

DEERFIELD PLANNING BOARD
P O BOX 159
DEERFIELD, NH 03037
MARCH 23, 2022

MINUTES OF MEETING

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

7PM Chair Peter Schibbelhute called the meeting to order.

APPROVAL OF MANIFEST

Donald Wyman moved to approve the manifest for 18 Hours (Jane Boucher). Fred McGarry seconded. Voted in favor.

APPROVAL OF MINUTES

Fred McGarry moved to approve the minutes of March 9, 2022. Donald Wyman seconded. The following corrections were made to the minutes:

Page 1 Paragraph 8: Correct to read ".....facilitate and coordinate...."

Page 1 Paragraph 10: Correct to read "....\$10,000 had been budgeted".

Voted in favor with Peter Schibbelhute and William Perron abstaining

7:15PM CONTINUATION; PUBLIC HEARING; MAJOR SUBDIVISION RANGE ROAD; EDWARD AND SANDRA CROSS

Edward Cross, Roscoe Blaisdell and Christian Smith were present along with Erroll Rhodes and several abutters.

Mr. Cross said that he had met with the Board of Adjustment on March 22 and they had granted a variance for up to three driveways instead of roads. A copy of the approved variance is attached to these minutes.

Mr. Cross provided copies of plans. He said he wanted to bring in a single driveway at the location of where the roads were going be. The driveways would service where the building lots were located. One driveway would service three lots and one would service two lots.

Fred McGarry said that he needs frontage on a road not on a driveway, therefore, there is no frontage.

Edward Cross said he wanted to explain the rational as to what he would have to do as far as the environmental impact, The buffer zone would be completely eliminated.

Fred McGarry asked how wide are the Driveways. Mr. Cross replied 24 feet wide. He said that the reason he went to the ZBA was to cease the need to eliminate the buffer and remove all the trees. He added that the abutters did not want that to happen.

Fred McGarry said that he would have to plant additional trees to replace those that are removed.

Mr. Cross commented that it would take years for trees to grow and the reason he went for a variance is that he felt guilty about removing vegetation and concerns of the abutters.

Fred McGarry said that Mr. Cross would not have frontage on a driveway and he would have to go back to the ZBA and ask for elimination of frontage requirements.

Edward Cross referred to Fieldstone Development which did not eliminate the buffer zone. He added that there is 1200 feet of frontage and he did speak with Rick Pelletier who had no problem assigning addresses to five homes.

Mr. Cross said he is also eliminating drainage problems.

Donald Wyman questioned who would be responsible for maintenance on shared driveways. Mr. Cross replied that would be covered in the Homeowners Association.

Mr. Cross said he was just trying to work with what we have to minimize the impact for neighbors across Range Road.

Robert Cote questioned if the correct variance was referred to by the Board of Adjustment. It was noted as Landscape Buffer Requirements and should it be frontage.

Fred McGarry reiterated that the lots do not have frontage and considered back lots.

Peter Schibbelhutte asked for a complete plan.

Mr. Cross said the ZBA has granted up to three driveways. He noted that he asked for three if he needed some flexibility. He is prepared to use two.

Mr. Schibbelhute suggested doing a "horseshoe". Mr. Cross felt that would still require eliminating the entire buffer.

Donald Wyman said this would open up a major precedent from here on out.

Peter Schibbelhute said that originally Mr. Cross wanted to

build a conventional subdivision with five driveways. He went to the ZBA for a variance and was denied.

Mr. Cross said that the Chair of the ZBA stated that this would not create a precedent. Each case is heard individually and the hardship was that the entire buffer zone would have to be eliminated.

Donald Wyman said that by Mr. Cross referring to Fieldstone he was setting a precedent.

Peter Schibbelhute said that it is up to Mr. Cross as to how he wants to proceed. If he wants to go back to the ZBA for another variance or if he wants to proceed as he has and construct a road.

Mr. Cross said he is trying to work with this and questioned if he does go back to the ZBA and ask for a variance for 25 foot frontages, will the Planning Board work with him.

Cameron Prolman, SNHPC, said that Steve Keach, KNA, has met with Mr. Cross's Engineer to discuss waivers and he wanted to provide recommendations to the Planning Board. He advised that Mr. Keach has been away and he recommended continuing the hearing until a report is received from KNA. Mr. Prolman said ultimately it was the decision of the Planning Board.

Marie Brisson, an abutter, commented that her biggest concern was the fire pond and drainage.

Fred McGarry asked Mr. Cross if he had contracted with an Hydrologist. Mr. Cross replied he was still trying to do that.

Fred McGarry moved that Mr. Cross establish an escrow account in the amount of \$5,000 to cover cost of engineering and legal expenses. Donald Wyman seconded. During discussion Peter Schibbelhute suggested that the account be set up for \$4000.00. Mr. McGarry amended his motion to change the amount to \$4,000.00. Donald Wyman seconded. Voted in favor.

William Perron moved to continue the Public Hearing for a Major Subdivision for Edward and Sandra Cross on Range Road to April 27, 2022 at 7:15PM. Robert Cote seconded. Voted in favor.

Plans for the subdivision to be submitted one week prior to the hearing.

8:30PM CONCEPTUAL MEETING; SEAN LABRIE/PERRY ROAD
Sean Labrie was present.

Mr. Labrie 76 Nottingham Road, said he would like permission

to host seasonal weddings at his property on Perry Road (Map 409-54-2). He provided a plan depicting the property . Temporary structures will be set up and removed after the events. He was advised that he will need to apply for a Site Plan Review and the plan should indicate where vendors will be located and proposed parking area. A copy of Cameron Prolman's report regarding the proposed plan is attached to these minutes.

MASTER PLAN COMMITTEE

Cameron Prolman said that he would like the Planning Board to name a member to serve on the committee.

He advised that names have been submitted for Conservation Commission, Heritage Commission and School Board. He will contact the Board of Adjustment and Parks and Recreation and also name a volunteer from the public.

Peter Schibbellute and Robert Cote will serve on the Master Plan Committee.

The meeting was adjourned at 8:45PM.

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



OFFICE OF THE BOARD OF ADJUSTMENT
P.O. BOX 155
DEERFIELD, NEW HAMPSHIRE 3037

NOTICE OF DECISION

Case 22-02

Edward and Sandra Cross,
4 Thurston Pond Rd., Deerfield, NH
For property at Map 414 Lot 71
At Range Rd.

Notice is hereby given that after a public hearing on March 22, 2022, the five-member board voted to **grant 5-0** a variance from Section 325.4E for landscape buffer requirements for a subdivision with following stipulations:

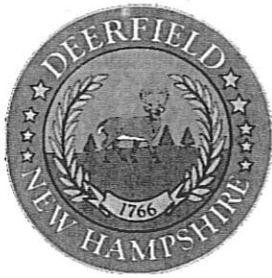
- Allow up to 3 driveways to the five lots Map 414 Lot 71-4, -5, -6, -7, -8.
- Provide minimal tree cutting in the landscape buffer.
- Ensure safety concerns are addressed.

By direction of Chairman, Anthony DiMauro

Jonathan Leer, Clerk

March 22, 2022

NOTE: Any person affected has the right to appeal this decision. If you wish to appeal, you must act within 30 days of the date on this notice. The necessary first step, before any appeal may be taken to the courts, is to apply to the board of adjustment for a rehearing. The motion for a rehearing must set forth all the grounds on which you will base your appeal. See New Hampshire Statutes, RSA Chapter 677, for details.



TOWN OF DEERFIELD, NEW HAMPSHIRE

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Memorandum

To: Deerfield Planning Board
From: Cameron Prolman, SNHPC Representing Deerfield Town Planner
Re: Planning Board Meeting for March 23, 2022
Date: March 23, 2022

- 1. Conceptual Meeting: 409-054-001 and 409-054-002** - Sean LaBrie of 76 Nottingham Road, to install temporary structures for seasonal wedding events.

Planners Comments: I have reviewed the proposed use of the site with the property owner and the Deerfield Building Inspector. The owner intends to utilize the existing logging road along the eastern border of lot 54.1 for access to the proposed wedding area located on lot 54.2

Under Section 212.2 Business Overlay District Permitted Uses in the Zoning Ordinance, wedding venues are not listed as a permitted use. However, due to the intent of the Ordinance and the proposed use of this property, I advised Mr. LaBrie to meet with the Planning Board for a preliminary conceptual consultation as stated in Section 212.4.

Map/lot **409-054-002**, where the weddings and temporary structures are proposed to be located, is in Current Use. After consulting with the Town Assessor, it seems that if the property is kept in its natural state, the temporary structures are removed, and no improvements or changes are made to the land, there should be no changes to Current Use as there will be no modification to the land.

If the Planning Board were to acknowledge this use as a business, and therefore granting a Conditional Use Permit under Section 212 of the Deerfield Zoning Ordinance, the Planning Board may determine that improvements are necessary for the existing logging road, for access to the wedding area. However, I would recommend a site-walk to view the condition of the road prior to prescribing any conditional improvements.

