

Westmoreland Planning Board
Minutes
May 17, 2021

Present: Alison Fissette, Tim Thompson, Larry Siegel, Russ Austin, Lauren Bressett, Elaine Moore. Excused: Bruce Smith, Jim Starkey. Elaine Moore was seated for Bruce Smith.

Lauren Bressett called the meeting to order at 6:30 PM. Russ Austin moved, Tim Thompson seconded that the minutes of April 19, 2021 be approved as printed. All in favor.

Joe DiBernardo was present to represent Joanne Smith for a lot line adjustment with her property and the Brailey property on Glebe Road, R4-38 & 38A. The board reviewed the application materials. Items on the minor subdivision checklist noted or waived were:

- #8 The deed shows a right of way where the proposed lot line change is
- #9 waived as both properties are greater than 5 acres
- #10 not needed for lot lines
- #11 pre-existing houses with septic systems

Alison Fissette moved, Russ Austin seconded that the application be accepted as complete enough to proceed, reserving the right to ask for additional information. All in favor.

Joe Dibernardo introduced a corrected survey with both property owners noted. He reviewed the survey and said that the right of way was not involved. After reviewing the deed and the original subdivision it was determined that the right of way did exist where the proposed lot change is located. He stated that the right of way would become unnecessary if the line change was approved. Alison Fissette noted that the back setback was shown as 50 feet when it should be 20 feet, that leaving it would incorrectly indicate that the lots' frontage was Woods Road. Alex and Nonie Brailey stated that they would like the lot change so that they could upgrade the current path over the right of way to access the front of their house and their field. It was noted that access was already available from the current driveway. Lauren Bressett noted that allowing the lot change would add another access point off a class 6 road, that both existing lots driveway permits were for access off Glebe Road. She also referred the board to the letter from the town attorney referencing Section III, General Requirements for the Subdivision of land in paragraph C.

Russ Austin moved, Larry Siegel seconded that the lot line be approved with the addition of the paragraph stating, "The approval for this boundary line adjustment does not constitute a street on a subdivision plat approved by the Planning Board within the meaning of New Hampshire revised Statutes Annotated Chapter 674, Section 41 as that relates to the "Wood Road" shown on this plan." Alison Fissette noted that the survey should also be corrected to show the correct back setback. Russ and Larry agreed to add that to their motion. Voting in favor were Austin, Siegel, Moore, Thompson, opposed were Fissette and Bressett. Motion passed 4 to 2. Joe Dibernardo agreed to correct the survey and get the copies to the office.

Liana Capra was present to ask about possible merging or lot line adjustments for their three parcels off Glebe Road. Due to nonconformity of some lots it was not clear if this process would need to go to the Zoning Board. Clarity will be sought regarding this.

Russ Austin updated the board on the Selectmen's review of the home business uses that were discussed at the previous meeting. A letter was sent out to one regarding the necessity for Zoning and Planning review. The second use was felt to fall under agricultural and no further action was deemed necessary. The board noted the discrepancy between the terms for agricultural use and for commercial stable and noted that a similar property was required to obtain a special exception and site plan review. The Board asks the Selectmen to review the stable determination again, considering the definition for Commercial Stable and table 505, noting that a nearby property had to go through the process for a special exception and site plan review for a Commercial Stable. Russ will also follow up on the status of the Depot property regarding required steps after receiving their variances.

The application form for Lot Line Adjustments was reviewed. It was noted that currently the abutting property owner affected by the adjustment does not need to sign the form and the town attorney advised that this should be corrected. Alison Fissette moved, Tim Thompson seconded that the form should be adjusted to add a signature line for the abutting owner. The proposed change will be reviewed by the Selectmen for approval.

The ordinance review work will continue with the references to agriculture being reviewed at the next meeting. Alison Fissette moved, Larry Siegel seconded that the meeting be adjourned, all in favor.

Meeting adjourned at 7:55.

Lauren Bressett/Elaine Moore, recorders