

RUMNEY PLANNING BOARD
MINUTES
January 29, 2013

The meeting was called to order at 7:04 pm by John Bagley, Chairman.

Present were Kathy Wallace, Dave Coursey, Mark Andrew, John Bagley, Rob Arey, Alternate Carl Spring sitting in for Brian Flynn and Alternate David Saad sitting in for Jerry Thibodeau.

Minutes for December 18, 2012 were approved as written.
The 2012 activity report was read by the Chairman.

1. Correspondence: A copy of a letter from DES to Central NH Aggregates requesting reports that had not been submitted, and a reminder his 6 year updated plan for his Alteration of Terrain Permit was due on May 24, 2013. His response to this letter stated his surveyor and engineer were in the process of completing all. Reference Tax Map #16-4-21

Rumney Sand and Gravel received a letter from DES requesting reports and an updated plan for the Alteration of Terrain Permit due by April 2, 2013. Reference Tax Map #16-4-1

A driveway permit for Tax Map #16-6-28 Robert Berti, Quincy Road was received from DOT.

2. The Chair stated Atty. Waugh would be meeting with the Selectmen and the Planning Board on February 25, 2013 to review law updates from the year 2012, as part of the Selectmen's meeting.

3. The Chair presented information sheets on "criteria for issuing waivers for 2nd dwellings", and information on subdividing buildings to create apartments. This was read and reviewed with the Board. He explained that waivers are the only option for this Board due to the lack of zoning in town. A subdivision review is required for a second dwelling and subdivision can be waived for certain hardships. This is a temporary waiver and must be recorded with the Registry of Deeds.

4. Tax Map #16-4-28 A complaint had been received concerning three dwellings being created on a lot on Risley Road. Ed Batchelder recently purchased this lot and was upgrading existing buildings on the property. Mr. Batchelder was contacted and will attend the February meeting.

5. George Buck has been in contact with the Board regarding a lot line adjustment needed to sell off one of three parcels he recently purchased within the New England Fellowship compound. He will be presenting this in the near future. David Coursey stated he had been on the property with Mr. Buck and he plans to demolish a camp on the property, renovate a garage, sell one parcel and donate the remaining lot to the Fellowship.

6. The Clerk received a call from Qasim Anwar inquiring about a 12a. lot for sale on Buffalo Road and what would be required to build camps or create a campground on the waterfront property.

7. Tax Map #12-3-7 Bart Macchiette, Quincy Road – A letter had been sent regarding apartments at this location requesting a reply by this meeting. No written or oral contact has been made. The Fire Department had reported the apartments within this house, containing several safety violations. Mark A. made a motion for David Coursey to compose and send a letter to Mart Macchiette from the Fire Dept., with the State Fire Marshalls report on safety codes, monitor his response after thirty (30) days. If no

response we will turn this file over to MRI. Carl S. seconded this motion and it was approved by a unanimous vote.

8. Tax Map # 13-3-3 Mindy Beach – The Chair reviewed prior history with this property and stated a court Case – US vs Costillo – determining a dwelling is any unit including a tent or vessel where people reside.

Another case – Puff vs State – determined a dwelling as a place used to sleep. The documents indicate the Yurt in question is a dwelling, creating a second unit on this property. David S. stated we need to follow the current Subdivision regulation definition as they are the only regulations we have to follow. Carl S. stated it has met three criteria for subdivision violation. The Chair suggested possibly allowing an “accessory dwelling unit waiver”. Carl S. made a motion to invite Ms. Beach to come in for subdivision review and if that fails submit the case to MRI for follow up. Dave C. seconded the motion. The following voted “aye”: David Coursey, Carl Spring, John Bagley and Kathy Wallace. David Saad voted “nay” and Rob A. and Mark A. abstained.

9. Carl S. suggested a \$10.00 fee for a paper copy of the Master Plan if purchased through this office. Questioned if a letter regarding “no campers” has been sent to Mid State Auto and suggested having them removed by May 1, 2013. This letter was tabled to a later date.

The meeting adjourned at 9:25 pm.

Respectfully submitted,

Diana Kindell
Clerk