

MINUTES *Approved*

ACWORTH PLANNING BOARD MEETING: October 23, 2023

PRESENT: Mike Aron, Ann Kosa, Rob Vogel, Mark Girard, Jim Neidert, Vicky Wuest, Glenn Elsesser, Greg Bascom, Laura and Chris Troian with their realtors

ALTERNATES: None present

MINUTES:

1. PB meeting September 25, 2023: Motion RV/JN to approve as edited, passed.

HEARINGS: None

APPLICATIONS AND GUESTS:

1. Driveway permit application, David and Lorna Kelin: The Kelins were not present. It was noted applicant has worked with Selectmen and Town Counsel pursuant to a cease and desist order for unpermitted work, to correct conditions on the ground in order to match the revised driveway permit application. The application notes need for a culvert. Motion JN/RV was made to approve the application with the condition the Highway Department be consulted regarding the noted culvert. There was discussion in which members expressed concern as to whether conditions of the cease and desist had been implemented. It was noted PB jurisdiction is the curb cut and that the owner had entered into agreement with the Town drafted by Counsel to adhere to Town permitting procedures going forward, the driveway permit being the first step in that progression. Motion passed.
2. Hayward to Troian property transfer: There was lengthy discussion grounded in Town Counsel's opinion regarding this sale of an unsubdivided lot on a Class 6 road. There was strong consideration of the buyers' position in light of their purchase and receipt of title insurance. Retroactive subdivision in which PB would be asked to waive the Subdivision Regulations Class 5 road requirement was discussed with consensus that any language intended to deny precedence setting regarding subdivision on Class 6 roads would inevitably be challenged. Consequences of opening Class 6 roads development were noted including increased highway maintenance costs and increased education costs. There was also discussion as to applicant costs should a subdivision application be pursued, the most significant cost being a subdivision plan survey. In a straw poll of the Board, there was unanimous agreement that members would not be in favor of waiving the Class 5 road subdivision requirement. It was suggested the buyers seek relief through the sellers and their title insurance. It was also noted that there may be other locations in which a deed described single lot which is crossed by a Town road was assigned two lot numbers during the 2006 digitizing of Town tax maps and that those locations could be researched and flagged. It was also noted that tax maps are limited to their role as an assessing tool and are disclaimed from being legal surveys.

COMMUNICATIONS: None

CONTINUING BUSINESS:

1. Master Plan update: Questionnaire to be distributed in fall tax bills and then collated.
2. CIP: First draft was reviewed without significant changes. It was noted the cost of equipment replacement has increased due to increased purchase prices and the Town' changing needs due to new weather patterns. It was also noted that the road projects table includes flood repairs and nondisaster road improvement projects, the scheduling of which is all dependent on how timely FEMA and State disaster reimbursements are received.
3. Fee schedule update has been moved to the tickler for now.

NEW BUSINESS:

1. Greg Bascom inquired about merging of previously subdivided lots under Conservation Easement and it was suggested the easement holder may need to be consulted.
2. Next meeting November 27, 2023

MEETING ADJOURNED: Motion AK/JN, passed; 8:40PM, Respectfully, Kathi Bradt.

COMPLETED ITEMS/RECOMMENDATIONS:

TICKLER: December/January: Schedule meeting with County Registrar Janet Gibson, revisit fee schedule.

