seconded. Voted in favor.

2022 BUDGET

Cameron Prolman was asked to submit a contract for 2022 SNHPC for the budget at the December 8, 2021 meeting in order to encumber funds to be used to update the Master Plan.

APPROVAL OF MINUTES

Fred McGarry moved to approve the minutes of October 27, 2021. William Perron seconded. The following corrections were made to the minutes:

Page 2 Paragraph 3: Correct to read "...poles are moved..."

Page 2 Paragraph 8: Correct to read "...asked them to have poles on their property replaced

Page 2 Last Paragraph Correct to read "...trees need to be removed before poles are installed."

Voted in favor.

GLENDIA SORAK

Copies of Attorney James Raymond's response to rescinding the Site Plan for Glenda Sorak were reviewed by the Board. He advised that the current plan can be rescinded and modified. A copy of the response is attached to these minutes.

Fred McGarry will forward a copy to Ms. Sorak.

CONCEPTUAL MEETING; SUBDIVISION; MIKE AND DENISE GALLANT; NOTTINGHAM ROAD

Mike and Denise Gallant and Scott Frankiewicz were present.

Mr. Frankiewicz provided plans for the Board's review.

Mr. Frankiewicz said that Mr. and Mrs. Gallant own property in both Deerfield and Nottingham. He noted that they would like to subdivide two lots in Deerfield and leave the remainder of land connected to the Nottingham property. He said that according

to the regulations you can subdivide up to four lots on a private road.

Mr. Frankiewicz said the property is located on Nottingham Road. They are proposing two six acre lots and the remaining land as well as the Nottingham parcel remain as one piece. In Deerfield there is 56.4 acres and 29.7 acres in Nottingham. There is a house currently on the 56.4 acres which their daughter lives in. There currently is a road on the property which will need to be upgraded.

Fred McGarry questioned if there will be any further subdivision on the Deerfield lot.

Ms. Gallant said they would entertain a Deed Restriction indicating no further subdivision.

Board members referred to Smith Road Subdivisions for John DiFranzo on Ridge Road and one on Church St., Major John Simpson Way.

Mr. Frankiewicz said that they will be meeting with the Nottingham Planning Board on December 8.

Peter Schibbelhute said they would also want to see a road profile.

Mike Gallant noted that sight distance is adequate.

The meeting was adjourned at 7:30PM.

From: cprolman@snhpc.org,
To: McGarry128@myfairpoint.net,
Cc: peteschin@gmail.com, f5fy@aol.com,
Subject: FW: Deerfield Planning Board: home business use inconsistent with approved site plan
Date: Wed, Nov 17, 2021 2:42 pm

Fred,

I was looking through emails and noticed that this message was sitting in my outbox from last week – sorry it never got to you. I tried to call your cell a couple times today but you're inbox is full FYI.

Please see Jim Raymond's response below. It seems that the Board can rescind the approved site plan in Glenda Sorak's case and modify the site plan to fit the use of the site.

From: James F. Raymond <jraymond@uptonhatfield.com>
Sent: Wednesday, November 10, 2021 12:47 PM
To: Cameron Prolman <cprolman@snhpc.org>
Cc: Michael P. Courtney <mcourtney@uptonhatfield.com>
Subject: RE: Deerfield Planning Board: home business use inconsistent with approved site plan

Cam,

As we discussed, the owner's current business is less extensive than envisioned when the owner obtained site plan approval, and the current business may fit within the home business use described in section 320 of the zoning ordinances. The site plan regulations, however, do not exempt home businesses from obtaining site plan approval. The regulations also do not have any provision on lapse of approvals if the improvements are not completed.

Consequently, the current site plan approval remains outstanding, but it is not consistent with the current business use, and the owner should obtain site plan approval for that use. The board, we assume, would like to amend its approval to be consistent with the current use without requiring the owner to incur the costs of submitting a new site plan approval application and a new site plan.

The simplest approach might be to have the owner request that the existing approval be modified to describe and permit the actual current use. By agreement, the previously approved site plan can be rescinded. For a home business, the board can reasonably waive the requirement of a full site plan, and any other unnecessary requirements of the regulations, with the findings required by section I-6 of the site plan regulations, and approve the modification of the existing approval on the basis a description of the current use.

The board should include a condition in its approval that any further expansion of the home business use will require coming back for the board's approval.

Let me know if the board agrees with this suggested procedure.

Jim

JAMES F. RAYMOND

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From: Cameron Prolman <cprolman@snhpc.org>
Sent: Wednesday, November 10, 2021 8:04 AM
To: James F. Raymond <jraymond@uptonhatfield.com>
Subject: Deerfield Planning Board: Can it rescind an approval?