

Planning Board Minutes
Wednesday, 17, October 2012
Mallett Hall
7:00 PM

Members present: Ron Hodsdon, Joan Mueller, Liza Nichols, John Bowdren, Matt St. Cyr,
alternate Matt Chipman

Members absent: alternate Jerry Gould, planner Tony Dater

Guests: Karen Grindle, Tim Grindle, Bill Ginn, Jeremy Sahlman

1. Call to order: at 7:04 by the Chair

2. Secretary's report: The meeting minutes of 9/19/12 were so moved and accepted on a motion by Joan, seconded by John.

The onsite minutes of 9/22/12: in the first sentence "TJM" was corrected to *TKM*. On a motion by Joan, seconded by John, the onsite minutes were so moved and accepted as corrected.

The workshop minutes of 9/25/12 had the addition of Sherry Dietrich added to those present and in the second paragraph "Hutch" was corrected to *Joan*. On a motion by Hutch, seconded by Joan, the minutes were so moved and accepted as corrected.

The workshop minutes of 10/9/12 were so moved and accepted as presented after a motion by Joan, seconded by Hutch.

3. Old Business: Grindle Family Partnership Subdivision

The Board went over the checklist and the plan; all was complete. A note had been added that wetlands had not been delineated. Hutch made a motion to approve the subdivision plan as presented; Joan seconded. So moved and accepted by the Board.

4. New Business: None

5. Discussion: Bill Ginn and Jeremy Sahlman explained that as "Minot Road Partners" they plan on purchasing the Thomas and Lorna Tuttle property (Map 2, Lot 12, 94 +/- acres) and divide it into three parcels one of which Bill will absorb into his property, one Jeremy will own (38 +/- acres) and a third the partnership will maintain (14 +/- acres) that eventually will become part of the Park. Bill maintains that since the parcel he will be adding to his property is over 40 acres, under state law, it is not considered a lot and therefore the actual division of the property will only be in two and so only a single lot is actually being created from the original. While Board members felt this didn't pass the straight face test it had to concede that Pownal's Subdivision Ordinance has no specification different from the state regarding acreage over 40 acres. Since the state took away Pownal's ability to oversee all land division as subdivision this is a consequence it hadn't picked up on.

There was discussion on the differences of abandoned versus discontinued roads. From a report to the Selectmen in 2000 on roads and other records it seems that a portion of Minot Rd. was voted discontinued (after 1965 so it has a public easement) and the rest abandoned. There doesn't seem to be anything to indicate that the abandoned portion was named a private way, which would mean it too has a public easement. The upshot, then, is that Minot Rd. has no bearing on the absorption of land to the Ginn property.

Bill assured the Board that he and Jeremy plan nothing that isn't in accordance with the town's standards. Why then, are they unwilling to come to the Planning Board for review? Bill said the three meetings it would likely take to get approval would be too long. Jeremy added that he has time constrictions in trying to get a loan.

Joan argued that since there were three entities involved, Bill, Jeremy, the Partners, each to be holding separate property, that there would indeed be three lots. Further that Bill's approach went against the intent of our ordinances. Bill appreciated the intent, nonetheless the Ordinance doesn't specify over 40 acres.

Hutch wondered if it would be possible to make lots 1 and 2 one lot for the time being? Bill said it would be complicated financially.

Matt St.C. commented on trying to reconcile the grey area with the black and white. John agreed that the partnership was fuzzy and a sticking point. Why didn't Bill buy the entire parcel and then sell the pieces to the partnership? Bill said he could, but it isn't apparently something he is willing to do.

Matt C. said he was very much against this going as a single lot.

Bill said he would be happy to keep us informed and bring us plans. Liza particularly wanted plans and a paper trail. Bill assured us he would follow the Single Lot Ord. to the letter.

6. Other: Joan asked that the 40 acre issue be on the agenda of our next meeting and that Tony weigh in.

Matt C. said he had not been able to attend the MMA seminar because of his son's surgery. He had called the town office to cancel and plans to reschedule for the next seminar.

Tony's Space and Dimensional Table of 10/6/12 still has a typo at the bottom of the page: minimum front yards 100,000 ft.!

Matt C. asked why the wetlands had not been delineated on the Grindle plan. The Board felt that in this case any wet was also in the Floodplain which was clearly delineated and that the building area was well away from that area, as was very apparent at the site walk. It conceded it ought to have erred on the side of caution.

There was some discussion on when to hold an informational meeting on the updated Zoning Ord. Draft. January is looking likely.

7. November Agenda: Ordinance Review and 40 acre subdivision rule.

8. Adjournment: Motioned, seconded, so moved and accepted, sometime after 9:00 PM (the secretary forgot to write the time down).

Respectively submitted,



Liza Nichols, Secretary