Town of Greenville, New Hampshire
Planning Board
Minutes
Thursday, November 14, 2019

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

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

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

MINUTES:

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

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

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

Public Hearing for Completeness Review of a Lot Line Adjustment Application:
Chairman White read the public hearing notice into the record:

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

Mrs. Cross stated that Meridian Land Services will not be in attendance, therefore, Attorney Bielagus will represent them.
Plans were presented for the Board to view. He stated that the first page was the overview of the property with the shaded area being Parcel A which is less than ¾ acre. He stated that his clients would like to depict a lot line adjustment between Tax Map Lot 1-58 and 1-58-2. He said that Parcel A is not to be considered a separate lot of record but is to become a contiguous part of Lot 1-58-2. He said his clients would like to resolve some discrepancies in the old plans and deeds. He explained that over 50+ years ago, this was one big parcel of land and it was sold off in three sections – the section that the Cook’s currently own, the Venuti section and the sections that the Cross’s now own.

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

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

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

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

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

Chairman White asked Mr. Washburn whether the Old Cart Road was previously known as the Old Dump Road. Mr. Washburn stated “no”.

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

S. Tenney stated that the application is confusing as it is drawn up. He stated that Lot 1-58-2 exists in Greenville. He advised the Board to ignore the Mason town line which should have been eliminated by Meridian. He said the owners pay taxes to both Greenville and Mason and it is one contiguous lot. He directed the Board to the comment on the plan that says the property line to be abandoned on the east side of the old paper road. The line that follows the contour is the property line today and they want to move it 13 feet east. He said the solid line on the plan will become the new property line. M. Horsley questioned whether this was a right of way of sorts. Attorney Bielagus stated yes. S. Tenney stated that the only change is the legal abutter.
Mrs. Cross stated that she wants to eliminate the Right of Way in order to control where their
driveway is. Attorney Bielagus stated that the way the subdivision was done years ago, it actually left
the road attached to the Venuti parcel.

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

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

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

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

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

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

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

M. Horsley questioned whether the Board needed to see who has the right of way listed. Chairman
White stated that abutters were notified of the hearing if they had any issues. Chairman White asked if
members of the public had any questions or concerns. Mr. Washburn approached the Board and
provided history on ownership.
Hearing no other comments, Chairman White called for a motion to deem the application as complete.
MOTION: S. Tenney motioned to accept the application as complete, M. Horsley 2nd. VOTE: All in favor. Motion carried unanimously.

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

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

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

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

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

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

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

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

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

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