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**MINUTES OF THE
PLANNING BOARD**

**MEETING OF
January 28, 2020**

A meeting of the Planning Board was held on January 28, 2020 at the Salem Town Hall, 33 Geremonty Drive, Salem, NH.

PRESENT: Keith Belair, Chairman; Michael Banks, Vice-Chairman; Beverly Donovan, Secretary; Lisa Withrow, Selectman’s Rep; Jeff Hatch; Robert Gibbs; Paul Pelletier; and Ross Moldoff, Planning Director.

The meeting was called to order at 7:00 p.m. with the Pledge of Allegiance. Chairman Belair introduced the board members and went over the agenda. There were no withdrawals.

REVIEW OF MINUTES

1. January 14, 2020 – Regular Meeting

**MOTION by Mr. Banks to accept the minutes of the January 14, 2019 meeting as printed.
SECOND by Mr. Hatch.**

**VOTE ON MOTION: 7 – 0
UNANIMOUS**

NEW BUSINESS

1. SILVA SUBDIVISION – Preliminary Hearing for 2 lot subdivision at 181 Pelham Road, Map 122, Lot 8520. Continued from 12/10/19.

Abutters: There were no abutters present.

Staff Comments:

Mr. Moldoff discussed the previous meeting and revisions from the previous plan. They included the rear portion of the lot into the new lot.

There is no impact on the wetlands.

This lot will be serviced by a well and septic system.

They received State subdivision approval.

They need a waiver of the odd shape of the lot. They have given you a waiver request letter.

It is a pretty odd shaped lot, but they made it better by incorporating the rear portion into it.

You had asked at the last meeting about a concept plan for the remaining land and that was not provided. If you want that, you should tell them to provide that.

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1 He received the OK from the Fire, Police, Assessing and Public Works Departments.
2 Engineering had some minor comments. Mr. Moldoff said he believes those can be addressed
3 as a condition of approval.
4 Recommend - If you're satisfied with the reconfigured lot, he can give conditions and you can
5 act on the plan tonight.
6

7 Kurt Meisner is here to represent the Silva Estates plan and the Barnes family. The plan is
8 virtually the same. The right hand lot line as it goes to the rear of the property is the same as
9 previous, other than it is extended to the rear property line incorporating that entire piece of land.
10 Our lot size went from 2 acres, to 3.67 acres. We added a small rounding at the front of the road.
11 Our frontage is 174 feet. The only plan for the remaining piece of that land is a potential for
12 agricultural use. The family is discussing the potential of doing that. There is no future use or
13 subdivision proposed. It is intended to be used agriculturally at this point and time. The State
14 approval is in. There is no problem with that. The issue of the waiver of the lot, we probably will
15 still require a waiver. We can't avoid the irregular shape, that's the perimeter of our property.
16

17 Mr. Meisner then read through the waiver request for Section 278-6:4.1.

18 We believe the request is a reasonable one whereas we have demonstrated that the proposed new
19 lot has sufficient area for a single family home, deck and driveway as is customary and there will
20 be no issues with crowding. We have demonstrated that there is plenty of room on the site
21 (3.67ac.) and due to the original irregular shape of the remaining land we are forced to configure
22 the lot as shown.

23 Specific circumstances relative to this subdivision (such as the configuration of the perimeter
24 boundary), or conditions of the land in said subdivision, indicate that the waiver will properly
25 carry out the spirit and intent of these regulations.
26

27 Chairman Belair asked for public input. There was none.
28

29 Mr. Banks said that he likes the number 7 shaped lot better than the hockey stick shaped lot. He
30 is fine with that. Regarding the agricultural use, it almost looks like the lots need to be cut up
31 better. Do you see any of that happening in the future?

32 Mr. Meisner said, that may allow access to the property should something else happen. He is
33 only speaking from his experience. He explained that if the other lots are cut off, there will still
34 be access.

35 Mr. Banks said, he can see a waiver coming in for the other odd shaped lots.

36 Mr. Meisner said, what is remaining is what is left.
37

38 Mr. Moldoff said that the board would want to grant the waiver if you are inclined, and move to
39 hear the project in one hearing, and grant conditional approval. He then read the following
40 conditions:

- 41 1. Prior to recording the plan, submit approval from the Engineering Division.
- 42 2. Prior to recording the plan, add a note regarding the Fire Department approval. They said that
43 the house location will have to be approved by them.
- 44 3. Prior to recording the plan, set or bond the monuments.

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1 4. All representations made by the applicant or their agents and all notes on the plan are
 2 incorporated as part of the approval.

3
 4 Chairman Belair asked, if we have seen this before, do we need to move in one hearing?
 5 Mr. Moldoff said yes because it is still at a preliminary hearing.

6
 7 **MOTION by Mr. Banks to grant the subdivision waiver under Section 278-6:4.1 for the**
 8 **Silva plan on Pelham Road for the irregular shaped lot.**

9 **SECOND by Mr. Pelletier.**

10
 11 **VOTE ON MOTION: 7 - 0**

12 **UNANIMOUS**

13
 14 **MOTION by Mr. Banks to hear this in one hearing.**

15 **SECOND by Ms. Donovan.**

16
 17 **VOTE ON MOTION: 7 - 0**

18 **UNANIMOUS**

19
 20 **MOTION by Mr. Banks to grant conditional approval of the Silva plan citing the January**
 21 **7th letter read into the record by the applicant, and with the four conditions as stipulated**

22 **by Mr. Moldoff.**

23 **SECOND by Ms. Donovan.**

24
 25 **VOTE ON MOTION: 7 - 0**

26 **UNANIMOUS**

27
 28 Mr. Meisner thanked the board.

29
 30 **PUBLIC MATTERS**

31
 32 1. Liberty Utilities

33
 34 Mr. Moldoff said that Liberty Utilities contacted the town. They are in the process of planning
 35 for the redevelopment of the utility poles along the Route 28 corridor. This has to do with their
 36 substation they are putting up at the Tuscan Village project. From the southern part of Salem
 37 where the transmission line currently exists off Hampshire Road, going north to the new
 38 substation at Tuscan Village, they'll replace those poles. There is a double row of poles. He
 39 believes that the new poles will be quite taller and metal, instead of wood. They gave us a
 40 drawing and a picture. It's a simulation. He is not sure that the Planning Board has jurisdiction.
 41 He showed a picture of the poles. He is letting you know, to see if you have any concerns. They
 42 are willing to come in and talk to you if you want. He is also letting staff know. Do you have any
 43 concerns? It is replacing the existing transmission line that's there.

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1 Mr. Banks mentioned the timeline they have. He is a little concerned and would like them to
2 expedite if we are not locked into this. It seems like it is a mutual agreement between the town
3 and Liberty Utilities. He is wondering if the timeline can be tightened up.

4 Mr. Moldoff thinks the timeframe is being set by them.

5 Mr. Banks said he would like to try to improve upon that and shorten that period of time.

6 Mr. Moldoff said we can ask them. They plan to start the substation this fall and be done around
7 June of next year. They are removing the wood poles in 2020. We can ask if they can speed it up
8 but this is probably their timeframe.

9 Mr. Banks said, it sounds like the transformer station is going in first, and the poles are going in
10 after. He wondered if that can be done in reverse. Then we can clear the path for the Tuscan
11 improvements and also the railtrail.

12
13 Chairman Belair said, they mention a Golden Rock Substation and an Old Trolley. Do you know
14 where those are?

15 Mr. Moldoff said, Golden Rock is on Hampshire Road. They did changes to the substation. That
16 was approved in the early 90's. He thinks Old Trolley is what they have in the depot.

17 Chairman Belair said, it says that "the Barron Avenue Substation and the Depot Substation will
18 be decommissioned and removed in 2022, and lastly, Old Trolley will be decommissioned in
19 future years." So that eliminates the depot.

20 Mr. Moldoff said he doesn't know but he can find out.

21
22 Mr. Gibbs said, they say that 17 street lights will be removed. Will they be putting them back?

23 Mr. Moldoff said he doesn't think so.

24 Mr. Gibbs asked, are those the ones that illuminate Route 28?

25 Mr. Banks mentioned that they said they'd work with community development to restore it.

26 Mr. Pelletier said, there was talk awhile ago about eliminating every other street light due to the
27 fact that they were putting in LEDs.

28 Mr. Gibbs said, from Panera to Best Buy is a dark strip.

29 Mr. Hatch said he doesn't see this as our issue.

30
31 2. Tuscan Village

32
33 Mr. Moldoff said, he gave you a memo from the Town Manager to Tuscan Village regarding a
34 payment that was called for under the Memorandum of Understanding. It's a Board of Selectmen
35 issue, but he wanted you to know that this is going on. The town has asked for money and they
36 are waiting for it to come in. Also, the Tuscan Village is doing a very small change to the gazebo
37 area out by the pond. He showed the plan including the pond and proposed gazebo. They moved
38 it a little and reshaped the edge of the lake. That's the type of thing that he thinks is OK for him
39 to say OK and it doesn't have to come back to you for approval. But he wants to keep you
40 involved in what is happening out there. They do give us the plans and they had to get permits
41 from the State Wetlands Bureau.

42
43 **PLANNING BOARD MATTERS**

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1 Mr. Moldoff asked, did you want to deal with the alternate situation?
 2 Chairman Belair suggested that we call for candidates after the election.

3
 4 Chairman Belair said, we had that home occupation on the ballot. Looking at that, it's the only
 5 permit other than a yard sale, that's an annual renewal. So every year they have to come in and
 6 renew it for \$20. If you take it out for December to get your registration done, it expires at the
 7 end of the month. He doesn't want to mess with the intent or language of the ordinance. But he
 8 thinks that should be something that is every 4-5 years. We could make the fee \$100 for 5 years.
 9 So they don't have to come in every year and cause more paperwork and work for staff. The fee
 10 is set by the Board of Selectmen, but we set the rules.

11 Mr. Moldoff said, the permit says it has to be renewed every year. So we would have to do this
 12 as a zoning amendment. We could do that next year.

13 Chairman Belair said, with the intention to let the Board of Selectmen know that it is coming. It
 14 will benefit everyone. We will clean it up next year.

15
 16 Mr. Moldoff said we may be able to cancel the next meeting.

17 Chairman Belair said, the next meeting, if it isn't cancelled, will be on a Thursday, and the
 18 following meeting will be February 25th. That is followed by another Thursday meeting due to
 19 town election.

20 Mr. Moldoff said he will let you know.

21
 22 **MOTION by Mr. Banks to adjourn.**
 23 **SECOND by Ms. Withrow.**

24
 25 **VOTE ON MOTION: 7 - 0**
 26 **UNANIMOUS**

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 28 The meeting adjourned at 7:25 p.m.

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 30 For further information, kindly refer to the videotape dated 1/28/2020, located in the Planning
 31 Office.

32
 33 Minutes by: Susan Strugnell, Planning Board Recording Secretary
 34 Approved: Planning Board
 35 Date: