

**TOWN OF GILMANTON PLANNING BOARD**  
**THURSDAY, APRIL 10, 2008**  
**ACADEMY – 7 p.m.**  
**MINUTES OF MEETING**

**Present:** Chairperson Nancy Girard, Selectmen’s Representative Don Guarino, Dan Hudson, Doug Isleib, David Russell, Alternate Members Marty Martindale and Pamela Fecteau; also Planning Administrator Lynne Brunelle.

**Absent:** Felix Barlik, John Funk, Alternate Member Monica Jerkins.

Chairperson N. Girard opened the meeting at 7:05 p.m. and appointed Alternate Member M. Martindale as a full voting member.

**ACCEPTANCE OF MINUTES:**

The Board reviewed the minutes of the 3/13/08 meeting and corrections were made.

**Motion:** D. Hudson moved to accept the minutes of 3/13/08 as amended. M. Martindale seconded, vote passed 5-0-2, D. Russell and P. Fecteau both abstained, as they were not in attendance at that meeting.

**PUBLIC HEARING – Jason Bellush, applicant; Dorothy Bellush, owner:**

Design Review to Subdivide Town Tax Map/Lot #408-01, of 45.67 acres, into four lots of 18.79, 10.32, 8.09 & 8.47 acres each; the 1,670’ of shorefront on Crystal Lake will be subject to a conservation easement. Property located on Mountain Road in the Rural Zone; PB#0508.

Ronald A. Johnson, Licensed Land Surveyor, (L.L.S.) was in attendance representing the applicant and owner’s son, Jason Bellush, and to present the proposed plan. Mr. Johnson began by stating that the land has been in the Bellush family since 1953. The plan shows the division of 45.67 acres into four lots as follows: Map/Lot #408-01 of 18.79 acres will have 530’ of road frontage on Mountain Road; Map/Lot #408-01-01 of 10.32 acres will have 420’ of road frontage with a restriction of “No Further Subdivision”; Map/Lot #408-01-02 of 8.09 acres will have 310’ of road frontage with a restriction of “No Further Subdivision”; Map/Lot #408-01-03 of 8.47 acres and 548’ of road frontage with a restriction of “No Further Subdivision”.

Mr. Johnson continued that the property has approximately 1,670’ of frontage on Crystal Lake; therefore, the provisions of the Comprehensive Shoreland Protection Act will apply. In addition, each lot will be subject to a Conservation Easement measuring from the waterline inland approximately 600’, 18 acres total, to be monitored by the Gilmanton Conservation Commission.

D. Russell asked what the shorefront of the property was like? Mr. Johnson described the waterfront as very swampy, which is good for kayaking and/or canoeing, but would not be appropriate for a dock or swimming.

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D. Isleib lives across the lake from this property and thinks it's a very good design. He is happy to see this type of development in this area where the property owner is allowed building lots while the lakefront is being preserved.

Kim Smith, an abutter, conveyed that there is a culvert under the road located at approximately Lot #2, which creates small brooks during snowmelt and asked how this may effect the land? Mr. Johnson explained the criteria for wetlands delineation and thinks that the run-off will just dissipate. N. Girard suggested that if the culvert is filled with sand or debris, the run-off might not dissipate adequately.

Norman Fountain, an abutter, asked about the proposed easement area, specifically, how will it be used? Mr. Johnson responded that there will be a 20' wide easement along the western boundary, along the brook, for the Conservation Commission to access the easement area to monitor it. It is a private easement and will not be for public use.

Mr. Fountain asked if the conservation easement area will be taxed and if the other waterfront property owners will have to pick up the slack? N. Girard indicated that the easement area will be assessed at a lower rate than the buildable land.

Elizabeth Bikowski, from the Crystal Lake Association, asked if clear cutting may take place? N. Girard responded that cutting may occur on the lot for a building site but no cutting is allowed in the easement area. Ms. Bikowski mentioned that the subject property is located in an area where she has seen significant wildlife.

Paula Gilman was in attendance representing the Gilmanton Conservation Commission (GCC) and conveyed that when the proposed plan was presented to the Commission, it was unanimous that it was the "perfect" subdivision due to the fact that the lot sizes and road frontage well exceed the minimum required amount for the Rural Zone, the Conservation Easement will not only protect the waterfront but it is twice the required area regulated by RSA 483-B (Comprehensive Shoreland Protection Act) yet it still allows for the construction of single family dwellings.

Joe Downing, from Varney Road, asked if the new lot owners have access to the shorefront and will there be docks on Crystal Lake? Mr. Johnson responded that each lot has frontage on Crystal Lake but he doubts that the State would approve dock permits because it is so shallow and marshy. It is likely that docks will be restricted according to the conservation easement language.

D. Hudson asked if someone could characterize the neighborhood, is it rural or residential? D. Isleib lives across the lake and conveyed that the area is wooded, the waterfront is marshland and there is a lot of wildlife. Kim Smith, an abutter on Mountain Road, conveyed that there is one house located across the street from the property.

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Ms. Smith inquired about the minimum of two acres required for this zone. She asked if there must be two acres of buildable area? N. Girard responded that according to the Subdivision Regulations, there must be a minimum of 30,000 s.f. of contiguous area to build on the two-acre lot. She further stated that this area will need to be depicted on the final plan.

D. Hudson stated that he has some concerns regarding the irregularly shaped lots; however, due to the fact that the lots exceed eight acres in size and the buildable areas are located toward the road, it is acceptable.

The Conservation Commission had requested a Joint Site Walk with the Planning Board. This was scheduled for Thursday, May 1<sup>st</sup> at 5:30 p.m. The abutters were invited to attend.

**Motion:** D. Russell moved to continue the public hearing on application PB#0508 until the next regularly scheduled meeting on Thursday, May 8, 2008. M. Martindale seconded, motion carried 5-0.

**ADMINISTRATOR'S REPORT**

**Final Plan for Darbyshire Subdivision:** The Board members reviewed the final plan, the conditions of approval, the driveway maintenance agreement and other supporting documents for the Darbyshire Subdivision. The Board agreed that everything was in order; therefore, Mr. Darbyshire will submit a mylar plan for final approval.

**Crystal Lake Farms Subdivision:** Planning Administrator L. Brunelle reported that she received correspondence from Kurt Rague stating that he has met the conditions of approval with the exception of the final conservation easement language. He recently submitted an application for an Alteration of Terrain Permit. Paula Gilman reported that the GCC recently submitted a letter to the State of NH-DES regarding another wetlands permit applicant for a new culvert. The Board members agreed that Mr. Rague cannot return to the Board until after the State inspectors perform their Site Visit on May 20<sup>th</sup> and all the conditions are met. Lynne will forward a letter to the applicant informing him of this.

**Final Plan for MacFadyen Boundary Line Adjustment:** Lynne presented the final plan for the Laurose MacFadyen Trust Boundary Line Adjustment and the accompanying deeds. Chair N. Girard signed the mylar to be recorded at the Belknap County Registry of Deeds along with the transferring deeds.

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**Work Force Housing Bill:** Lynne distributed correspondence from Representative David Boutin regarding HB1472 which suggested that local Planning Boards address this issue in the Town's Zoning Ordinance as soon as possible as this bill requires municipalities to provide "reasonable and realistic opportunities for the development workforce housing".

**OTHER BUSINESS**

**Article VII:** The Board referenced the amended language that was recently adopted to Article VII of the Zoning Ordinance. J. Funk suggested that the Town address concerns about the State of NH-DES liberally granting waivers by modifying the language to remove the phrase "with waivers" as to the septic and water so that a Special Exception would be required by the Town if any waivers are required by the State. Discussion continued and the Board would like to get GCC member Dick deSeve's input regarding this suggestion.

**Election of Chair & Vice-Chair:** N. Girard conveyed that every April the Board elects their Chair and Vice-Chair and opened the floor to nominations. D. Russell nominated N. Girard to serve as Chair, M. Martindale seconded the nomination. Vote passed unanimously. D. Russell nominated J. Funk to serve as Vice-Chair, M. Martindale seconded the nomination. Vote passed unanimously.

**Reappointments:** N. Girard informed the Board that F. Barlik and D. Isleib were up for reappointment this year, and Doug decided not to be reappointed. Nancy thanked Doug for eight years of service to the Planning Board and everyone ate cake.

**Class VI Road Committee:** Lynne informed the Board that the next meeting of the Class VI Road Committee was scheduled for Wednesday, April 16, 2008 at 7 p.m.

**ADJOURNMENT**

On a motion made by D. Hudson and seconded by M. Martindale, vote passed unanimously. Meeting adjourned at 9 p.m.

Respectfully submitted,

Lynne R. Brunelle