

MOUNTAIN LAKES DISTRICT
PLANNING BOARD MINUTES

Thursday, August 08, 2008
District Office 7:00 P.M.

- 1) **Call to order** - Sandy Schmid called the meeting to order at 7:01 P.M.
- 2) **Roll call** - Sandy Schmid (Chair), Janice Neubauer (Vice Chair), Chris Demers (Ex-Officio), Tom Eighmy (regular), Florence Hartmann (alternate, acting as full member in Carol Modrell's absence).
Absent – Carol Modrell (regular), Beverly Hasbrouck (alternate).
Visitors – Leslie Porter.
- 3) **Agenda Approval / Additions** – Demers requested to add Mr. Long's request for access to his property via Mountain Lakes property. Schmid added this item to 8.c. Demers moved to approve the agenda as amended, seconded by Eighmy. Motion passed.
- 4) **Minutes of Previous Meeting (07.10.08) Changes and Approval** – Demers moved to approve the minutes as written, seconded by Neubauer. Motion passed.
- 5) **Correspondence – Favalora Letter** – Leonard and Dolores Favalora sent a letter to the Commissioners regarding neglected property [Map 203 Lot 164] adjacent to their home on 295 Valley Road. They wrote that the owners of this lot, Joseph and Salvatore Cristello have not kept up their property in accordance with Covenant and Easement #9, which states, in part, *owners of occupied or unoccupied lots shall at all times keep and maintain their property in this subdivision in an orderly manner and prevent accumulation of rubbish and debris on the premises.* In the past they have attempted to contact the owners, Davis Realty who managed the property and the district office several times over the years. The Favaloras ended their letter by asking what recourse, if any, they have and who has the authority to address the situation. After a brief discussion it was agreed that Demers would speak with the other Commissioners about sending a letter to the Cristellos informing them that they are in violation of a Covenant. Schmid recommended adding additional zoning amendments relating to unmaintained houses.
- 6) **Zoning Permit Applications**
 - a. **Shaun and Leslie Porter [MAP 203 LOT 121]** – The Porters submitted an application to build a dock. They faxed an application to DES, which has been approved and they received a file number. The dock will be no greater than 144 sq. ft. and will be built with pressure treated and composite materials. After a brief discussion Schmid requested that the Porters deliver a copy of all documents with the DES to the District Office along with a description of the materials that will be used. Demers requested a drawing that specifies the width and length of the dock. Eighmy moved to approve the application contingent upon receipt of drawings, description of building materials and a copy of anything submitted to DES, seconded by Demers. Motion passed.
 - b. **Barbara and Roger Warren [Map 203 Lot 49]** – The Warrens submitted an application to replace their existing deck, balcony and stairs, which have begun to rot. After a brief discussion Demers moved to approve the application to replace rotting deck, balcony and stairs, seconded by Neubauer. Motion passed.
- 7) **Pending Business**
 - a. **Master Plan / Governance** – The Master Plan Sub-Committee is going as scheduled. Section II is almost completed and will be moving on to Section VII: Utilities and Public Service.

- b. **DES Fencing Grant** – Schmid stated that the fencing is up around the well and looks nice. As of this date we have not received a bill.

- c. **Lake**
 - i. **VLAP Lakes Testing 08.07.08** – Eighmy reported that weeds that were emergent last year are buried this year due to the high water level. We have to wait for the results of the chlorophyll and phosphates tests, both of which were high last year. Schmid questioned if the high water levels would affect the test results. Eighmy thought it would to some degree. Eighmy stated that we had not ordered an e-coli test but one was done anyway. Somehow the office missed ordering this test along with the others. Schmid requested that Eighmy mention this to Drew on Saturday at the Commissioners meeting.

 - ii. **Siracusa [190 Lakeside Dr]** – Schmid stated that Mr. Siracusa had disrupted wetlands located on his property. DES became involved as well as the Town of Haverhill wetlands overseers. Schmid received a copy of the picture Siracusa submitted to show that the reclamation plan for the shore land was progressing. Neubauer stated that Siracusa had diverted water from the culvert and cut down almost all of the trees, which caused the disruption of the wetlands, of which Neubauer had taken pictures. Schmid requested copies of the pictures and Neubauer responded that she had submitted them to the District Office to be placed in the Siracusa file. Neubauer looked more closely at the picture that Siracusa submitted to show the progress of the disrupted wetlands and stated that the picture submitted doesn't show the property that was disturbed. The picture shows the back of the house with the ramp going down. Neubauer intends to report this to Glen English, Town Of Haverhill Town Manager. Schmid requested that Neubauer put this in writing and send to the District Office as well. Neubauer stated that she will c.c. DES as well.

- d. **Zoning Officer / District Office**
 - i. **Danis [MAP 204 LOT 247]** – Danis owns a lot on King Drive and was the first lot that had to deal with a private road after Town of Haverhill relinquished authority of private roads to Mountain Lakes. Karl and Sandy Schmid drove by the property and discovered that it appears there has been a slab foundation poured. They had Drew come out to look at it and take some measurements. Schmid stated that when you look at the application it shows what appears to be a traditional foundation but an examination of the site shows that the concrete poured does not extend below the frost line. Another concern is the placement of the leach field, which must be 25' away from the waterlines. Also, upon further review it appears there are designated wetlands on his map. Demers mentioned that the Danis permit expires 08.08.08. After a brief discussion the Planning Board will recommend that the Commissioners do a stop order and follow up on the stated concerns.

 - ii. **Meeting with Commissioners** – Schmid stated that the Commissioners met with Robbins regarding Zoning Officer duties. Four action items were agreed to by all parties: 1) Original zoning permits and their files will stay in the Mountain Lakes District Office. A journal will be kept of all conversation and actions relative to the permit. 2) An overall listing of zoning permits will be maintained with current detailed status. 3) The builders will be required to contact the Zoning Officer prior to setting concrete. 4) The Zoning Officer, Commissioners, District Office and the Planning Board agreed to document all communications on email.

Schmid stated that there was not a Zoning Officer report this month. Cota, who had been writing them in the past, will no longer be doing so. The Planning Board reviewed the 'Current Status of Zoning Applications' form, which lists zoning applications but not violations. In the future they would like a separate form for zoning application status and zoning violations. Demers noted that most of the zoning applications on the form were expired. Schmid stated that Drew reviewed the

Current Status of Zoning Applications from a water perspective and that all of the names on the list have had their water turned on.

- e. **Haverhill Planning Board / ZBA Decision – Stephen Eramo [MAP 203 LOT 36]** – Schmid stated that the Town of Haverhill Zoning Board of Adjustment met regarding Eramo’s request for a variance to build a house closer to the wetlands than allowed. The ZBA voted 5-1 against granting the variance.

Schmid is the new Town of Haverhill Planning Board Chair.

- f. **Board Information / Education**

- i. **DES Shoreland Protection Workshop 08.11.08** – Neubauer and Eighmy will be attending the workshop on Monday the 11th.
- ii. **Watershed to Wildlife Meeting 08.12.08** – Schmid had intended to meet with John Severance for the wetlands inventory but is unable to do so. Commissioner Schmid will be meeting with Severance at 9:00 A.M. on the 12th. Eighmy stated that the information gained from the inventory would be added to the Master Plan.

- 8) **New Business**

- a. **Tom Eighmy Member Term** - Eighmy’s term ended in March of this year. He has agreed to continue for another term.
- b. **Planning Board Meeting Time** - Schmid asked the Board if they would prefer to continue with a 7:00 P.M. meeting time once the Master Plan Sub-committee has stopped meeting or would they prefer to go back to 6:00 P.M. After a brief discussion it was decided that the meeting time would go back to 6:00 P.M.
- c. **David Long Accessing District Property** – Demers stated that Long had sent a letter to the Commissioners requesting permission to access his lot on Hilltop View Drive through Mountain Lakes property. Demers asked what is the process for handling this request. After a brief discussion Schmid stated that he might have to request an exchange of land with Mountain Lakes to gain access to his property.

- 9) **Other** - None

- 10) **Adjournment** – There was no further business and the meeting adjourned at 8:43 P.M. The next meeting will be on Thursday, September 11, 2008 at 7:00 P.M. at the District Office.

Respectfully submitted,

Michelle G. Chamberlain