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

Present were Bruce Simpson, Bill Goodwin, Steve Baldwin, Dale Gabel, John Morris and Paul Delphia. Steve Baldwin agreed to take minutes as Neil Sandford was unable to attend. Others present were Gerry and Kathryn Wolf, Adam Kossayda, Ed Goodrich, Patrick Brown, Thomas and Lorelei Murphy, Robert and Janice Allen, Cathy Lamontagne.

**Public Hearing for Norm Davis 3 lot Subdivision Map 8, lot 37**

Bruce re-opened the public hearing. He asked Ed Goodrich (representing Norman and Patricia Davis) a couple of questions about the DES permits. What was the status of the condition #5 on the original wetlands permit which forbid any further wetlands disturbances on the tract? He felt that it was unclear whether the condition still applied, as the permit was later amended. The other question was whether the amended permit was still valid, given it was based on the representation that the lot was NOT being subdivided, and that the crossing was only serving a single lot. He had attempted to get answers from the DES but they hadn’t returned his call as of yet. Ed said the wetland conditions from DES are still in force and the amended permit had fewer crossing and less impact to the wetlands. Ed felt the 2nd permit was still valid as the proposed plan calls for only one residential lot to be accessed over the wetlands crossing, just as the permit provides.

The access to the North lot was also discussed. Ed said they had applied to DES for a wetlands crossing to get from Greenwood Road across to the first ‘island’ of uplands. Bruce noted that although wetlands crossing for driveways are allowed under the wetlands ordinance where approved by the Planning Board after consultation with the ConCom, any further crossings to reach other upland areas may not be approved.

Mr. Kossayda felt that the Board could not consider this a conventional subdivision because the regs require it be on an existing road. Bruce said he felt the intent behind the provision was to limit the construction of new roads for conventional subdivisions, but in this case the new road was already in existence, so the Board could consider modifying that requirement. Mr. Kossayda questioned the measurement of frontage for the north lot, stating that some of the frontage was on a private driveway. Bruce asked Ed to provide the Board with evidence regarding whether that is driveway or private road.
Mr. Kossayda also questioned the impact of the proposal on conservation. Ed said having 117 acres split into 3 lots will be an advantage to conservation. Bruce noted that the proposal would only allow access to three small areas of upland on opposite ends of the tract, and the rest of the uplands, along with all of the wetlands, wetlands buffer area, and area within the 50' setbacks will not be developed. John restated his disagreement with the Board's decision allowing a conventional subdivision and stated he voted no because this will allow future development which will not be able to provide the kind of protection a conservation subdivision would. Dale and Steve pointed out that future development is not before the Board, only the three lot subdivision, and that any future application would have to comply with the town rules.

Cathy Lamontagne questioned wetland erosion and wants to keep this land pristine and preserved for the future. She pointed out the problems with the adjoining Spruce Ridge subdivision, which was abandoned in an unfinished state, and was afraid a similar thing would happen here. Bruce pointed out that that type of failed subdivision was more likely with a cluster subdivision with multiple lots and high infrastructure costs than it was with a three lot subdivision. Patrick Brown expressed concern about having to look at a house in his backyard and asked Bruce if there is an ordinance mandating screening from other lots. Bruce said no, not for single family homes; though the same setbacks that apply to him would apply to the abutting lot. Dale pointed out that Mr. Brown's abutters share the same property rights as he does to build a home on their property.

Ed suggested that the hearing be continued to get more info about the wetlands crossing and the status of the private road/Murphy driveway. Bruce motioned the hearing be continued to Thursday October 1st at 7 p.m. Seconded by Dale. Motion passed.

Meeting adjourned at 8:40 p.m.

Minutes taken by Steve Baldwin