

Attachment D

Site Plan Regulations

Front Cover Revised and approved Dec 7, 1995 Format Updated and approved will change.

Section 1 Authority Chapter 36 (section 12-29 & 34 does not exist) Is has become regional planning boards

Local planning boards are 672 and authority is 672:1

Section 2 Definitions We may be able to say pages 1 thru 5

2.17 Engineer: shall mean the town engineer (3rd party for review or inspection).....

Section 21.03 RSA 676:4-b

2.27 Manufactures Home.....also includes Park trailers, etc.....on site for greater than 180 consecutive days.

2.29 Master Plan: RSA 674:1 to :4

2.30 Official Maps: RSA674:9 to :15

2.49 Utilities: municipal water or approved well

3.06 Notice of Application: only has 10 days for mailing abutters notices and nothing about time needed for publications and public notices.

Attachment B

Before we begin the continuation of the hearing on Hunt Properties LLC appeal of the 3rd party review required by our regulations I have a statement to make. As was stated last month I joined the planning board 7 years ago. I knew nothing about the process, reasoning behind regulations or the importance of planning boards and zoning boards for a healthy community. It has been a learning process for me ever since. I have been a member but now I was nominated and elected as the chair of this board just a few months ago in April. Last month was a big learning experience for me and perhaps other members of the board though I am not speaking for them. To see the waiver regulation used as it was last month (with the guidance of the town's attorney) was new to me. We have given waivers to applicants many times before but during the review of the application when they were requested by their engineer and approved by the town engineer/3rd party review as part of reviewing the application prior to approving the project. Every applicant that requests a waiver has to establish that they have met the conditions for the approval of a waiver.

Last month the board decided that the subdivision regulation 503 requires that the applicant pay for a third party to review the construction of a road within a subdivision. The board, the applicant and the public then discussed whether this is how the board has been interpreting Section 503 – or is this a new interpretation. The board also discussed whether it had interpreted the regulation that was in the past and required prior developers to pay for third party review of construction of the roads. The question was whether it had required 3rd party review on the entire project for all applicants or just a few or not at all." The answer may have an impact on the board's decision on the waiver tonight. It asked that Mr. Scalley submit an application for a waiver from the provision as well as information regarding what the board has done in the past. Several members of the public also indicated they wanted to present information about past practices, and the board also wanted to investigate past practices.

Mr Scalley has filed an application for a waiver. He also submitted information about past practices, as did _____. The board asked _____ to review planning board files to provide information about past practices. . Mr. Scalley will be asked to present his evidence regarding his waiver request. The board will discuss what it has found out about prior practices. Then the public will be asked to speak, followed by Mr. Scalley responding if he wishes, and the public responding to him again. After all discussion has occurred, the board will make a motion regarding the waiver.

Please address only the board with your comments and there will be no discussions between the applicant and/or members of the audience. All comments must address the issues before the Board, not other issues. Please keep your comments in the first round to five minutes and please do not repeat yourself as we want to allow comments on both sides in a timely fashion. Each speaker in the second round will have two minutes and is asked not to repeat what has already been said. No one will have a second chance to speak in either round until everyone who wishes to speak has spoken. Please be respectful of others and address the board only.

Mr. Scalley, please present your evidence, but please start by reading your application for a waiver.

Attachment C

October 3, 2013

Hunt Properties, LLC Section 5.10 Waivers:

1. The granting of the waiver will not be detrimental to the public safety, health or welfare or injurious to other properties located nearby;

The granting of the waiver will not be detrimental to the public safety, health or welfare or injurious to other properties located nearby as the Engineers have built and designed the road to meet all specifications of the Town. All the Department Heads in Town and Third party review conducted from Horizons Engineers have all reviewed and signed off for the approval of the subdivision.

2. The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property;

The conditions are unique in this situation as in the fact the Mylar had been recorded prior to final approval and completion of the subdivision. If the Mylar had not been recorded like in previous subdivisions, we would not be asking for this waiver.

3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;

The physical surroundings are not changing as we are working off the original approved subdivision plans and specifications.

4. The waiver will not in any manner vary the provisions of the Zoning Ordinances, Master Plan, and/or Official Map.

The waiver will not in any manner vary the provision of the Zoning Ordinance, Master Plan, and /or Official Map as the subdivision is being constructed as approved.