



**PLANNING BOARD**  
**Town of Greenland • Greenland, NH 03840**  
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**MINUTES OF THE PLANNING BOARD PUBLIC HEARING**

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Thursday, March 15, 2018 – 7:00 p.m. – Town Hall Conference Room

*Members Present:* Frank Catapano, Stu Gerome, John McDevitt, David Moore, Rich Winsor, Catie Medeiros (Alternate), Paul Sanderson (Selectmen's Rep)

*Members Absent:* James Connelly, Steve Gerrato (Alternate)

*Staff Present:* Mark Fougere - Consultant

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Chair Gerome opened the Planning Board Public Hearing at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Reorganization of the Board

Reorganization of the Board following Town Meeting on Tuesday, March 13, 2018:

MOTION: R. Winsor moved to nominate S. Gerome as Chairman of the Planning Board. Second – F. Catapano; all in favor. MOTION CARRIED

MOTION: P. Sanderson moved to nominate R. Winsor as Vice Chairman of the Planning Board. Second – J. McDevitt; all in favor. MOTION CARRIED

2. Projects of Regional Impact

There were no projects of regional impact to discuss.

3. Subdivision of Land: 280 Bayside Road [Map R16, 28 – Residential Zone]

Owners/Applicants: Joseph and Lisa Adamaitis

Proposed minor subdivision of an existing two family property into a two unit condominium, no other changes to the site or building are proposed.

MOTION: R. Winsor moved to accept the plans as complete for the Subdivision of Land at 280 Bayside Road. Second – D. Moore; six in favor, one abstain (J. McDevitt). MOTION CARRIED

*J. McDevitt, abutter, abstained himself from voting.*

Monica Kieser, Attorney – Hoefle and Phoenix, addressed the Board. Also present were Joe and Lisa Adamaitis, owners, and Robert Ducharme, Attorney (drafted the condo documents). A satellite picture was distributed to the Board, giving them an overview of the property. The property was purchased as a duplex. Attorney Kieser discussed how the applicants planned to divide the property.

Also discussed was the proposed garage. There are not many changes planned for the exterior of the dwelling in terms of the footprint. The proposed garage will replace the existing 14 x 14 deck. There are no other changes with the exception of small decks on the back. R. Winsor clarified that changes were not being reviewed at this meeting. Attorney Kieser responded they were seeking a minor subdivision approval. R. Winsor stated he didn't want it misinterpreted that the Planning Board was approving a garage or deck. The applicant anticipates the regular building permit process for those; Attorney Kieser wanted the Board to know, conceptually, that was their plan.

Attorney Kieser stated that there were no wetlands on the property. The septic plan that was recently submitted indicated there were no wetlands within 50' to 75'. They planned to have a wetlands scientist view the property as a precaution but have been unable to due to the latest snow storm. Attorney Kieser's position was that given the very minimal changes to the exterior, she was making an oral request for a waiver from that requirement.

The septic design was for five bedrooms; the septic had failed and was replaced for the same five bedrooms. Bedrooms: Unit 1 - two; Unit 2 - three. There will be no change to the driveway. However, they will be getting an easement from the neighbor on the left; the existing driveway encumbers a portion of the abutting lot.

The site plan outlined the existing site features including well, septic and general site conditions. The plans together denote common and limited common areas as well as the interior divisional walls. A draft of the condominium documents was submitted with the plans. Chair Gerome questioned Attorney Ducharme regarding cross easements for well and septic access; they are included in the documents. The limited common area only goes to ground surface, not below; the system below is common to everyone.

P. Sanderson wanted it noted for the record that the Planning Board was not approving the two encroachments: the driveway and fence on the abutting property. F. Catapano questioned the second floor of the condex being above part of the first floor as depicted on the plans; Attorney Ducharme responded it happens all the time. D. Moore noted that the bathroom on the second floor is over Unit 1. Attorney Ducharme stated that any issues would be covered in the master policy and explained the policy to the Board. C. Medeiros questioned if the limited common area over the decks was specified as Unit 1 or Unit 2. Attorney Ducharme responded that they would have to decide which unit was assigned and the driveway would be the same; the condo documents will outline ownership specifically. It will also be delineated which unit has ownership.

Chair Gerome opened the hearing to public comments. There being on comments, he closed the public hearing and returned to the Board for further discussion. R. Winsor stated he would like to see the proposed changes removed from the plan when it's filed with the Registry; he didn't want it to appear the changes were approved by the Planning Board. Attorney Ducharme stated it could be noted on the plan "to be constructed". He has included in the documents that nothing can be done without abiding by all State, federal and local laws and ordinances. Attorney Kieser clarified that the Board would like to see a revision that is clearer the garage is "proposed to be constructed in accordance with Greenland zoning". P. Sanderson suggested they review it with the Building Inspector because a 22' wide garage is too short. Also, the proposed stairs and deck appear to be over the tank; the Building Inspector should review for any problems. J. Adamaitis responded that the plan over-emphasized how far the deck extended and wasn't over the tank. P. Sanderson recommended the plan be revised. Chair Gerome stated that the driveway and tank locations should be included on the plan. The Board also requested an as built for the septic. Attorney Kieser noted that the plan has been reviewed by the Building

Inspector; P. Sanderson felt that indicated the Building Inspector didn't see a problem with wetlands. The plan will be revised as requested.

MOTION: R. Winsor moved to approve the subdivision of Map and Lot R16, 28 into a total of two units in accordance with the condominium plan by Atlantic Survey Co., LLC dated January 2018, Project No. 17145. Limited Common Area for Unit 1 will be 18,730 sq. ft.; Limited Common Area for Unit 2 will be 17,310 sq. ft., subject to the following conditions. Second – P. Sanderson; six in favor, one abstain (J. McDevitt). MOTION CARRIED

- NHDES Subdivision Approval;
- Plan must be signed and stamped by a surveyor;
- The as built location for the septic system (all components) must be included on the plan;
- Notation on the plan: Any abutting property encroachments are not approved or endorsed by the Planning Board;
- Any future additions noted as proposed on the plan are subject to the appropriate building permits;
- The applicant must submit a final full plan set (22"x34") and an 11"x17" plan copy as part of the Planning Board file;
- The applicant must submit a digital copy (CD Rom or thumb drive) of the final full plan set as part of the Planning Board file.

#### 4. Approval of Minutes

MOTION: R. Winsor moved to approve the minutes of Thursday, February 15, 2018. Second – P. Sanderson; five in favor, two abstain (J. McDevitt, C. Medeiros). MOTION CARRIED

P. Sanderson thanked the Board members who attended the Board of Selectmen's meeting on Monday, March 05, 2018; the issue was resolved.

MOTION: J. McDevitt moved to approve the minutes of Thursday, March 01, 2018. Second – R. Winsor; five in favor, two abstain (S. Gerome, D. Moore). MOTION CARRIED

#### 5. Approval of Invoices

There were no invoices to approve.

#### 6. Other Business

- The Board received a draft of a waiver request form to be used by applicants.
- The lack of Subdivision Approval for duplexes on Haines Brook Farm Lane that were condexed in 2005 was discussed with the Board. The units were sold as condominiums without subdivision approval from the Planning Board and the State. The plan was registered through the Registry without a Planning Board signature, and were signed by the engineering company. The Board was in agreement that fees would not be waived if Subdivision Approval came before them. There was no error on the part of the Town.
- Nancy Hagner, Great Bay Drive West, asked for any information that the Board could share regarding Great Bay West. P. Sanderson responded that nothing has come back before the Selectmen other than an issue with snowplowing damage. He added that they haven't received any form of communication that would allow the road to be widened enough to be repaired. P. Sanderson asked that this issue be added to the Selectmen's agenda for Monday, March 19, 2018. R. Winsor assured N. Hagner that something would be done as soon as it reached the Planning

Board. P. Sanderson added that there is a possible solution, but there isn't enough land right to allow for construction. They need to work with the landowner in order for anything to be done.

7. Topics for Work Session: Thursday, April 05, 2018

Goals for 2018 were suggested.

8. Adjournment

MOTION: R. Winsor moved to adjourn at 7:45 p.m. Second – F. Catapano; all in favor. MOTION CARRIED

NEXT MEETING
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Thursday, April 05, 2018 – 7:00 p.m., Work Session, Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Secretary to the Boards

Approved: Thursday, April 05, 2018