

HAMPSTEAD PLANNING BOARD

11 Main Street Hampstead New Hampshire 03826

Minutes 7 November 2011

Vice Chairman B. Kelly opened the meeting at 7:30 P. M. Present were Planning Board members Bill Kelly, Proctor Wentworth, Bill Weber, Derrick Moyer, Dean Howard and Ex-officio Priscilla Lindquist. Nick Cricenti, SFC Engineering and Susan Hastings, Secretary attended. Randy Clark was absent. Penny Williams, correspondent, attended the hearing. The correspondence is part of these minutes.

ANNOUNCEMENT Citizen Petition Period

Bill Kelly announced the Petition Period for members of the public to submit zoning changes begins on November 7, 2011 and ends on December 14, 2011. The petition is submitted to the Selectmen and requires the signatures of 25 registered voters. The petitions are then submitted to the Planning Board.

PUBLIC MATTERS Legislative Law Update

The Vice Chairman requested Nick Cricenti, Town Engineer, to advise the Board of changes to the laws.

Division of Involuntarily Merged Lots. Chapter 206 (HB 205): Nick told members of the change for lot mergers. Any lots which were "auto-merged" by the Town will have to be separated to what they were previously. Assessors may not change lot cards or maps. Any lot merger must be voluntarily done by the land owner. Hampstead has used the petition by the landowner. Nick said as far as he knew all the lots changed by the Board were done voluntarily so we appear to be in conformance. He suggested we continue using the voluntary merger of lots form. The landowner wishing to divide lots that were involuntarily merged prior to September 18, 2010 is subject to conditions. The request must be submitted to the governing body before December 31, 2016. The Town must inform the public of this new law by posting a public notice from January 2012 until December 2016 and publish notices in the Town's annual report for 2011 through 2015. S. Hastings said she had recently received a map error which did not show a merger of lots. No paperwork could be found authorizing the merger. Nick said it was clear that with no paperwork requesting a voluntary merger, there is no merger. Priscilla asked if this

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Minutes 7 November 2011

PUBLIC MATTERS Legislative Law Update

continued from page 1

Division of Involuntarily Merged Lots. Chapter 206 (HB 205):

applied to all lots and Nick explained it applied to “substandard lots” which had the same owner. For any development these merged lots must meet the zoning and subdivision requirements in order to be developed. Nick Cricenti was asked to draft the change for the Zoning.

Periods Extended for Vested Rights for Subdivisions and Site Plans.

Chapter 215 (SB 144):

Nick reviewed the Board’s history with regard to vesting. The Board set a reasonable length of time for vesting in 2006 of four years as appeared in the RSA’s. This year the Legislature extended the time from four to five years and it extended the time “to begin active and substantial work” by the owner or any subsequent owner. Nick said his understanding of the reason for the change was the downturn of the economy. The project affected by this RSA is in East Hampstead.

Planning Boards May Not Require Fire Sprinklers. Chapter 203 (HB 109). There are no sprinkler issues the local Planning Board may impose for one or two-family residences as a condition of approval. Nick Cricenti explained there are other RSA’s affecting Planning Boards but we are not affected by them. Planning Boards may not regulate timber harvesting that are not a part of a subdivision application or a development project that is subject to site plan review. Upstream dam owners do not have to be notified of a subdivision or site plan that is near a river or stream and downstream from them.

BOARD BUSINESS

- **3 October 2011 Meeting:** Priscilla Lindquist said the Board did not have a quorum of members and the vote taken that night might need to be “reaffirmed” when there was a full board. Members absent were notified by telephone of the motion request and asked to vote. The motion was for an Extension of Time granted to Kevin Camm to meet the

HAMPSTEAD PLANNING BOARD

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Minutes 7 November 2011

BOARD BUSINESS

continued from page 2

3 October 2011 Meeting: conditions of Approval for his subdivision Winchester Heights.
Bill Kelly said to put it on the next agenda.

- **Minutes 3 October 2011**

Bill Kelly asked if there were any changes to the minutes. There were none and he called for a motion.

MOTION: Proctor Wentworth made the motion to approve the minutes of 3 October 2011 as written. Bill Weber seconded the motion. APPROVED: The vote was unanimous

- **Adjourn**

Vice Chairman Kelly asked if there were any other issues to come before the Board. There being none he called for a motion.

MOTION: Proctor Wentworth made the motion to adjourn. Priscilla Lindquist seconded the motion which was approved unanimously. B. Kelly declared the meeting ended at 7:58 P. M.

Respectfully submitted,

Susan Hastings, Secretary