

**Hill, NH Planning Board
Meeting Minutes
24 October 2023**

Planning Board Members Present

Marshall Bennett – Chair
Christopher Seufert, Jr. – Vice Chair
Tom Seymour – Secretary/Treasurer
Michael Munson
Stephen Thomson – Select Board Ex-Officio

Planning Board Members Absent

None

Public Present

Pat Lynch (Abutter)
Attorney Laura Dodge (Representing Richard Pescinski)
Richard Pescinski (Applicant)

Call to Order

Having achieved a quorum, Planning Board Vice Chair Christopher Seufert, Jr. called the meeting to order at 6:01 pm.

Approval of Meeting Minutes

October 19th Minutes not ready for review

Secretary's Report

No report at this time.

Treasurer's Report

No report at this time.

Chairman's Report

No report at this time.

Committee Reports

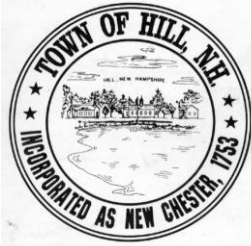
No Reports / No Committees at This Time

Reading of Communications Directed to The Board

None at This Time

Unfinished Business / Continued Hearings

Steve Thomson made motion to enter the continued deliberation of the Richard Pescinski application hearing. Christopher Seufert, Jr. seconded the motion. The motion passed unanimously.



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Steve Thomson asked if a mylar may be updated after the Planning Board has accepted it as part of the application. It was agreed that an accepted application means that all the required documents have been presented. Steve suggested that the plat and mylar be revised to only show the 300' in question. He reasoned that approving the full plat and mylar as presented would technically indicate Planning Board approval of the entire plat, not just the 300'. Steve also referenced the NHMA guide "A Hard Road to Travel" which, in turn, cited NH RSA 674:41 IN THE definition of the five types of roads that would constitute frontage. Christopher Seufert, Jr. questioned if the constructed road was completed to the subdivision roadway standards. Steve said the road does not satisfy the 300' frontage requirement, but the right-of-way does. However, Steve would prefer the mylar and plat depicted the 300' alone. Tom Seymour agreed the right-of-way abuts the lot and, due to the vague definitions of "street", should qualify as frontage. Steve asked the applicant to revise the plat and mylar so that it stops at the 300' mark and to revise / delete Notes 11 & 12.

Attorney Dodge advised that the licensed surveyor will not revise the mylar or plat due to his professional and ethical responsibilities. Mr. Pescinski noted that other plats already showed the right-of-way. He also said the road had gravel applied only and that no other work was done. Attorney Dodge asked the Planning Board to look at the evolution found in other plats. She said it would not be a good idea to register a plat based on the 300' only. Steve Thomson said the plat and mylar should be revised show the 300' only. He said this is in synch with what is being asked for in the application.

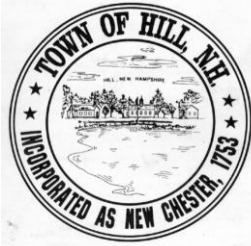
Christopher Seufert, Jr. made motion to amend the plat and mylar to show only the 300'. Steve Thomson seconded the motion. The motion passed with Christopher Seufert, Jr., Marshall Bennett, and Steve Thomson voting in favor and Mike Munson and Tom Seymour voting against.

Solidifying the Planning Board's position that this is a "modified subdivision" plan, the Board cited the Land Subdivision Regulations, Section 8.3 – Waiver when Christopher Seufert, Jr. made motion to waive all land subdivision requirements with the exception of Section 6.4 – Street Systems. Steve Thomson seconded the motion. The motion passed unanimously.

Attorney Dodge asked the Planning Board to figure out what is being applied. Christopher Seufert, Jr. said it is all discretionary. Tom Seymour said that discretionary applications result in inconsistencies, and he would rather see the Board use Table 1 of the Street Systems section.

Pat Lynch asked if there will be another hearing on this application. Christopher Seufert, Jr. replied there would not be another hearing. Pat then asked if the abutters would get another notice. Steve Thomson and Christopher both advised that the abutters would not get another notice.

After debate on which standard to apply, Christopher Seufert, Jr. made motion to apply the "Local" column on Table 1 from Poverty Pond Road to the end of the proposed extension.



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Steve Thomson seconded the motion. The motion failed with Christopher Seufert, Jr. and Steve Thomson voting in favor and Marshall Bennett, Mike Munson, and Tom Seymour voting against.

Tom Seymour said he preferred using the "Service" column on Table 1 but applying it to the entire length was too much. Marshall Bennett said the preferred using the "Local" column on Table 1 but only for the 300' section. After additional debate, Marshall made motion to apply the "Service" column on Table 1 for the 300' upgraded section only. Tom Seymour seconded the motion. The motion passed with Marshall Bennett, Mike Munson, and Tom Seymour voting in favor and Christopher Seufert, Jr., and Steve Thomson voting against.

Christopher Seufert, Jr. noted that culverts need permitting and questioned who has responsibility. Christopher felt it fell on the town citing Land Subdivision Regulations Section 6.1-b. Tom Seymour reminded Chris that the Board had already voted to waive that section earlier in the deliberation. Steve Thomson said where the right-of-way was shared, it would be up to those sharing the right-of-way to deal with the culverts.

With the deliberation having gone as far as it could, Christopher Seufert, Jr. made motion to suspend the remaining deliberations until the aforementioned revisions could be completed. Steve Thomson seconded the motion. The motion passed unanimously.

Adjournment

With no further business to conduct, Steve Thomson made motion to adjourn. Marshall Bennett seconded the motion. The motion passed unanimously.

Planning Board Chair Marshall Bennett adjourned the meeting at 8:21 pm.

Respectfully submitted,

Tom Seymour
Secretary