

**CONWAY PLANNING BOARD**

**MINUTES**

**MARCH 11, 2010**

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**MARCH 11, 2010**

A meeting of the Conway Planning Board was held on Thursday, March 11, 2010 beginning at 7:07 pm at the Conway Town Office in Center Conway, NH. Those present were: Selectmen's Representative, Robert Drinkhall; Secretary, Patricia Sell; Ted Sares; David Sordi; Public Works Director, Paul DegliAngeli; and Recording Secretary, Holly Meserve.

**REVIEW AND ACCEPTANCE OF MINUTES**

**Ms. Sell made a motion, seconded by Mr. Sordi, to approve the Minutes of February 25, 2010 as written. Motion carried with Mr. Sares abstaining from voting.**

**SHANE RICHARDSON/SHAWN AND REBEKAH EDWARDS – BOUNDARY LINE ADJUSTMENT (PID 276-92 & 93.1) FILE #S10-03**

Ron Briggs of Briggs Land Surveying appeared before the Board. This is an application to equally exchange 1,722.5 square feet of land between PID 276-92 (Richardson) and PID 276-93.1 (Edwards). **Mr. Sordi made a motion, seconded by Ms. Sell, to accept the application of Shane Richardson/Shawn and Rebekah Edwards for a Boundary Line Adjustment as complete. Motion unanimously carried.**

Mr. Drinkhall asked for public comment; there was none. Mr. Drinkhall read the waiver request for §131-37.1.A. **Mr. Sordi made a motion, seconded by Ms. Sell, to approve the waiver request for §131-37.1.A.** Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

**Ms. Sell made a motion, seconded by Mr. Sordi, to conditionally approve the Boundary Line Adjustment conditionally upon submitting a NHDOT Driveway Permit and indicating permit number on plan; submitting four revised plans with original stamps and signatures; submitting a Mylar; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on June 10, 2010. Motion unanimously carried.**

**PUBLIC HEARING – TREE REMOVAL ON A SCENIC ROAD – RSA 231:158**

This is a public hearing for the removal of trees along designated scenic roads Baird Hill Road, Crown Hill Road, Davis Hill Road, Greeley Road, Gulf Road, Leavitt Road, Potter Road and West Side Road to facilitate utility services. The public hearing opened at 7:12 pm. Dave Crane, Arborist for Public Service of NH, appeared before the Board.

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Mr. Crane stated that this is part of a routine maintenance schedule. Mr. Crane stated that they were before the Board four years ago and the specifications have not changed since the last time they were here. Mr. Crane stated that they take down larger trees on a case by case basis. Mr. Crane stated that they have identified several trees and they have marked them in the field. Mr. Crane stated that there have been some additional trees that were brought to our attention by some of the landowners that are not on the map submitted to the Town. Mr. Crane stated that all landowners must be contacted before the work is done.

Mr. Sares asked when landowners will be notified. Mr. Carne stated that that they hope to have the work completed within the next month or two. Mr. Crane stated there are a lot of seasonal customers and they are harder to contact. Mr. Sares asked how the trees are marked. Mr. Crane stated that he marked trees with orange flagging, one landowner has marked with red flagging on Baird Hill Road and there are some marked by Asplundh Tree in blue.

Mr. Sordi asked if they wanted to remove the trees marked and all the brush that meets the criteria. Mr. Crane answered in the affirmative. Mr. Crane stated that there will be a lot more trees trimmed than removed. Mr. Crane stated that there is a lot less work this cycle then four years ago. Mr. Sordi asked if the landowners will be notified about brush removal and any tree removal. Mr. Crane answered in the affirmative. Mr. Sares asked about the wood. Mr. Crane stated it is the property of the landowner and they will leave it unless they ask them to remove.

Mr. DegliAngeli stated that the Mr. Crane's letter states that the work will begin in March. Mr. Crane stated that they are in Town, but no physical work will be done until they have obtained Planning Board approval. Mr. DegliAngeli stated Town roads are posted. Mr. Crane stated that we have work on State roads that they can work on until the bans are lifted. Mr. DegliAngeli stated that there should be no work on those roads until the posting is removed. Ms. Sell asked when you anticipate removal of the road bans. Mr. DegliAngeli stated that they usually don't go up this early, but it will be removed once they dry out. Mr. Crane stated that they will work with the Town.

Mr. Drinkhall stated that the Board has just received tonight a lengthy letter [dated March 11, 2010] from Randall Cooper of Cooper Cargill Chant. Mr. DegliAngeli stated Baird Hill Road in the area of Highfields Farm was relocated; therefore, the old portion of Baird Hill Road became their driveway. Mr. DegliAngeli stated that the map submitted by the utility company does not show the new road, however, the power lines stayed along the old road.

Mr. DegliAngeli stated that they have submitted deeds, but not easements. Mr. DegliAngeli stated that the owners of Highfields Farm would like to move the power lines to the relocated portion of the road and they would pay for same. Mr. DegliAngeli stated that they would also like the lines to go underground to their property. Mr. DegliAngeli stated that they do not want any tree trimming on the old road that is now their driveway.

Mr. Meier stated if the Board is inclined to grant permission along Baird Hill Road, we ask that the Board exempt from cutting that portion of Baird Hill Road that was moved. Mr. Sares stated he read there was an issue with a chestnut tree. Mr. Meier stated that the owner does not want the chestnut tree cut and stated that the Board doesn't need to get to the interest of the chestnut

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tree if it is exempted. Mr. Sares stated if we don't have authority then why argue over a chestnut tree. Mr. Drinkhall stated that we don't have the authority to grant on private property, the tree is not an issue for us. Mr. Crane stated that he knows about the chestnut tree as it was brought to his attention by the property owner. Mr. Crane stated that they will not trim the chestnut tree during this maintenance cycle.

Mr. Sordi asked if the utility company can trim on a private road that does not have an easement. Mr. Crane stated he is not sure if there is an easement, but if there is an easement then we have a right to trim; if there are no easements, then we don't have the right to trim. Mr. Crane stated anything on private property and not in the Town's right-of-way has nothing to do with the Town. Ms. Sell asked how long it will take to find out if there is an easement. Mr. Crane stated since this was done in 1993 it should be easy. Mr. Crane stated if the lines are going to be relocated then we will not be trimming.

Mr. Drinkhall asked for public comment; Crow Dickinson asked Mr. Crane if he would assure us that this would be completed by September. Mr. Crane stated that they hope to be out by the time summer begins. Mr. Crane stated that one of the biggest issues may be the Baird Hill Road line that may or may not be moved. Mr. Crane stated depending on how long that takes to play out will depend when that section is completed. Mr. Crane stated that they intend to be out by the end of June depending on mud season.

Mr. DegliAngeli stated there is an elm tree on West Side Road that is on the list to be removed. Mr. DegliAngeli asked if it is not worth preserving. Mr. Crane stated they felt once they were done trimming that particular tree it wouldn't contribute aesthetically to the road; it would be disfigured. Mr. Crane stated he thought the road would look better with it gone. Mr. DegliAngeli asked how old the tree is. Mr. Crane answered approximately 15 to 20 years.

Mr. Drinkhall asked the length of Baird Hill Road to be relocated. Mr. Crane answered approximately one-tenth to two-tenths of mile, but he doesn't know exactly. Mr. DegliAngeli stated that he thought approximately 1,200 feet which would be the same distance.

The Board had a brief discussion regarding continuing the public hearing in order to read through Mr. Cooper's letter. **Mr. Sares motion, seconded by Ms. Sell, to continue until the public hearing until March 25, 2010. Motion unanimously carried.**

**PAUL AND KATHERINE MCCORMACK/ARLENE AND LESLIE MATHEWS (PID 219-102 & 103) – BOUNDARY LINE ADJUSTMENT CONTINUED (FILE #S10-01)**

Seth Burnell appeared before the Board. This is an application to swap 133 square feet of land between PID 219-102 and PID 219-103 so the McCormack home no longer crosses the boundary line. Mr. Burnell stated that the Mathews are still waiting for a Certificate of No Further Action from NHDES in regard to the oil spill on the McCormack's property. Mr. Burnell asked the public hearing be continued.

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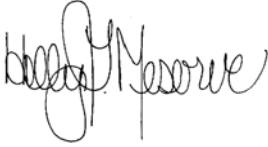
Ms. Sell, made a motion, seconded by Mr. Sares, to continue the public hearing for Paul and Katherine McCormack/Arlene and Leslie Mathews until April 8, 2010. Motion unanimously carried.

**OTHER BUSINESS**

Committee Reports: There was none.

Meeting Adjourned at 7:50 pm.

Respectfully Submitted,



Holly L. Meserve  
Planning Assistant