

Hope Planning Board
Minutes of Meeting
September 16, 2008

Present: Joel Morse, Nita Hunt, Dick Brodis, Ron Smith, Bill Pearse, Jr.

Meeting called to order at 7:30 P.M.

Tom Ford – representing the Hope Ordinance Review Committee – presented the proposal for the new Hope Sub-Division Ordinance.

After some discussion Town Attorney Paul Gibbons became available from his meeting with the Selectmen, so the Board suspended its review of the New Proposed Sub-Division until after having time to deal with Charlie Martz amendment to his sub-division.

Martz Sub-Division:

Present: Charlie Martz, Town Attorney Paul Gibbons, Rick and Christine Bagnal.

Discussion about where the water was currently running within the sub-division, located on Barnestown Road. The natural water flow shows the water running across lots 4, 3 & 2, settling at the boundary line of lot 2 and flowing onto Lot 1, towards the southeast. Some water flows towards the southwest, toward Barnestown Road and Hobbs Pond.

Mr. Martz has amended his sub-division plan to show the wetlands located within the sub-division. On the map it also shows a building area on lot 2, only undeveloped lot, towards the back of the lot, and according to Mr. Martz would be about 100 by 200 ft in size. Soil test for lots not shown on map, but reports have been received by the Board.

The wetlands shown are acceptable by DEP and have been approved by them.

Upon review of the map provide by Mr. Martz, there is a ditch shown from lot 2 partially going across Lot 1. Per Mr. Bagnall the ditch is not accurate.

The Bagnall's stated that they accept that the natural flow of water comes across their lot and are willing to work with Mr. Martz to complete this matter, but want details on the map to show erosion controls, 100 year flood area, drainage plan, estimated costs to complete such improvements and notation to show who will pay for costs.

The Bagnall's stated that they accept that the water needs to go across their land and are willing to allow Mr. Martz to due the work, but want the above items disclosed and identified.

Mr. Martz's contends that DEP natural flow of water goes across the Bagnall lot.

Mr. Martz stated that he was willing to pay for engineer to draw up plans to modify the ditch and pay to have the work done, but not to pay for materials to make improvements to the ditch.

It was disclosed that the Bagnall's are in need of gaining an "after the fact" permit from DEP for alternations to wetlands that are alleged to have been disturbed by the Bagnall's. The catch is that the part of the application must include an engineering design for work to be done by in the ditch. With Mr. Martz's willingness to pay for the engineering to the ditch, this would then allow the Bagnalls to complete and submit their DEP permit request.

After some more discussion, Motion was made:

To approve storm water drainage plan subject to the following conditions:

- 1.) Mr. Martz pay engineering firm, believe to be Gartley & Dorsky, a sum necessary to engineer a design for drainage ditch which is approximately 20 feet in length and is located about southeast of existing road that includes crossing lot 1,
- 2.) Once Bagnall's receive permit from DEP to get after the fact permit from DEP for wetland alterations on property including roadway, Mr. Martz is responsible to hire a 3rd party to do construction work on approximately 20 feet of ditch. If Bagnall's fail to apply for and/or receive DEP permit within 3 months, then Mr. Martz can deposit with the Town the sum of "X" for construction work to be done on the ditch as determined by Gartley & Dorsky on this approximately 20 feet of work. Estimate to be completed within 30 days of this date.
- 3.) Before permit to be issued for Lot 2 for house, and assuming deposit for construction work of ditch has been received, any structure must be built with building envelope shown on plan for lot 2 and that drainage will be onto property owned by developer. Also a culvert will be installed in the driveway leading to the back of the lot. This culvert(s) will be the same as noted in the engineered plan for the ditch are located on the Bagnall property.
- 4.) Plan once signed will be held by the Town's C.E.O.

Motion was 2ned. Vote was 4 in favor and 1 abstention (Ron Smith)

Review of the conditions of the Hope Sub-division Ordinance was done.

Motion: to waive easement requirement, based upon special circumstance.

Motion was 2nded, discussion: it was determined that since Mr. Martz did not own the land over which an easement would have to be received, it would thus be impossible to require Mr. Martz to received such a document, as the current owners might not give him one.

Vote: 4 in favor, 1 abstention (Ron Smith)

Motion: to approve amendment of sub-division plan for Mr. Martz for property located on Barnestown Road, subject to the following conditions:

- 1.) No structure will be built on lot 2 that will have a footprint of more than 10,000 sq feet and will be within the building envelope shown on the map,
- 2.) Rest of Lot 2 is not suitable for development,
- 3.) Culvert(s) on lot 2 will be the same as shown in approved plan by Gartley & Dorsky for approximately 20 feet of ditch are on Lot 1 that will be part of the Bagnall's DEP application for an "after the fact" permit.

Vote: 4 in favor, 1 abstention. (Ron Smith)

Given the late hour, the Planning Board decided to postpone the review of the new proposed Hope Sub-Division Ordinance until September 23, 2008 for a meeting to be held on that date at 7:00 P.M. at the Hope Town Office.

Motion made to adjourn, 2nded and unanimously approved.

Meeting adjourned at 10:35 P.M.