

Approved: \_\_\_\_\_      Approved with Changes 9/19/22      *Minutes are Draft until approved*

**Effingham Planning Board**

**Meeting Minutes**

**September 1, 2022**

**Members Present:** George Bull, Acting Chair, Lenny Espie, Paul Potter, Elaine Chick, Dave Garceau, alternate Gary Jewell seated for Grace Fuller.

**Members Absent:** Theresa Swanick, Grace Fuller

**Others Present:** David Strauss, Applicant; Seth Burnell, HEB Engineer; Tracy Cragin

**Minutes:** No Minutes were reviewed at this meeting.

Meeting called to order at 6:30pm.

- 1. Public Hearing continued from August 3, 2022:** application from David and Judith Strauss for a 3-lot subdivision regarding map 408, lot 34.  
No Abutters were in attendance

Discussion: Regarding the previous concern of the driveway location for Lot 3 of the proposed subdivision. George Bull and Elaine Chick went to the property for a site walk of the proposed driveway on Lot 3. Paul Potter also went to view the same site on a separate occasion. According to the steep slopes ordinance the driveway can only have a maximum of 15% grade. George Bull state the site plan looks like the driveway may be less than the 15% but to be safe suggests the applicant submit a waiver from the ordinance.

Members of the public Tracy Cragin expressed concern over where the driveway would be and the water runoff damaging their properties. The engineer was then asked if any excess water would be a problem, the engineer said it wouldn't be. Based on Gravity, water flows downhill and the water would be draining onto the subdivided lots not any neighboring properties.

When the question was asked "who is responsible for any damage that has been done by excess water runoff and any future damage," George Bull replied that the town is responsible for repairs to the road.

The Board had no other concerns.

George Bull asked the applicant for a written waiver request stating that based on the characteristics of where the driveway is to be placed there would be minimal damage done to the land so in the future this isn't an issue, along with the site plan. Seth Burnell will draft the waiver to comply with the zoning ordinance requirements.

**Motion** was made by Dave Garceau to conditionally approve the site plan pending receipt of the waiver. Paul seconded. All in favor. Hearing closed.

## 2. Other Business

- A.) **Flanders bait shop:** Pine River Road there has been no communication from the property owner. Nothing has been submitted to the board.
- B.) **Galloway Lakeside Marina:** No communication from the applicant since February even after notices were sent, It was decided that action needs to be taken so that no new boats would be brought in for winter storage. Discussion ensued about the Board of Selectmen needing to issue a cease-and-desist order for the Zoning Enforcement Officer,
- C.) **Owens and White,** there are questions regarding what exactly is intended for the use of the property. Nothing has been presented to the board and there has been no communication. It was decided they should come to the September 19 meeting so the Board can direct them on how to move forward.
- D.) **Trackers Store,** no further communication with the Planning Board in over a year. There has been an expansion of use without approval. Owner needs to come before the Board with an application.

**Motion** made by Elaine Chick requesting the Board of Selectmen instruct the Zoning Enforcement Officer to take action with 'cease and desist' orders for Galloway, Bait shop and Trackers Store as all are in violation of the Zoning ordinance. Seconded by Dave Garceau. All in favor.

**Motion** made by Paul Potter to adjourn. Seconded by Elaine Chick. All in favor. Meeting adjourned at 7:52pm.

Minutes Submitted by Nicole Maltese and Elaine Chick

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TO DO: update subdivision checklist re # of copies