

1 Town of Greenville, New Hampshire
2 **Planning Board**
3 **Minutes**
4 **Thursday, November 14, 2019**

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6 The Greenville Planning Board met on **Thursday, November 14, 2019 at 7:00 pm** in the SAU 87 School
7 Room at 16 School Street, Greenville, NH 03048.

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9 *In attendance were Chairman Edward White, BOS Ex-Officio Scott Tenney, Vice Chairman Michael*
10 *Sadowski & Member Miles Horsley. .*

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12 **CALLED TO ORDER:** Chairman White called the meeting to order at 7:05 p.m.

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14 **MINUTES:**

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16 **BUSINESS:**

17 Present: Patricia & Matthew Cross, 355 Merriam Hill Road, Mason, NH; Timothy Washburn, 66 Mason
18 Road, Greenville, NH & Attorney Jason Bielagus.

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20 Chairman White stated that the Planning Board will be having public hearings for a Lot Line Adjustment
21 and read the notices into the record. He stated that the public hearings will be broken into two
22 hearings – one will be to determine the completeness of the application and the other will allow the
23 Planning Board to hear the facts to make a final determination.

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25 He asked if there was a representative from Meridian Land Services present. Mrs. Cross stated that
26 Meridian Land Services will not be in attendance and their attorney will present the application. Mrs.
27 Cross stated that it was her error in making the decision that Meridian was not needed to attend.

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29 **Public Hearing for Completeness Review of a Lot Line Adjustment Application:**

30 Chairman White read the public hearing notice into the record:

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32 The Greenville Planning Board will conduct a public hearing on Thursday, November 14, 2019 at 7:00
33 pm in the SAU 87 School Board room, 16 School Street, Greenville, NH to conduct a completeness
34 review of the application for a Lot Line Adjustment by Richard J. Venuti Revocable Trust, 148 Merriam
35 Hill Road, Greenville, NH, Assessor's Map 1-58, Zoned Rural Agricultural and Patricia & Matthew Cross,
36 355 Merriam Hill Road, Mason, NH, Assessor's Map 1-58-2, Zoned Rural Agricultural.

37
38 Mrs. Cross stated that Meridian Land Services will not be in attendance, therefore, Attorney Bielagus
39 will represent them.
40

41 Plans were presented for the Board to view. He stated that the first page was the overview of the
42 property with the shaded area being Parcel A which is less than ¼ acre. He stated that his clients
43 would like to depict a lot line adjustment between Tax Map Lot 1-58 and 1-58-2. He said that Parcel A
44 is not to be considered a separate lot of record but is to become a contiguous part of Lot 1-58-2. He
45 said his clients would like to resolve some discrepancies in the old plans and deeds. He explained that
46 over 50+ years ago, this was one big parcel of land and it was sold off in three sections – the section
47 that the Cook's currently own, the Venuti section and the sections that the Cross's now own.
48

49 Discussion followed regarding the plan as presented and where the Right of Way is located. He said
50 that Lot 1-58 and 1-58-2 are located within the Rural Agricultural zone and the property may be subject
51 to various overlay zones that are not shown or noted.
52

53 Mr. Washburn disputed what Attorney Bielagus stated about the three parcels and corrected him on
54 who owned what land.
55

56 Attorney Bielagus stated that the prior recorded plan was done in 1974 and there is a discrepancy
57 between that plan and the descriptions of the lot lines in the three parcels he identified. He stated that
58 his clients are hoping to move the Cross's line from being on the East side to the West. He said in the
59 deeds it's referred to as the "Old Cart Road" which can be seen clearly on Merriam Hill Road but it then
60 goes away.
61

62 Vice Chairman Sadowski noted that the first parcel is in Mason and the second parcel is in Greenville
63 and everything that we are speaking about tonight is in Greenville. Attorney Bielagus stated that the
64 Cross lot is one lot and the lot is in two towns. The lot he was showing was in Greenville.
65

66 Discussion followed regarding the parcels and how they are noted. Vice Chairman Sadowski asked
67 where Parcel 1-58-2 comes in and how it becomes part of Greenville.
68

69 Chairman White asked Mr. Washburn whether the Old Cart Road was previously known as the Old
70 Dump Road. Mr. Washburn stated "no".
71

72 Attorney Bielagus stated that the plans show that the boundary of Parcel A is the result of a field
73 survey during November 2017 and May 2019 with the remaining property lines shown per the
74 reference plans. He proceeded to clear up confusion on how the lots were situated.
75

76 S. Tenney stated that the application is confusing as it is drawn up. He stated that Lot 1-58-2 exists in
77 Greenville. He advised the Board to ignore the Mason town line which should have been eliminated by
78 Meridian. He said the owners pay taxes to both Greenville and Mason and it is one contiguous lot. He
79 directed the Board to the comment on the plan that says the property line to be abandoned on the
80 east side of the old paper road. The line that follows the contour is the property line today and they
81 want to move it 13 feet east. He said the solid line on the plan will become the new property line. M.
82 Horsley questioned whether this was a right of way of sorts. Attorney Bielagus stated yes. S. Tenney
83 stated that the only change is the legal abutter.
84

85 Mrs. Cross stated that she wants to eliminate the Right of Way in order to control where their
86 driveway is. Attorney Bielagus stated that the way the subdivision was done years ago, it actually left
87 the road attached to the Venuti parcel.
88

89 M. Horsley asked if it was a Right of Way. S. Tenney stated that it was an old paper road and pointed
90 to Venuti's property on the plan and added that the Lot Line Adjustment will alleviate the discrepancy
91 if approved.
92

93 S. Tenney stated that the Cook's property will not change only the abutter is changing. They are
94 incorporating the old paper road to Cross's property.
95

96 Attorney Bielagus stated that he agreed with the Board's observations but added that they are not
97 doing a subdivision or creating a lot. He said it's one lot and it's the Cross lot. He stated that the
98 shaded area actually went back to the Venuti's. He said the ideas years ago was to have Venuti access
99 this area from Route 123 and the Cook's line is the same. He said there used to be a gap between the
100 lines... a right of way. He stated that the applicant is here to resolve their driveway which was
101 technically on Venuti's property and move their line from being on the east side of the Old Cart Road
102 to the west side and that way their driveway is on their own property. He said the other issue is that
103 the way it is now is hard to determine lot lines.
104

105 Attorney Bielagus stated that they want to clarify the boundary lines. M. Horsley questioned whether
106 this will be done by a surveyor. Attorney Bielagus stated "yes" and this was done by Meridian Land
107 Services and stamped by Ken Clinton.
108

109 M. Horsley questioned whether the Board need to see if this land was purchased in regards to the right
110 of way and does the Planning Board have the authority to get rid of right of ways. Chairman White
111 stated that Venuti is selling his portion and referred to Attorney Bielagus. He stated that all parties are
112 in agreement with this lot line adjustment. He said it doesn't change Cook's line at all and Venuti is fine
113 because he doesn't use that portion and access is in another area.
114

115 Attorney Bielagus stated that procedurally they are asking the Planning Board to approve the plan that
116 shows the lot line adjustment with the new lot line. He said if the Board approves this, they will record
117 it and get a deed from Venuti for the 13 foot strip of land.
118

119 Discussion followed regarding the right of ways. Chairman White wanted to ensure that the right of
120 way was intact and read correspondence into the record from Mr. Cook which stated that the owners
121 of the land abutting the Lot Line Adjustment (Tax Map 1-59) have no objections to the application. He
122 stated that the only concern they have is that they like their Right of Way and would like it reflected in
123 the deed of the land to prevent any concerns for future owners.
124

125 M. Horsley questioned whether the Board needed to see who has the right of way listed. Chairman
126 White stated that abutters were notified of the hearing if they had any issues. Chairman White asked if
127 members of the public had any questions or concerns. Mr. Washburn approached the Board and
128 provided history on ownership.

129 Hearing no other comments, Chairman White called for a motion to deem the application as complete.
130 MOTION: S. Tenney motioned to accept the application as complete, M. Horsley 2nd. VOTE: All in
131 favor. Motion carried unanimously.

132
133 Public Hearing for a Lot Line Adjustment Application:
134 Chairman White read the public hearing notice into the record:

135
136 The Greenville Planning Board will conduct a public hearing on Thursday, November 14, 2019 at 7:00
137 pm in the SAU 87 School Board room, 16 School Street, Greenville, NH for a Lot Line Adjustment by
138 Richard J. Venuti Revocable Trust, 148 Merriam Hill Road, Greenville, NH, Assessor's Map 1-58, Zoned
139 Rural Agricultural and Patricia & Matthew Cross, 355 Merriam Hill Road, Mason, NH, Assessor's Map 1-
140 58-2, Zoned Rural Agricultural.

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142 Chairman White questioned whether the Board had any other comments concerning the actual Lot
143 Line Adjustment application as presented. Vice Chairman Sadowski stated he would like to see
144 driveways labeled on the plan to show the actual right of way and make it a condition of approval. He
145 said this would eliminate anybody contesting the land. M. Horsley agreed.

146
147 Hearing no other comments, Chairman White called for a motion to approve the Lot Line Adjustment
148 with conditions as presented in Meridian Land Services project plan number 08395.01. Chairman
149 White asked the public if they had any further comments. Mr. Washburn requested that a note be put
150 on the plan showing the right of way and specified in the deeds. He said other than that, they did not
151 have any issues with the application.

152
153 Attorney Bielagus stated that the record should show that nothing about the Board's approval affects
154 any existing rights of record or rights to pass and repass on the cart road. Chairman White added that
155 the language should be in the deeds and on the plans.

156
157 MOTION: S. Tenney motioned to approve the Lot Line adjustment as presented. No second was
158 heard.

159
160 Vice Chairman Sadowski motioned to approve the Lot Line Adjustment plan as submitted with the
161 following condition:

162
163 CONDITION OF APPROVAL: The application is approved with the condition that the Right-of-Way be
164 noted and labeled "as drawn and noted as Parcel A" on the plan.

165
166 S. Tenney 2nd the motion. VOTE: Voting to approve the Lot Line Adjustment were Vice Chairman
167 Sadowski, S. Tenney & Chairman White. M. Horsley stated that he couldn't vote yes or no until more
168 information is provided. Motion carried 3 in favor and 1 abstention. M. Horsley asked that it is
169 reflected in the minutes that Mr. Washburn has a major discrepancy in previous plans and he would
170 like to have a third party engineer provide the Board will further information.

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172 Attorney Bielagus will have Meridian prepare the mylar for the Chairman to sign.

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MINUTES:

September 12, 2019 – M. Horsley motioned to approve the minutes of September 12, 2019 as written, Chairman White 2nd. VOTE: All in favor. Motion passed unanimously.
October 10, 2019 – S. Tenney motioned to approve the minutes of October 10, 2019 as written, Vice Chairman Sadowski 2nd. VOTE: All in favor. Motion passed unanimously.

2020 PLANNING BOARD MEETING SCHEDULE:

Vice Chairman Sadowski motioned to approve the 2020 meeting schedule, S. Tenney 2nd. VOTE: All in favor. Motion passed unanimously. Chairman White requested that the schedule be put on the town's website.

UNDERWOOD ENGINEERING LETTER:


The Board reviewed the October 11, 2019 letter regarding Barton's Ridge. Chairman White stated that they have put a stop on all new connections in town because the water plant cannot handle it and there could be budget issues. He said they are in the process of fixing it in.

ADJOURNMENT:

Vice Chairman Sadowski motioned to adjourn at 8:15 pm, S. Tenney 2nd. VOTE: All in favor. Motion passed unanimously.

Respectfully Submitted,
Debra A. Butcher

APPROVED BY:
Greenville Planning Board




Edward White, Chairman



Michael Sadowski, Vice Chairman

Scott Tenney, BOS Ex-Officio



Miles Horsley, Member