

Town of Sullivan, NH
Planning Board
Meeting Minutes, April 5th, 2023
Sullivan Town Hall

Members present: Leslie Casey (chair), Timothy Newcombe (secretary), Laura Lewandowski, Chris Pratt, Adam Cullis (Alternate), Laurie Goldsmith (alternate)

Public present: Chip Woodbury (South Rd) Trustees of Trust Funds, Wendy Pelletier (Centre St) Cardinal Surveying, Scott Wood (Cross Rd), Shannon Sokolowski (172 Valley Rd), Jamey Walters (Winchester, NH)

- A. The meeting was convened by Chairman L. Casey at 7:01 p.m. and roll call was taken. All members of the planning board and public provided their names and addresses.

- B. Approval of minutes- C. Pratt moved to adopt the minutes as written. L. Casey Seconded. Passed by unanimous vote of the planning board.

- C. Organizational Meeting- L. Casey moves to postpone the organizational meeting to Other Planning Board Items. T. Newcombe seconded. Passed by unanimous vote of the planning board.

- D. Boundary Line Adjustment, Centre St
 - 1. Walters, Fitzpatrick Application Completeness Review- L. Casey started the review by pointing out that two members of the planning board (L. Casey, C. Pratt) are abutters. **(Add additional RSA context about conflicts of interest)**. Additionally, Natch Greyes ESQ submitted written comment to the board showing judicial precedent for planning board decisions being overturned when members of the planning board are abutters. C. Pratt mentioned that he completed a site walk with W. Pelletier on 04/01/2023.

L. Casey moved to waive the requirement to complete perk tests. Seconded by C. Pratt. Passed by vote of the planning board (L. Lewandowski abstained.) L. Casey moved to waive the requirement to complete a full boundary survey. Seconded C. Pratt. Passed by planning board (L. Lewandowski abstained). C. Pratt moved to accept the application as complete. Seconded L. Casey. Passed by planning board (L. Lewandowski abstained).

 - 2. Public Hearing- public hearing commenced at 7:28. L. Lewandowski recused herself from the hearing and vote. L. Goldsmith replaced L. Lewandowski as the fourth voting member of the board. W. Pelletier showed the proposed boundary line adjustment on a plat map and explained the rational for the boundary line adjustment. L. Casey closed the public hearing at 7:36.

 - 3. Deliberations and vote- there were no deliberations of the planning board. C. Pratt moved to accept the proposed lot line adjustment. L. Goldsmith seconded. Passed by unanimous vote of the planning board.

- E. Subdivision, Protective Well Radius Release, Cross Road

1. Scott Wood Application Completeness Review-L. Lewandowski resumed her role as a voting member of the board. L. Casey provided a summary of the matter. A resident of Sullivan has requested a well installed within 75 feet of his property boundary. A waiver must be granted by the planning board in accordance with the subdivision ordinance. S. Wood submitted a hardship letter for Map 3, Lot 75 stating the reasons for the requested waiver. L. Casey and C. Pratt completed a site walk on 04/03/2023. L. Casey moved to accept the application as complete. C. Pratt seconded. Passed by unanimous vote of the planning board.
 2. Public Hearing- public hearing commenced at 7:56. C. Woodbury commented. He stated he believes this could set precedent for the town. He questioned whether this is truly a hardship since the building lot is 16 acres. He understands that it may be cost prohibitive to place the well somewhere else on the property. C. Woodbury went on to provide historical context on how water supply could be contaminated by an abutter. He emphasized that protecting the water supply is of utmost importance

W. Pelletier agreed with C. Woodbury. She also commented that a hardship cannot be financial in nature. She said that the waiver must go with the land. With a 16 acre lot it is hard to see how moving the location of the well is a true hardship.

S. Wood reiterated his reasons for requesting a hardship waiver.
 3. Deliberations and Vote- The deliberations commenced at 8:07. L. Casey mentioned that it is curious that the state would allow a property owner to assume the risk of placing their well near a property boundary. C. Pratt stated the issue is whether or not this is a true hardship. With a lot of this size it seems possible that a conforming location could be selected. L. Casey made a motion to approve the waiver of Sullivan Subdivision Regulation III, Paragraph H.2. as submitted. C. Pratt seconded. C. Pratt stated he would not approve the waiver as it does not meet either requirement. L. Casey voted she would not approve the waiver as it does not meet either requirement. T. Newcombe voted no. L. Lewandowski voted no. The motion did not carry. No hardship waiver was granted in this matter.
- F. Town Protective Well Radius Release Form-as a result of a town vote the regulation was changed. The planning board signed the revised resolution.
- G. Other Planning Board Items
1. Organizational Meeting- C. Pratt was nominated by L. Casey to be the chair. Seconded by L. Lewandowski. Passed by unanimous vote. C. Pratt nominated T. Newcombe as Secretary. L. Casey Seconded. Passed by unanimous vote of the board.
 2. Wetlands CPO Amendment- all members signed.
 3. L. Casey presented P.B. appointment schedule as inaccurate. It was suggested that she attend the Selectmen's meeting. She agreed.
- H. Meeting adjourned at 8:59 PM by unanimous vote of the planning board.



Respectfully submitted,

Timothy Newcombe
Secretary