

**NORWICH DEVELOPMENT REVIEW BOARD
MINUTES**

April 20, 2006

Tracy Hall Meeting Room

Members present: John Lawe, Stanley Teeter, Nancy Dean, Shep Butler, Chris Katucki

Members not present Lucy Gibson, Ernie Ciccotelli

Alternates present:

Alternates not present: Eric Friets, Christopher Ashley

Clerk: Phil Dechert

1. The meeting was called to order by John Lawe, Chair at 7:06 PM

2. **Minutes** - 3/16/06 - Approved with changes
4/6/06 - Approved with changes

3. Administrative Issues

- § Future Schedule & Agendas
- § May 4 - Congregational Church SPR, G. Jacobson SD, R. McLaughry SD
- § May 18 - Review suggested changes for subdivision regulations
- § Introductory letter to Applicant, Interested Parties and Public - No comments
- § DRB Support - Planning Office tasks.- Dechert indicated that the changes to Planning Office duties proposed in the Katucki memo were fine with him. The Chair expressed concern that the Town had not taken any action towards hiring Phil's assistant.
- § Teeter suggested that the Norwich Fire Department be invited to attend a DRB meeting to discuss emergency response and access issues. Others agreed.

4. Public Hearings -

#4BLA06 - Boundary Line Adjustment Application by Watt Alexander, applicant, between Lot 10-075, owned by John & Doris Galton, and Lot 10-075.1, owned by Chad & Susan Finer, at the northern end of Brigham Hill Road. (Continued from April 6, 2006)

Members Participating: Lawe, Teeter, Dean, Katucki

Note: Butler and Katucki recused. Katucki agreed to sit for the purpose of creating a quorum to receive additional documents.

Applicant: None

Interested Parties: None

Additional documents received:

Letter from Robert Carter PE - 2/6/06

Municipal Impact Statement from Fire Department - 4/8/06

Deed from Johnson to Finer - Book 82 Pages 432-7

The hearing was closed by unanimous consent.

The NOD will be due by June 4, 2006

#2BSUB06 - Preliminary Plan Review of a Major Subdivision Application by Richard & Linda White to divide Lot 03-050 into 4 lots of 4, 10, 18, and 40 acres, and a 5 acre "common area" lot on Stagecoach Road.

Members Participating: Lawe, Teeter, Katucki, Dean, Butler

Applicants: Linda and Rick White, John Thetford - PE, Paul Gillies - Attorney

Interested Parties:

Sonya Swierczynski - 370 Chapel Hill Road

Leonard Pomerleau - 272 Chapel Hill Road

Other abutters not participating:

Maureen Sullivan - 8 Stagecoach Road

Darryll Thompson - 1448 Beaver Meadow Road

New Documents Submitted:

Site Plan, Road Profile, Site Details by John H. Thetford & Assoc. Rev. 4/11/06

Dechert reported that he spoke with Attorney Gillies regarding the position of the Board on the density issue. The Board had ruled on the density issue in the November 2005 decision that was appealed by the Applicants to the Environmental Court. Although the current application is a "new" application, the density issue is the same as in the earlier application under appeal. The Board does not think that it can make a finding on density as long as the issue is under appeal. The Board is willing to hear the testimony on the other criteria and make a preliminary determination on whether the application complies with the other criteria.

Lawe confirmed that the Board's position is to rule on all the issues except density but not issue a final decision until the density issue was determined at the Environmental Court.

Katucki expressed concern that in the White appeal, the Environmental Court might rule the density was 2 lots as did the DRB did prior to reconsideration. Gillies thought unlikely as there had been no cross appeal.

Attorney Gillies stated, that based on the recent Simpson case, preliminary decisions are held against the parties unless appealed. The Whites appealed the November decision to preserve their right to ask for an additional lot in the future. He assumed that the four lot density was the current allowed density for this application, but if the applicant decides to subdivide one of the four lots under a future application, they need to reserve their right to appeal the November decision. Gillies would like the Board to issue a decision on this application based on a density of four. The Board did not agree to this request but asked Gillies to submit a memo explaining his position to the Board with a copy to Frank Olmstead.

John Thetford reviewed the new plans submitted. Changes include

§ The pond is now part of Lot 3 and the "common lot" has been eliminated.

§ Development envelopes have been added on each lot.

§ Slopes are shown on the plans

§ Road grades do not exceed 10%, the driveway to Lot 4 is as steep as 13% and traverses some 25% slopes. Alternate routes would result in a steeper driveway.

The owner of Lot 3 will be responsible for maintaining the dry hydrant at the pond. The applicants have been discussing the water source and fire protection issues with the Norwich Fire Department.

Leonard Pomerleau submitted a letter stating that there is an existing right-of-way across the White's land to the Pomerleau land. The letter included the location of the deed (Bk. 25,

Page 481), but not the location of the right-of-way on the lot. John Thetford stated there is no right-of-way. Pomerleau was asked to provide specific details of the location of the right-of-way and Dechert was asked to provide a copy of the deed to the Board members.

The hearing was continued to June 1, 2006 at 7:30 PM by unanimous consent.

Note: Gillies reported that no ruling on the Simpson appeal has been made by the Environmental Court.

#89BSUB05 - Preliminary Review for a Subdivision Application by Bull Pine Realty, LLC, applicant and landowner, to divide Lot 05-003.2 and Lot 05-146 at 844 New Boston Road into 10 lots. (Continued from March 16, 2006)

Members Participating: Lawe, Teeter, Katucki, Dean, Butler

Applicants: Tim Rockwood (Pathways Consulting)

Interested Persons: John Kopper - 866 New Boston Road

New documents submitted:

1. Plans #8 - Development Envelope 8 - 3/9/06
2. Response to Request for Additional Information - 4/13/06
3. Revised Density Calculation Sheet

The Board reviewed the Response to Request for Additional Information submitted by the applicant on 4/13/06. All 10 items were discussed. The information was complete except that the applicant is waiting for a response from the Norwich Fire Department on the waiver request for the 12% grade on a section of the private road. The applicant would prefer not to install sprinklers.

There was discussion of the fire pond and wetlands, the roads and driveways, and maintaining trees to screen houses from other properties but still allow views and access to solar.

The hearing was continued to May 4, 2006 at 7:30 PM for the purpose of receiving any additional information regarding Norwich Fire Department's position on the waiver request by unanimous consent.

The meeting was adjourned at 9:00 PM
Phil Dechert

Approved 5/4/06