

**BARNSTEAD PLANNING BOARD  
THURSDAY, DECEMBER 9, 2021  
6:00 P.M.  
BARNSTEAD TOWN HALL  
MEETING MINUTES**

1. **CALL TO ORDER:** N. Carr called the continuation of the meeting to order at 6:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Everyone present participated in the Pledge of Allegiance
3. **ROLL CALL:** Present: N. Carr, Chair, E. Swinford, Vice Chair, D. Kerr, Secretary, R. Therrien, Select Board Rep, M. Cipriano, Member, K. Preston, Member, D. Twitchell, Alternate, A. Horohov Recording Secretary

Missing: M. Furtney, Alternate.

4. **MINUTES: 11/4/21 & 11/18/21:** K. Preston motions to accept the corrected minutes of November 11, 2021 E. Swinford seconds. The Board voted unanimously in favor. M. Cipriano abstains. K. Preston motions to accept the minutes of November 18, 2021. D. Kerr seconds. R. Therrien, D. Twitchell, K. Preston, and M. Cipriano abstained. The Board voted unanimously in favor.

5. **APPLICATION FOR SITE PLAN REVIEW:**

**Russel S & Kristi E Atherton, 490 So. Barnstead Rd, Tax Map 8, Lot 62, Minor**

**Subdivision:** N. Carr says they are asking for waivers A.12 A.14, A.17. N. Carr says it looks fairly straightforward and on lot 62, they're going to subdivide off and make a smaller lot with the business on it which will be 5.05 acres. S. Oles says they're looking at taking the business and subdividing it off the original property. S. Oles says both lots will have septic and wells that are being used. N. Carr asks the frontage of the lot that they want to subdivide off. S. Oles says 671 feet. N. Carr asks about the original lot. S. Oles says 200 feet. N. Carr says this is the butcher shop on South Barnstead road. N. Carr asks if the current land will remain in land use. Russel says yes. D. Kerr asks where the limits of the 200 foot frontage is. S. Oles says there's a distance that goes from the stone wall over to the new lot line and has to correct the plans so it shows that. D. Kerr asks if the monuments will be monuments or rebar. S. Oles says it's whatever they can get in the ground at this point in time. K. Preston motions to accept the application as complete. E. Swinford seconds. The Board voted unanimously in favor. N. Carr opens the Public Hearing at 6:19 p.m. No one from the public had any comments. N. Carr closed the Public Hearing at 6:20 p.m.. K. Preston motions to approve the waivers requested. E. Swinford seconds. The Board voted unanimously in favor. D. Kerr asks in reference to the plans, was the subdivision before a minor subdivision. R. Atherton says they purchased the land after the subdivision. D. Twitchell asks when that was. R. Atherton says 2012. N. Carr says this will still fall under a minor subdivision and under the subdivision regulations the lot falls under the 20 years before the lot can have a minor subdivision again. D. Kerr asks if the ZBA could make a ruling on this. N. Carr says she hasn't heard of them doing that. K. Preston asks if they could get a waiver. N. Carr says they haven't asked for it. N. Carr says under her interpretation if they come back with 62-1 involved, then it's part of the minor subdivision. D. Kerr says section 14 covers waivers in relation to this. N. Carr says the Board could waive the requirements but they need it in writing at the time of submission of the completed application. N. Carr says the waiver would be in the definitions regarding the minor subdivision definition.

K. Preston asks if they have to continue this application. S. Oles says he can give the waiver right now. N. Carr asks the rest of the Board what they think. R. Therrien says the waiver should specify exactly what they are requesting in the waiver. S. Oles says he can do that and hands in the waiver to the Board. N. Carr asks if that is acceptable by the Board. The rest of the Board agrees to the waiver submission. M. Cipriano motions to accept the waiver as written. K. Preston seconds. The Board voted unanimously in favor. K. Preston motions to approve the minor subdivision with the approved waivers. R. Therrien seconds. The Board voted unanimously in favor.

**LT Investment Group, LLC, 57 No. Barnstead Rd, Tax Map 43, Lot 1, Major**

**Subdivision:** N. Carr says this proposes 3 lots. N. Carr says she does have test pit number 1 data and test pit number 2 data which were done on the same date. N. Carr says the results from test 1 and test 2 are the same. R. Locke says it's perfect for a septic system but not for farm land. N. Carr says there is a barn at the top of the hill. R. Locke says yes and the driveway has been there for a while. N. Carr says her concerns are that the land is steep and the proposed mitigation for any construction to keep the slope from washing. R. Locke says the typical hay and plastic buffering while they work on it. N. Carr asks what they are going to do after the construction. R. Locke says what they have on both lots is a house planned and going to be far away from the water. R. Locke says he doesn't anticipate the problem and if they need to do something to solve the issue, they will do it. N. Carr asks to do a site walk to check both building sites. R. Locke agrees to it. D. Twitchell asks if the 44-3b is on one side of the waterway and on proposed lot one, it's on the other side and asks where they are building. R. Locke says it will be near the river. N. Carr asks if the Board could do the site walk on Saturday, the 11th. M. Cipriano says his only concern is the runoff and will talk to R. Therrien when he gets back. R. Therrien asks if the boat launch is owned by the piece of property. R. Locke says that's something that has nothing to do with him. D. Kerr asks what waivers are being asked for. N. Carr reads the waivers requested, A.25, A.30, A.31, A.36, A.37, A.45. N. Carr says all these waivers pertain to the large parcel and not the two proposed lots. D. Kerr motions to accept the application as complete. E. Swinford seconds. The Board voted unanimously in favor. N. Carr says she will see them for a site walk on December 11 at 2:00 p.m.. N. Carr opens the Public Hearing at 7:02 p.m.. S. Lalos asks if the house will be across from her current house and asks what the difference is between a minor and major subdivision. N. Carr says the number of lots with the minor subdivision being 3 or less lots and a major being three or more lots with the option to subdivide more. S. Lalos says that was her concern and if they do this major subdivision, they can come back to subdivide it even more with no control over it. N. Carr says anyone would have to come back to see the Planning Board to subdivide more. S. Lalos says her concern would be drainage issues and traffic but is glad they came before the Planning Board. N. Kelly says the road has drainage issues already and it would be good for the Board to see on Saturday. N. Carr says they have the steep slope map which shows slopes that they need to be aware of. N. Carr says there are certain criteria to be met to build on a steep slope property. N. Carr says she will let the Road Agent know as well to take part if he would like to. L. Bramante says there is a concern of parking as well with people speeding. N. Carr says they would need to come to a Select Board meeting. D. Twitchell asks if there is a house on 43-d. R. Locke says no. D. Twitchell asks if there will be two separate homes. R. Locke says yes. D. Twitchell asks if the trust is doing this. R. Locke says yes. S. Lalos asks if there is a time limit on when he can build after it's approved. N. Carr says twenty years. N. Carr closes the Public Hearing at 7:16 p.m..

6. **PUBLIC HEARING:** N. Carr opens the Public Hearing regarding the ballot questions at 7:21 p.m.. D. Kerr says on number 5 they can have a sheet before to explain things but asks if they could explain what P, E, and N means. N. Carr says they could do that. E. Swinford says they can have a conflict with question one due to business not being allowed in Locke Lake. N. Carr says that is not their problem since they don't make rules in Locke Lake. K. Preston asks if that means Locke Lake doesn't follow their laws. N. Carr says Locke Lake can make tougher laws. M. Cipriano says they set up a system where residents have to come before Locke Lake first before seeing the town for a permit. N. Carr asks if this is for a business or a building. M. Cipriano says it's for anything and this has been on the website for a long time now. N. Carr says that has to be presented before the Select Board and Planning Board since neither has knowledge of that. M. Cipriano says this was done a long time ago and doesn't know if they can go back on that. N. Carr says she doubts they can but this is something they need to do more research. R. Therrien says anyone can apply through town hall and this is something that needs to be looked into further. M. Cipriano says this was a form on the website that someone had to fill out. N. Carr says they are talking about a business and not a building. R. Therrien asks if there is a reason that the wording is creating a problem. N. Carr says the lawyer asked to put that in there. M. Cipriano says if they are going against the deed of restrictions in Locke Lake with their own ordinance, that's a problem for him. R. Therrien says as far as he knows, Locke Lake doesn't allow any business. M. Cipriano says this is something they have to look at. R. Therrien asks why the wording is an issue. D. Kerr says the RSAs do not give the Select Board or Health officer any business. N. Carr says it came up because the town attorney was looking at the zoning ordinance regarding businesses. R. Therrien asks if they are doing anything with short term rental. N. Carr says they are just defining it this year. N. Carr closed the Public Hearing at 7:40 p.m.
7. **OLD BUSINESS:** D. Kerr says since the last update, they had a TAC meeting and wasn't able to attend. N. Carr says they are doing quite well with their budget. N. Carr says the building permits for next year are 37. The Board approves of the 37 home permits.
8. **CORRESPONDENCE:** N. Carr reads miscellaneous correspondence.
9. **ADJOURNMENT:** D. Twitchell motions to adjourn. K. Preston seconds. The Board voted unanimously in favor and adjourned at 7:48 p.m.