

Canaan Planning Board
Minutes
February 28, 2008

Members present: Andrew Musz, John Bergeron, Joe Frazier, Tom Hudgens, Chuck Townsend, Steve Ward and Pete Gibson (alt.)

Meeting was opened at 7:00 PM, and Pete Gibson was appointed to fill the seat of Dan Ware for this evening's meeting.

7:01 Steve Ward read the minutes from the last meeting, and a motion was made by Joe Frazier and seconded by Tom Hudgens to accept the minutes as amended. A vote was taken, and the motion was passed unanimously.

7:15 Chairman Musz opened a Public Hearing for an application by Curtis and Caryn Shepard for a building permit on a private road (Hall Road). [As an abutter, Chuck Townsend recused himself from the Hearing.] Chairman Musz informed the Board that notice of a waiver by the Shepards of responsibility for maintenance of the road by the Town of Canaan and of liability for any damages resulting from the use of the road had been recorded at the Grafton County Registry of Deeds. In response to his request for any comments in favor of the application, Erin Darrow, engineer for the Shepards, described the proposed buildings. She stated that the Shepards had met with Canaan Fire Chief William Bellion and agreed to provide access to the property in accordance with NFPA regulations and to furnish fire protection in the form of a cistern, sprinkler system or fire pond. There were no comments against the application. A general comment was then offered by Kurt Gotthardt, President of the Mascoma Water Shed Conservation Council (MWCC), regarding the old road bed that crosses the Bear Pond natural area north of the subject property. Mr. Gotthardt reported that the MWCC is the owner of this Bear Pond property and has a conservation easement enforced by the Upper Valley Land Trust prohibiting wheeled and motorized vehicles on any portion of this property.

There being no further comments, the Public Hearing was closed at 7:28, and a motion was made by John Bergeron and seconded by Tom Hudgens authorizing Chairman Musz to inform the Canaan Select Board by letter that the Planning Board has no objection to the application as long as the NFPA road access and fire protection regulations are complied with. The motion was approved unanimously.

7:30 Chairman Musz opened a Public Hearing for an application by Thomas Valley for a building permit on a private road (also Hall Road). [As an abutter, Charles Townsend recused himself from the Hearing.] Abutters present were Bill Wanner and Caryn Shepard. Speaking in favor of the application, Thomas Valley described the proposed residence and provided a sketch of the property. Mr. Valley informed the Board that he has not yet conferred with Chief Bellion nor has he registered a waiver of responsibility and liability for the Town of Canaan with Grafton County. There were no comments against the application.

There being no further comments, the Public Hearing was closed at 7:40. Chairman Musz observed that the above waiver must be recorded at the County Registry of Deeds. Thereupon, John Bergeron moved that Chairman Musz be authorized to inform the Canaan Select Board by letter that the Planning Board has no objection to the application as long as the requisite NFPA road access and fire protection regulations are complied with. The motion was seconded by Joe Frazier and passed unanimously.

7:50 Chairman Musz explained to the Meeting that the Design Review scheduled for a major subdivision by Mark Dove and Kathleen Stavaski could not be undertaken because one of the abutters, Phil and Patsy Carter, were not noticed. He noted that a Design Review is optional and that the applicants may go directly to a formal application. Erin Darrow, the applicants' engineer, informed the Board that they will renote abutters for a Design Review on March 13.

8:05 John Bergeron presented his committee's latest draft of a Class VI Highway/Private Road Policy for the Town of Canaan. Tom Hudgens conveyed questions asked by the Select Board about Section 11 - Public Hearing, and a lengthy discussion ensued. John offered to incorporate changes to paragraphs b, c, and f reflecting comments by Board members for review at the meeting of March 13.

9:05 Scott Lepine of 169 Turnpike Road addressed the Board regarding Matt Dow's 2006-2 subdivision to request that Mr. Dow complete the project per the plans for the subdivision. Mr. Lepine contended that drainage ditches that were to be extended from the subdivision to Grafton Turnpike actually end at his property greatly increasing the water flow on it. Mr. Dow responded that there was no intention to divert water that had been flowing onto Mr. Lepine's property prior to Dow's purchase of the property that was subdivided. Andrew Musz responded that it is the Planning Board's responsibility to ensure that the road was constructed according to the plans approved by the Board. Consequently, the Board will review the plans that were approved and present its finding at the meeting on March 13.

9:25 A motion to adjourn was made by Steve Ward, seconded by Chuck Townsend and approved unanimously.

Respectfully submitted,

Stephen Ward, Interim Scribe