

**Newfields Planning Board Meeting Minutes**  
**December 14, 2023**

**Attendance:** Chairman Mike Price, Select Board Representative Michael Sununu, Bill Meserve, John Hayden, Town Planner Glenn Greenwood, Jeff Couture and Jeff Feenstra.

Chairman Price called the meeting to order at 7pm.

**Conner Lane Lot Line Adjustment -Kevin Davis & December One LLC Map 204 Lot 29 & 29.3**

Ian MacKinnon from Jones and Beach Engineering presented the minor lot line adjustment plan on behalf of owner Kevin Davis and December First LLC for Map 204 Lot 29 and 29.3. An existing 4-bedroom home is located on Lot 29.3 which is 2.1 acres. Lot 29 is land only, in current use and is 27.05 acres. The applicant proposes to convey 1.25 acres from Lot 29 to 29.3. After the conveyance Lot 29.3 will be 3.36 acres and Lot 29 will be decreased to 25.8 acres. Owner Kevin Davis is selling the larger parcel Lot 29 and wishes to keep some of the land as an open area adjacent to his pool. There will be no changes in frontage for either lot. Jason Jenkins will take ownership of Lot 29 and intends to build a single-family home. Wetlands were re-delineated in August of 2023 by Mark West. There will be one driveway to access the upland area in the back of the lot. The driveway will be constructed outside of the 100-foot wetland buffer. Test pits were completed and passed for the septic system. The applicant will need state subdivision approval because it is less than 5 acres.

A motion was made by John Hayden and seconded by Jeff Feenstra to take jurisdiction of the application. All were in favor and the motion carried.

Abutter Lauren Saltman asked if Lot 29.3 can be subdivided after the acreage is increased. Lot 29.3 cannot be subdivided further.

Bill Meserve asked about the 4K reserve area for the septic. Ian indicated that the area is shown as a hatched area on the plan. A septic design plan will need to be submitted for approval.

Glen White asked about the lot designations. His lot used to be lot B and now it is being referred to as Lot 2 and he wanted to know the reasoning or if he should be concerned. The original subdivision plan designated the lots as A, B and C on the deeds and the Town Assessor shows them as 1, 2, and 3 which refer to the subdivision lot number. There is no reason for concern.

Abutter Gary Clifford asked if the future plan for lot 29 could be shared. Mike Price noted that the hearing is for the lot line adjustment only. Ian did indicate the new owner intends to build a single-family home. There is not adequate frontage to create any additional lots.

Abutter Lauren Saltman asked if Lot 29 could accommodate 5 single family homes. Ian reiterated that there is not adequate frontage for any additional lots.

A motion was made by Bill Meserve and seconded by Jeff Feenstra to approve the plan. All were in favor and the motion carried.

## **Labranche Revocable Trust and Coes Revocable Trust Lot Line Adjustment-Map 101 Lots 9 & 10**

A motion was made by John Hayden and seconded by Bill Meserve to accept jurisdiction of the plan. All were in favor and the motion carried.

Surveyor Scott Boudreau presented the plan to adjust the boundary line that goes through a portion of the Labranche house. A quitclaim deed was prepared years ago to remedy the lot line but was never recorded. The property is under contract right now. The applicants propose to convey 665sf from Lot 9 to Lot 10 to clear up the boundary issue. Lot 9 will be 1.106 after the transfer and Lot 10 will be .477 acres.

Glenn Greenwood recommended that the Board approve the land transfer as it makes an existing legally non-conforming lot become less non-conforming. These types of boundary adjustments are allowed without a variance from the ZBA if the non-conforming lot becomes less non-conforming. Lot 9 will remain a conforming lot after the boundary line adjustment.

Bill Meserve stated that this was a unique situation.

A motion was made by Michael Sununu and seconded by Jeff Couture to approve the plan. All were in favor and the motion carried.

### **Proposed Zoning Amendments**

Proposed zoning definition of row. Glenn said he presented the State definition of right of way which could be added to the definition section of the ordinances. In the three or four places that mention a public street there is no need for a change. It is part of the definition that goes along with right of way. The point of consistent application of where the setbacks would be measured from. He feels the Board has been consistent with how setbacks are measured. The setback is also a State definition. Don't have to do it be it seems that the Board wants to.

John Hayden said the modification or inclusion of this definition of right of way, with the wording that has been included, will then clarify where this line is for setback.

Glenn agreed and said this allows you to describe where this line is established. Because this is an old town some roads have a wide right of way and others the right of way is the width of the road (the pavement). This definition allows you to describe where that line is established.

John asked if the Town would be considering the edge of pavement or right of way as the starting point for a setback.

Glenn noted if there is a wide right of way the setback would start at the right of way, not necessarily the edge of pavement.

Michael Sununu added that the setback is measured from the edge of the right of way which is flexible depending upon how the state highway or town road is laid out.

Kent Lawrence asked if note 2.1 under the dimensional schedule needs to be changed or a note added to refer to the new definition. Glenn said the definition change would require a vote of the Town and the note could refer to the definition of right of way. Glenn suggested adding to Note 1 to refer to the definition of right of way.

A motion was made by John Hayden and seconded by Mike Price to present the amendment for definition of right of way, as written, for a vote and public hearing on January 11, 2024. All were in favor and the motion carried.

A motion was made by Bill and seconded by John to add the definition of setback to the ordinances and move the change to the ballot for a vote. All were in favor and the motion carried.

A motion was made by John and seconded by Bill Meserve to remove Section 4.8 to allow for the conversion of a building constructed prior to 1984. If someone wants to convert a single family home they can do it under the provisions for an ADU.

Bill mentioned that under table of uses duplexes are allowed with the proper acreage and frontage.

A motion was made by John Hayden and seconded by Bill to present amendment 3 and 4 for a town vote. All were in favor and the motion carried.

A motion was made by Bill and seconded by John to approve the minutes of November 2023. All were in favor and the motion carried.

The meeting adjourned at 7:59pm.

Respectfully submitted,

Sue McKinnon