Meeting called to order at 7:00 pm by Chairman Bruce Simpson.

Present were Bruce Simpson, Bill Goodwin, Steve Baldwin, Susan Macy, Dale Gabel and Paul Delphia. Alternate Gregg Fletcher was appointed by Bruce to fill the absent John Morris’ seat for the meeting. No other alternates were present. Dale Gabel took notes for the absent Neil Sandford. Other visitors were present – see attached list.

The minutes from the July 2, 2015 meeting were reviewed. It was noted that in the first paragraph of the section on the Dublin School Site Plan Review, second to last sentence, the word “registry” should be “registered”. Bill Goodwin moved that the minutes be approved as amended, Steve Baldwin seconded, and the motion passed unanimously.

**Norm Davis Subdivision Checklist Review: Map 8, Lot 37:**

Bruce first noted that a finding on regional impact was needed. After a short discussion noting that, despite the proximity to the town line, there would be no traffic or other significant impact from the subdivision being contemplated, Bill Goodwin made a motion that a determination of no regional impact be made. Gregg Fletcher seconded the motion. All voted “aye”, none were opposed.

Ed Goodrich presented the proposed subdivision. There have been minor changes from the last presentation to further delineate buildable areas. As a result of the more careful delineation, buildable area has actually decreased from the last time the Planning Board was presented the proposed subdivision. Ed noted that the drawing (and latest calculation of buildable areas) includes town-mandated 35-foot setbacks, but Norm Davis will apply covenants on the property that require 50-foot setbacks. This will further decrease the buildable area of the lots. Ed Goodrich noted that all covenants that in the past have been placed on adjacent lots that Norm Davis has sold will be applied to the subdivided lots with the exception of the first covenant which specifies no further subdivision. Ed noted that the current lot is 117.9 acres with 33.6 acres of delineated wetlands. With buffers and other restrictions, the buildable area is 34.6 acres (and actually slightly less given the anticipated 50-foot setbacks.).

Bruce began the checklist review.
All abutters are listed.

Do covenants exist? Ed Goodrich claimed there are no covenants on this specific lot. Mr. Adam Kossayda, a lawyer representing Kathryn Wolf, stated there are covenants and produced a copy of the covenants and provided them to Ed Goodrich and then Bruce. Ed Goodrich, upon reading the paper, stood corrected. He did note that the first covenant stated that any subdivision of the property must be accomplished in accordance with Town of Dublin ordinances, which the current process supports.

Access: For the two lots bordering Route 137, access is via an existing road. Bruce asked if there were any covenants or maintenance agreements for the shared road. Ed Goodrich didn’t believe there were. Bruce stated some type of formal arrangement would be needed.

Building setbacks on recorded plans: Ed Goodrich asked that setbacks not be on the recorded plans since it is always possible that they might change, and had in his experience in an unrelated case. Bruce noted that anyone looking to build on the lots in the future will need to ascertain the applicable requirements at that point in time so putting setbacks on recorded plans may not provide much value.

Bruce noted that a crossing will be needed for the driveway coming off Greenwood Road. Ed stated that the crossing is being designed. Bruce noted that the subdivision application cannot be considered incomplete as a result of not having approval from other entities, but approval of the subdivision can be made conditional upon receipt of those approvals. Bruce noted that a town driveway permit would be needed when the driveway from Greenwood Road is proposed.

Bruce stated that the shared road off Route 137 will need to be named and will need to comply with road regulations. The Planning Board will need to see design drawings to ensure those regulations are met.

Ed Goodrich stated that the proposed lots are large enough for septic systems in the buildable envelopes, and that prior state approval of septic systems were not required given the size of the lots.

Wetlands permits: Bruce reviewed the permits and noted that each expired on the same day issued in 2010. Ed was not sure if that was just an error. Bruce noted that DES can be contacted to see what the odd expiration dates mean. Ed noted that the work referred to in the permits has been completed.

After reviewing all of the checklist items, Bruce summarized that the following items are outstanding:

- Town driveway permit
- Maintenance agreement for shared road
- Building setback lines
- Road profiles
- Standing of DES permits

In additional discussion of setback lines on the recorded plans, Bruce agreed that they are not really needed on a plat. Ed Goodrich said he likes to keep the plans that will be recorded as simple and uncluttered as possible.
Mr. Kossayda at this point asked to address the Board and suggested that the Board find the application incomplete. His reasons were that septic is not shown and road information is incomplete, referring to previous issues with a road into the Spruce Ridge development that has caused issues for the Town. Bruce noted that additional information on the road would be provided, and that the road will most likely remain a private road. The state will have to approve any future septic designs.

Gregg Fletcher asked if the wetlands permits being questionable is a significant issue. Bruce stated that the validity of the permits and the work done can be checked.

Susan moved that the subdivision application be considered complete. Bill Goodwin seconded the motion. Bruce noted that this vote is only for application completeness and this is a public meeting, not a public hearing. The vote is not a vote on the merits of the proposed subdivision, merely a vote on the completeness of the application, meaning there was sufficient for the Board to take jurisdiction of the matter. The vote was taken and all voting members present voted “aye” – none were opposed.

Bruce then opened the public hearing on the merits of the proposed subdivision and immediately continued the hearing over until 7 pm on August 20, 2015, to give Planning Board members the opportunity to review letters submitted by interested parties and consider the merits of the proposal. Continuing the hearing to the 20th will also give Ed Goodrich an opportunity to bring in any information identified as required during the checklist review, and give interested parties an opportunity to review the proposed subdivision plans.

Mr. Kossayda asked questions about the shared road off Route 137, wondering if it was complete. Ed Goodrich replied that it is partially complete – vehicles can get down the road a certain distance.

Bruce Simpson closed the public hearing at approximately 8:15 pm and the visitors departed.

The Planning Board then discussed briefly the contention made in Mr. Kossayda’s letter that it had improperly determined that the proposed subdivision, if approved, will be a conventional subdivision because such a determination would need to be made at a noticed Design Review hearing. Bruce noted that Town Ordinances specify that an applicant can formally request a formal determination from the Planning Board regarding the type of subdivision at any time in the process. Mr. Goodrich did make that request at a previous meeting of the Board, and the Board subsequently voted, after discussion at two separate meetings and a site walk, that the applicant met the criteria for a conventional subdivision.

Bruce noted that Yankee Publishing’s Site Plan Review application had been received earlier that day, and that the Board would need to schedule a public hearing. He will speak with Neil about the best date.

There being no further business to conduct, Dale moved for adjournment and Steve seconded the motion, which then passed unanimously. The Planning Board adjourned at approximately 8:30 pm.

(Minutes by Dale Gabel)