

**MINUTES
GILFORD PLANNING BOARD
JUNE 2, 2008
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Planning Board met in regular session on Monday, June 2, 2008 at 7:00 p.m. in Conference Room A in the Gilford Town Hall.

In attendance were: Chair Polly Sanfacon; Vice-Chair Carolyn Scattergood, Selectmen's Representative Connie Grant, Regular Members: Jerry Gagnon, Richard Waitt, and John Morgenstern.

Member(s) absent: Richard Vaillancourt and Alternate David Arnst.

Also present were John B. Ayer, Director of Planning and Land Use, and Stephanie Verdile Philibotte, Administrative Assistant.

Chair P. Sanfacon opened the meeting, led the Pledge of Allegiance, introduced the Board members and staff, and read the rules of procedure for the meeting.

P. Sanfacon introduced the first case.

1. **GCV Realty Holdings, LLC**

Applicant is proposing to subdivide Tax Map & Lot #254-074.000 into two (2) lots approximately 5.05 and 18.27 acres in size, located at 20 High Point Lane in the Natural Resource Residential Zone. Subdivision Plan. Application #2005002612.

Tabled from the May 5, 2008 meeting.

Motion made by C. Scattergood, seconded by R. Waitt, to take the application off the table. Motion carried with all in favor.

P. Sanfacon read a letter into the record from Jonathan Ring, agent representing GCV Realty Holdings, LLC, requesting the application be tabled until the July 7, 2008 meeting.

Motion made by R. Waitt, seconded by C. Grant, to table the GCV Realty Holdings, LLC application until July 7, 2008. Motion carried with all in favor.

P. Sanfacon introduced the next case.

2. **Donald Ames C/O Ames Farm Inn**

Applicant is submitting an as-built plan/amended site plan for review on Tax Map & Lot #266-107.000 located at 2800 Lakeshore Rd. in the Single Family Residential Zone. Amended Site Plan Review. Application #2005002438.

Tabled from the May 5, 2008 meeting.

Motion made by R. Waitt, seconded by C. Scattergood to take the application off the table.
Motion carried with all in favor.

Rod Dyer, attorney representing the application, gave a brief presentation to the Board. He said the entire Ames Family is in attendance to represent and support the application. He spoke about the "Motion to Deny" request submitted by attorney Paul Bordeau, representing abutters Patricia Nix, et al. R. Dyer discussed the fact the information was submitted after the deadline of May 16, 2008 that was required for this public hearing. He said due to the fact the information was distributed to the Board, after the deadline of May 16, 2008, he is asking that the Ames Family have the opportunity to review the information and requested the application be tabled.

P. Sanfacon explained the Board only received the information before the meeting. R. Dyer said he is aware of that and said that is all the more reason to ask the application be tabled because he said the information could be considered prejudicial and unfair to his client since they have not had time to review the information. He said the NHDES and the applicants are scheduling a meeting on site to discuss the wetlands restoration plans. He explained it would be beneficial to the Board to have the NHDES meeting before the next public hearing and recommended tabling the application until July 7, 2008.

Motion made by C. Scattergood, seconded by C. Grant, to table the Ames Farm Inn application until the July 7, 2008 meeting. Motion carried with all in favor.

BUSINESS

Minutes

Motion made by C. Grant, seconded by J. Morgenstern, to approve the minutes of May 19, 2008 as presented. Motion carried with all in favor.

Other Business J. Gagnon recused himself from discussion on the item.

a. Discussion for building permit application on, TM&L #208-008.000. J. Ayer explained there is a lot on Young Road that does not have enough frontage on a Class V Road, but has a deeded right-of way to Young Road across two other lots. He explained according to NH Law 674:41 (d), the Planning Board can make a recommendation to the Board of Selectmen that they could issue a building permit.

J. Gagnon also explained the location of the subject properties and said they are trying to obtain a building permit for TM&L #208-008.000. He said D. Andrade, Building Inspector/Code Enforcement Officer, explained they have to follow RSA 674:41 (d) which allows the Planning Board to review and comment on the application and make a recommendation to the Board of Selectmen to issue a building permit.

Discussion ensued about what the width of right-of-way needs to be in order to meet the current requirements of the zoning ordinance. J. Gagnon said the current property owner could determine the width of the right-of-way since he owns both parcels.

J. Ayer said the issue is for the Planning Board to recommend the authorization for the building permit to the Board of Selectmen.

C. Grant is concerned this request was not been noticed as being discussed at a public hearing and is concerned about the abutter having adequate notification of the request. The Board discussed since this application has to be reviewed and approved by the Board of Selectmen, it can be advertised on the Board of Selectmen's Notice of Public Hearing in order to notify the abutter.

J. Gagnon submitted a copy of the deed to the Board dated 1917 and said the existing right-of-way has been in existence since then. He submitted pictures to the Board showing the site. J. Gagnon said Sheldon Morgan, DPW Director, referred J. Gagnon to the follow the RSA 674:41 process before he would issue a driveway permit.

Motion was made by C. Scattergood, seconded by R. Waitt, to recommend the Planning Board send a memo to the Board of Selectmen informing them that the Planning Board has reviewed the information and recommends the Board of Selectmen authorize the issuance of building permits for Tax Map & Lot #208-008.000 with the following conditions:

1. The right-of way across Tax Map & Lot #207-001.000 be established to a minimum width of fifty (50') feet to Tax Map & Lot #208-008.000.
2. The abutters are notified of the Board of Selectmen meeting when this issue will be discussed.

Discussion on the motion.

J. Ayer read the RSA 674:41 (d) for clarification for the Board. Discussion ensued on the process the Planning Board and the applicant should follow.

The motion was amended to include the following conditions:

3. All provisions of RSA 674:41 I (d) are met.
4. The newly established driveway shall comply with all current Town of Gilford Ordinance requirements.

Motion carried with all in favor.

J. Ayer discussed a recent ZBA application for an approved site plan. He explained the variance request involved a few site plan issues the Planning Board approved regarding shared parking

spaces and the location of handicap spaces. He said the Board could have required the applicant relocate the spaces and suggested the Board could take more of a stand on issues similar to this in the future when dealing with site plan approvals.

Discussion ensued about the parking regulations and how to work with them.

Adjournment

Motion made by J. Gagnon, seconded by J. Morgenstern, to adjourn the meeting at 8:05 p.m.
Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte
Administrative Assistant