

APPROVED

**Town of Grantham – Planning Board  
Meeting Minutes  
September 4, 2014**

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Chair Carl Hanson called the meeting to order at 7:00 p.m. The meeting was held in the Jerry Whitney Memorial Conference Room of the Grantham Town Hall located at 300 Route 10 South in Grantham, NH.

Present: Chair Carl Hanson; Vice Chair Charlie McCarthy; Karen Ryan; Mary Hutchins; Alternate, Peter Guillette; Selectman Representative Warren Kimball.

Absent: Alternate, Thain Allan

Public Attendance: Judith A. King; Robert A. Lewis; Gene (Doodle) Barton; Richard Kaszeta; Mark Curtis; Karen Foster; C. Peter James; Ryan Ray; A. Wilson; Mr. & Mrs. Robert Osgood; Town Administrator Melissa White; Barry Schuster; Carol Shepherd; Chris Paquette; Joey Holmes, .

**APPROVAL OF MINUTES:**

Chair Hanson asked the Board members if there were any corrections to the August 7, 2014 minutes. C. McCarthy requested that “Alternate” be added before T. Allen and P. Guillette’s name in attendance and absent list of the minutes. Chair Hanson stated there being no further corrections motion was made by Vice Chair C. McCarthy and seconded by K. Ryan as amended. ***Unanimously Approved***

**New Business:**

**Land Acquisition:**

Route 10 North Tax Map 221 Lot 001-000

Town Administrator M. White explained that the Conservation Commission is looking to purchase a small piece of land about 6.5 acres for \$12,000.00 for conservation and recreation purposes. Before they can proceed with the purchase the Conservation Commission would need the Planning Boards Approval. Chair

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Hanson asked if this abuts the existing Brookside Park to the North. C. McCarthy asked if this sale goes through would they be going through with an annexation; Town Administrator M. White stated that she believed that they would be annex, because the property is pretty wet and not really conducive to developing. It would make sense for the Town to put in some recreational trails.

Chair Hanson entertained a motion to APPROVE Land Acquisition for Tax Map 221 Lot 001-000 – Route 10 North Grantham, NH. Motion by C. McCarthy and seconded by M. Hutchins. ***Unanimously Approved***

### **Annexation Application:**

Francis & Lorene Osgood; Tax Map 233 Lots 015 & 106 – Pillsbury Rd, Grantham, NH

R. Osgood explained that he and his wife purchased this 6 acre property and that in 1989 he subdivided this property to give each of his boys a piece of land; plus he purchased an acre of property that was across the street for his oldest son to build a house on.

R. Osgood explained that now he would like to annex the two properties back and would like to put it into a wildlife habitat, his son Marshall already has his land in habitat and certificate. R. Osgood stated that he plans on going to the State to request a wildlife garden classification. The property is currently listed as a building lot and R. Osgood would like to have that removed as he does not want that property to be a building lot.

With no further questions; Chair Hanson entertained a motion to APPROVE Annexation Application for Tax Map 233 Lots 015 & 106 – Pillsbury Rd Grantham, NH. Motion by K. Ryan and seconded by M. Hutchins. ***Unanimously Approved***

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**Annexation Application:**

Cleveland & Lucia Kapala; Tax Map 215 Lots 46 & 47 – Eastman West Shore, Section 2

C. McCarthy asked if the Kapala's had owned both of these property's for a long time. C. Shepherd explained that they had just purchased the second property from Eastman.

With no further questions; Chair Hanson entertained a motion to APPROVE Annexation Application for Tax Map 215 Lots 46 & 47 – Eastman West Shore, Section 2. Motion by M. Hutchins and seconded by K. Ryan. ***Unanimously Approved***

**Boundary Line Adjustment Application:**

Douglas Webb Jr.; Tax Map 237 Lots 54, 54.1 & 54.2 Split Rock Road

B. Schuster explained that he was asked to attend tonight's meeting as D. Webb had a family emergency and was unable to make it. B. Schuster stated that there are 3 lines that will be discontinued so one of the lots would get pushed one way and the other lot would be getting pushed another way; the same number of lots will continued to be maintained.

C. McCarthy explained that the Planning Boards request had to do with some omissions that needed to be made on the plans. B. Schuster asked what omissions were supposed to be made on the plans. C. McCarthy explained that the omissions were that there are cross easements between the two subdivisions. Webb's piece is down here and the rest of this is on another subdivision. C. McCarthy explained that there are all kinds of conditions and easements on who maintains the roads.

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A Wilson explained that the basing the approval of line change on something to do with the roads just doesn't make any sense. A. Wilson explained that what he did add to the plan is "All conditions and requirements of the approval of the subdivision of plan reference 1 are valid and in force." A. Wilson explained that this is not a subdivision; this is only a boundary line adjustment. A. Wilson stated that he made one more change to the plan was to show what the lot designation was on the 2000 plan. A. Wilson stated that he did not have the tax map lot numbers because they did not exist prior to that.

Chair Hanson explained that there is still no reference to the recreational easement to access Walker Pond on the plan at all. Chair Hanson stated that he was confused why the plan does not show this recreational easement when the plan shows the other right away. Chair Hanson stated that it's as if you didn't show a boundary. A. Wilson explained that he didn't show all the boundaries; all he was showing was the boundaries that they were putting together.

B. Schuster asked if they could just have it as a condition of approval that a reference be added to the plan showing the recreational access easement prior to being signed. Chair Hanson explained that this was what was asked of the applicant last month.

M. Hutchins stated that on the small map there is a note highlighted stating "Approval to be based on each new lot (A, C, E, & B if it seeks to use Split Rock Road) to be required to pay a pro-rated share of the annual road expense in accordance with the association" this is not found on the new plan.

B. Schuster explained A. Wilson did add a note in the plan that states that everything that is on this plan that isn't referenced here is in full force and affect and there is no harm writing that on the new plan as well as a condition of approval.

M. Hutchins asked about the size of the lots, based on the information provided on the Boundary Line Adjustment application size of all parcels involved in this Boundary Line Adjustment final acreage being 4.9; and on the plan it states 5.1. A.

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Wilson stated that once they went out in the field and the actual location of those these things had to be adjusted down slightly, and since it is a Boundary Line Adjustment and not a new subdivision, it had to be adjusted to make it 5.1.

R. Lewis asked for clarity that the minutes reflect the difference between Sugar Wood Farms Association Inc. and Sugar Wood Development 2. Sugar Wood Farms Association Inc. is an association that has been incorporated. Sugar Wood Development 2 is not an association "YET". Sugar Wood Development 2 have a restrictions that say when all four lots have been sold they can create an association.

(R. Lewis requested an addition to minutes ... assumption language in 2000 plan refers to the association whom has road maintenance expenses SWFA)

R. Lewis explained that M. Curtis called him at home and they had discussed at great lengths how they could resolve this matter. R. Lewis and M. Curtis decided to meet with the Board of Directors where they were able to work out a proposed resolution. C. Hanson explained that M. Curtis is the proposed buyer of this lot that is being changed.

R. Lewis explained that proposed resolution that was outlined to M. Curtis. M. Curtis is proposing to purchase lot 54.1 and that is the lot that is primarily benefited by the boundary line adjustment that increases the size of that lot a little bit and it puts a right away across one of those lots. Chair Hanson stated that he was confused as to whether or not 54.1 is going to be using that same drive way. A. Wilson confirmed that the access for 54.1 would be strictly from Split Rock Road, and then there is a driveway over 54.2 which leads to 54.

Chair Hanson stated that there is going to need to be a right away once this lot is conveyed away for him to get to the road. A. Wilson explained that there is frontage all along the way.

R. Lewis stated that they do know that lots 54, 54.1, 54.2 and 54.3 were included in that notation on the August 7, 2000 map that they would share the pro-rata portion of the annual road maintenance. R. Lewis stated that what he has done is negotiated a resolution of the recreational access rights of Sugar Wood Farms

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Association Inc. to Walker Pond. R. Lewis stated that they did some trading and what they traded for lot 54.1 (the lot M. Curtis is purchasing) they will waive all future road maintenance cost including cost of upgrading Split Rock Road to Town Road Standards if and when they ever get to that point to make Split Rock Road a Town Road.

R. Lewis stated that regarding the recreational access area it turns out that there are two different sets of maps that can be argued when defining the recreational access area. R. Lewis stated that they have defined the recreational access area according to D. Webb's August 7, 2000 subdivision approval map.

Subject 2 reported by R. Lewis stated that if an individual Sugar Wood Farms Association lot owner successfully sues M. Curtis or future owner lot to change the terms of use of Walker Pond that is to increase the size of the access area that is permitted by Walker Pond to prevent M. Curtis doing something on Walker Pond or force him or future owner of 54.1 to pay the share of road repair or upgrade cost then the recreational easement access would revert back to a small access path that was identified in the 1987 subdivision map.

R. Lewis stated that they also wanted a recreational access easement that is on D. Webb's map be precisely described by leaps and bounds description and included on the title deed for that lot and in addition we would like an easement deed that has the same leaps and bounds description so that if we are ever asked "what are your rights to Walker Pond?" an easement deed can be showed. M. Hutchins confirmed that there is already an easement deed from 1994.

R. Lewis explained that the Sugar Woods Farms Association Inc. members would like the right to store non-powered water crafts in the area. Chair Hanson explained that this is a very interesting negotiation between R. Lewis and potential future owner however; there is no reason why the Planning Board should get involved in that kind of negotiation. As to exactly where the easement is; the Planning Board does not have the authority to change the place of the easement. Chair Hanson agrees that the plan should clearly show the recreational easement before the Planning Board approves the application.

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C. McCarthy stated that on the August 7, 2000 subdivision map it clearly states recreational access easement; that does not show on the new map. That recreational easement is entirely on M. Curtis lot. So are you trading off the liability of that recreational easement? M. Curtis explained that he is going to allow them to keep their boats there and keep everything there as is and that they recognize that easement is in place if I ever get sued for something. C. McCarthy stated that speaking as a member of the Planning Board he would like to see the note that clearly defines the recreational easement on the new map before it is signed in approval by the Planning Board.

With no further questions; Chair Hanson entertained a motion to APPROVE Boundary Line Adjustment Application with conditions of submission of a new plan/map that shows the recreational access easement for Walker Pond for Tax Map 237 Lots 54, 54.1 & 54.2 – Grantham, NH. Motion by K. Ryan and seconded by C. McCarthy. ***Unanimously Approved***

### **Old Business:**

Chair Hanson explained that he received an email from Frank Amsden (surveyor) he completed a subdivision in 1983 for Dave and Jane Barton up behind Sawyer Brook that was approved in 1983 but for some reason it was never recorded with the Registry of Deeds. F. Amsden was able to come up with the original plan and that he would like to present it to us and we will approve it retroactively so that it can be recorded.

C. Peter James stated that each day more and more signs are being set up and left all around town. C. Peter James stated that he did take the time to read the regulations regarding the signs and section A3 directional signs max. Square footage for directions signs should not exceed 4 square feet. It looks like Grantham is a terrible place to live and everyone wants to sell their house

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because there has to be 200 real estate signs. If you drive down route 10 and it looks like the whole town is for sale.

Why do some people get special treatment? Why are certain people allowed advertising signs? That's Section C – no advertising things for sale permanently on Town roads. C. Peter James stated that he understand that this is for the Board of Selectmen and not the Planning Board and he will be at their meeting next week to address this concern.

Chair Hanson stated that the sign regulations have been worked on and changed over the years and that it is not perfect by any means. C. Peter James stated that the signs are not maintained and it just makes our town look like no one cares.

**Adjournment:**

Chair Hanson made a motion to adjourn the meeting. Motion by Vice Chair McCarthy and seconded by Karen Ryan to adjourn the meeting at 8:15 p.m.

The deadline for the next Planning Board meeting is September 11, 2014.

The next Planning Board meeting will take place on October 2, 2014 in the Jerry Whitney Memorial Conference Room of the Town Hall.

Respectfully Submitted,

Jessica Smith  
Planning Board clerk