



# Town of Middleton

182 Kings Highway, Middleton, New Hampshire 03887

**PLANNING BOARD MEETING MINUTES  
Middleton Old Town Hall  
200 Kings Highway  
Middleton, NH 03887**

**June 13, 2024 at 6:30 p.m.**

These minutes serve as the legal record of the meeting and are in the form of an overview of the Planning Board meeting. It is neither intended nor is it represented that this is a full transcription. A recording of the meeting is available online at <https://www.youtube.com/@townofmiddleton9741/streams> for a limited time for reference purposes.

**Meeting called to order by John Mullen at 6:30 PM**

**Pledge to the Flag**

**Roll Call**

Members present: John Mullen (Chair), Christine Maynard (Vice Chair), John Quinn (SLVD Rep), Roxanne Tufts-Keegan (BOS Rep)

Members absent: Janet Kalar (Alternate); present via telephone for a portion of the meeting.

**Attachments**

Sign in Sheet  
Proposed Rules of Procedure  
Building Permit Report 4/1/2024 to 6/13/2024  
Budget vs. Actual for the Five Months ending May 31, 2024  
Trager Application for Voluntary Merger  
Handout on Strafford Regional Planning Circuit Rider

**New Business**

**Voluntary Merger Application, Mark Trager  
43 & 63 Pond Road, Map 22, Lots 3 and 3-8**

Resident Mark Trager explained that he wants to merge two lots because the leach field has to go on Map 22, Lot 3, but the home he is building is on Map 22, Lot 3-8.

**K. Buzard** asked if the taxes were paid on both properties and if the board has a copy of the deed.

**J. Mullen** said yes to both questions.

**R. Tufts Keegan made a motion** to accept the merger application for Lo Map 22, Lots 3 and 3-8.

**C. Maynard seconded** the motion.

**Motion carried.**

The Administrative Clerk told M. Trager she would get with him about what the address on the merged lot would be. She also told him the approved application would be filed with the Strafford County Registry of Deeds and he gave her a check for the \$12.88 fee.

### **Caroln Hayes, Map 3, Lot 1 Subdivision Process**

**C. Hayes** asked what the building requirements are.

**J. Mullen** directed her to the Zoning Ordinance and Development Regulations on the town website. He talked about the 5-acre lot minimum, which includes new lots in the Village District. He also gave an overview of the site plan review process for a subdivision and suggested she review the Subdivision Site Plan application that is online. He said she should also discuss any proposed projects with a survey company.

**J. Quinn** said the forms are helpful, but if she has any additional questions, she can contact the board.

**J. Mullen** said there is also a preliminary review process.

**C. Maynard** said she should check her deed to see if there are any covenants on the property.

**J. Mullen** said if there are no covenants, she could put covenants in place and he gave examples.

**K. Buzard** asked what size the lot is and if it is entirely in Middleton.

**R. Tufts-Keegan** said 130 acres and abuts the Milton town line.

There was some discussion about access to the lot from Route 153.

**J. Mullen** suggested the applicant look at the Adams Way subdivision as an example of what could possibly be done.

**C. Hayes** said she would like to learn more about solar power.

**J. Mullen** said she could get a copy of the new Solar Ordinance from the Administrative Clerk.

**C. Hayes** said she tried to contact Sunrise Lake Estates Association via their website but has not received a reply.

**C. Maynard** said the property deed and covenants will indicate if there is deeded access to the lake and if so, where.

**J. Mullen** talked about the Sunrise Lake Village District and existing non-conforming lots.

There was some discussion about having tax maps available at the Old Town Hall for reference during meetings. The Administrative Clerk will bring copies over.

**K. Buzard** presented information on the Strafford Regional Planning Circuit Riders. She said they are people who can help at various levels and are a resource to consider for next year's budget.

**J. Mullen** said Strafford Regional Planning Commission has professional planners for hire at a rate of \$76 to \$92 an hour. They could advise the planning board on procedures and zoning ordinances.

**K. Buzard** talked about conflicts in various documents.

**C. Maynard** said it may be worth the investment to avoid expensive legal problems in the future.

There was discussion about Strafford Regional Planning's assistance with developing the current Master Plan.

**J. Mullen** invite someone to come to a meeting and explain the program.

There was some discussion about the 2015 Driveway Regulations that are on the website.

**K. Buzard** referred to a 1996 Building Ordinance. It says (1.05) a plot plan is required prior to the issuance of a building permit. She is concerned that is no longer required by the town.

There was discussion about how, when and if this document was replaced, possibly by the current Zoning Ordinance. **J. Mullen** will investigate further.

**C. Maynard** said the CEO verified he does not require a survey for a building permit.

There was discussion about the process for issuing addresses. The Administrative Clerk said she would investigate the specific examples **C. Maynard** asked about.

There was discussion about the process for septic designs and installation.

**C. Maynard** said she is also concerned there is no survey requirement for a building permit nor a driveway permit.

**R. Tufts-Keegan** read the requirements on the building permit application. It does not specifically say a survey is required.

**J. Mullen** said there are several different kinds of surveys and different costs depending on how much research is involved.

**R. Tufts-Keegan** said the BOS recently approved updated fees and a form for building permits. She said they can revise the form again if necessary.

**C. Maynard** talked about a specific situation with a neighbor, boundaries and potential stormwater drainage problems. She says the lack of specific requirements may have bigger unintended consequences.

**J. Mullen** suggested they need to put more thought into how to address this situation.

**K. Buzard** said any installation of a culvert requires a state permit. She is trying to get more specific information from the DES on some work that is in process.

**J. Mullen** called **J. Kalar** who talked about the current rules for fences and that building permits should not be required. The CEO recently denied a permit for a fence and advised the resident to apply for a variance because it does not meet the setback requirements for a structure.

**R. Tufts-Keegan** read the applicable ordinance.

There was discussion about the need for more concise and consistent requirements for fences.

There was discussion about the RSA that requires certain public hearings be published in the newspaper.

**J. Mullen** said he would talk to the CEO about the process.

**C. Maynard made a motion** to accept the minutes from the May 9, 2024 Planning Board Meeting as transcribed.

**Seconded by:** J. Quinn

**Motion carried**

There was discussion about the Planning Board Budget, specifically expenses and remaining funds for Strafford Regional Planning Commission and workshops.

**J. Mullen** talked about the benefits of in-person workshops. He said there is an annual conference coming up in November.

**J. Mullen** suggested board members make sure they have a copy of the reference book Hard Road to Travel.

**R. Tufts-Keegan** said the BOS Secretary/Bookkeeper can get copies or they can get it online.

**J. Mullen** said he authorized copies of the older plans Jerri Waitt that are now upstairs in the Municipal Offices.

**R. Tufts-Keegan** said we may be able to have Strafford Regional Planning scan some more documents.

**J. Mullen** went over member assignments for reviewing ordinances and said he will be asking for updates at the next meeting.

There was discussion about the process for removing an article from the Zoning Ordinance.

**C. Maynard** said Lakes Region Septic told her they are seeing a lot of new septic ordinances.

**J. Mullen** said he spoke with a septic designer who would be willing to come to a meeting and speak with the board. He said there is proposed legislation to require residents to register and maintain septic systems.

**C. Maynard** said there is information about financial assistance that may be available on the DES website.

**J. Mullen** distributed copies of proposed Rules of Procedures and asked members to review the document and be prepared to discuss it at the next meeting. He said it is critical to have and follow up to date Rules of Procedure.

**J. Mullen** will send out a survey and put together a proposed schedule for Planning Board workshops.

**J. Mullen** reminded everyone to be sure their Oath of Office is up to date.

**R. Tufts-Keegan made a motion** to that John Mullen be the Chair of the Planning Board.

**Seconded by:** C. Maynard

**Motion carried**

**R. Tufts-Keegan made a motion** to that Christine be the Vice Chair of the Planning Board.

**Seconded by:** J. Mullen

**Motion carried**

**C. Maynard** said she knows someone who may be interested in joining the Planning Board.

**J. Quinn** said there are some people in town who are interested in the issues but are intimidated by the meeting schedule or workload.

**C. Maynard made a motion** to adjourn at 8:17 p.m.

**Seconded by:** J. Quinn

**Motion carried**

Respectfully submitted by:

Robin Willis



# Town of Middleton

182 Kings Highway, Middleton, New Hampshire 03887

OFFICE OF THE PLANNING BOARD

## AGENDA

### Regular Meeting

Thursday, June 13, 2024, 6:30 PM

MIDDLETON OLD TOWN HALL

200 KINGS HIGHWAY

1. Call to Order
2. Pledge to the Flag
3. Roll Call by the Chair
4. Applications/Review
  - a) Voluntary Parcel Merger, Mark Trager, 43 & 63 Pond Road, Map 22, Lots 3&4.
5. Hearings on subdivision/site plans
6. Other Business-Public Comment
  - a) Carolyn Hayes, Map 3, Lot 1, off Auclair. Inquire about options she has to use, develop or sell the land.
  - b) Kate Buzard, 62 Gary Road, Driveway Regulations and Building Code 1.5.
  - c) Janet Kalar, Fences
7. Review of Minutes:
  - a) May 9, 2024
8. Budget
9. New Business
  - a) Workshop Schedules
10. Unfinished Business
  - a) Planning Board Procedures
  - b) Oaths of Office
  - c) 2024 Zoning Ordinance Review and Additions
11. Public Comment
12. Member Comment
13. Call for Adjournment



# Town of Middleton

182 Kings Highway, Middleton, New Hampshire 03887

OFFICE OF THE PLANNING BOARD

## MEETING SIGN-IN

Meeting Date: 6-13-2024

Please Print Legibly

Name	Address	Phone/E-mail (optional)
Mark Trager	43 Pond Road	603-781-7821
KATE Butzard		
Carolyn Hayes	64 Trestle Way Dover	603-866-1323
Shawn Coy	"	" "
		" "

# STRAFFORD REGIONAL PLANNING: CIRCUIT RIDER

Most New Hampshire municipalities have a dedicated Planning Board, but smaller communities may lack the financial resources or application volume to justify incorporating a full-time planner into their municipal staff. SRPC offers contracted support services to local land use boards as a way to provide this technical expertise on a temporary or part-time basis. The benefits of using a Circuit Rider include flexibility, cost control and the ability to tap into the broader expertise of the RPC, its staff, and services.

SRPC is prepared to offer these services as part of a circuit riding contract:

- **Technical Reviews and Applicant Coordination:** Technical support regarding applications made to a local land use board such as a Planning Board or ZBA. Includes consultations with applicants prior to application submission. SRPC will prepare a staff report to be distributed to the applicant and/or designated agent and land use board that includes an assessment of completeness to the Board, review of the application, plan updates, recommendation of action to the Board with conditions as applicable. Assistance to, correspondence with, or cooperation with technical/professional consultants or advisors by the Circuit Rider may be necessary during the review process. SRPC will prepare Notices of Decision in coordination with municipal officials.
- **Board Administration and Meeting Attendance:** Working in coordination with municipal officials, SRPC will prepare meeting agendas, notices, and other general tasks as required. The municipality will be responsible for distribution and posting of all notices. Includes attendance at regularly scheduled land use board meetings and hearings as requested, subject to SRPC personnel and leave policies. Services available for a variety of municipal boards and commissions, including but not limited to: Planning Board, Zoning Board of Adjustment, Technical Review Committee, Board of Selectmen, and Conservation Commission.
- **Regulation Development and Revisions:** Updates to municipal zoning ordinances, site plan regulations, subdivision regulations, or other land use policies as requested by the municipality. Services include facilitating discussions with the Planning Board or other land use boards to build consensus for proposed changes, drafting ordinance language, preparation of adoption materials such as ballot language or reference maps, and performing related revisions to application forms or checklists.
- **Master Plan Updates and Revisions:** Includes working directly with the Planning Board to provide professional and technical assistance in updating an existing Master Plan or drafting new sections and amendments.
- **Office Hours by Appointment:** SRPC staff will be available to meet with applicants and town staff as needed. Meetings may be scheduled at municipal offices, the office of SRPC, or virtually.
- Access to expertise and specialties of all SRPC staff, including GIS services.

Five municipalities in the Strafford region currently use a Circuit Rider from SRPC:

- Strafford – since 2021
- Wakefield – since 2021
- Nottingham – since 2019
- Farmington – since 2019
- Northwood – since 2014

\$12 to \$12/yr



# TOWN OF MIDDLETON

## Permits Issued

Permits Issued With Approved Date Between 04/01/2024 And 06/13/2024 Sorted by Project Date

Permit Type	Permit Number	Permit Status	Owner	Location	Proj. Date	Fee	Est. Cost
<b>PID: 000004 000181 000000</b> Project: ALTERATION -- 286 ADDITION ON BACK OF HOUSE Location: 12 ELAINE ROAD Proj. Date: 03/28/24							
PLUMBING PERMIT	PL-24-04		Owner: DUVAL, CODY L Permit Number	12 ELAINE ROAD	03/28/24	\$ 50.00	\$ 0.00
	Applicant:		Added		05/01/24		
	Contractor:	JOHN SOUCIE	Approved		05/01/24		
			Expires		05/01/25		
ELECTRICAL PERMIT	E-24-12		Applicant Phone: 6039884531 Contractor Phone: 6039884531			\$ 75.00	\$ 0.00
	Applicant:	CODY DUVAL	Applicant Phone:		05/01/24		
	Contractor:	LOGAN WOODWORTH	Contractor Phone:		05/01/24		
<b>PID: 000012 000015 000003</b> Project: NEW BUILDING -- 1600 SQ FT LIVING AREA 1100 Location: 245 KINGS HIGHWAY Proj. Date: 04/09/24							
BUILDING PERMIT	2917		Owner: PLANO BUILDERS LLC Permit Number	245 KINGS HIGHWAY	04/09/24	\$ 1,609.40	\$ 0.00
	Applicant:	SCOTT GORDON	Added		04/09/24		
	Contractor:	PLANO BUILDERS	Approved		04/09/24		
			Expires		04/09/25		
<b>PID: 000004 000003 000003</b> Project: ALTERATION -- GENERATOR Location: 100 SILVER ST Proj. Date: 04/17/24							
ELECTRICAL PERMIT	E-24-09		Owner: DRAKE, TINAM Permit Number	100 SILVER ST	04/17/24	\$ 50.00	\$ 0.00
	Applicant:	FRANCIS DRAKE	Added		04/17/24		
	Contractor:	GENERATOR SUPERCENTER	Approved		04/17/24		
			Expires		04/17/25		
GAS PERMIT	P-235		Applicant Phone: 6032529597 Contractor Phone: 6032529597			\$ 50.00	\$ 0.00
	Applicant:	FRANCIS DRAKE	Applicant Phone:		04/17/24		
	Contractor:	GENERATOR SUPERCENTER	Contractor Phone:		04/17/24		
<b>PID: 000002 000001 000006</b> Project: ALTERATION -- REMODEL OF BATH MOVING Location: 332 SILVER ST Proj. Date: 04/18/24							
PLUMBING PERMIT	PB-24-02		Owner: PETERSON, CATHERINE Permit Number	332 SILVER ST	04/18/24	\$ 50.00	\$ 0.00
	Applicant:	EDDIE BADGER	Added		04/18/24		
	Contractor:	EDDIE BADGER	Approved		04/18/24		
			Expires		04/18/25		
<b>PID: 000004 000025 000000</b> Project: ALTERATION -- REPLACE CUSTOMER OWNED Location: 17 SPRUCE ROAD Proj. Date: 04/18/24							
GAS PERMIT	P-236		Owner: ELLINGWOOD, HAROLD E & LYNDA P Permit Number	17 SPRUCE ROAD	04/18/24	\$ 25.00	\$ 0.00
	Applicant:	PALMER OIL	Added		04/18/24		
	Contractor:		Approved		04/18/24		
			Expires		04/18/25		

**Permits Issued**

Permits Issued With Approved Date Between 04/01/2024 And 06/13/2024 Sorted by Project Date

PID: 000004 000320 00000A	Project: ALTERATION -- PLACING 2 120 GAL PROPANE	Location: 13 LINCOLN ROAD	Proj. Date: 04/18/24
Permit Type	Owner: GORTON, STEPHEN	Permit Status	Owner Phone:
GAS PERMIT	Permit Number	Added	Approved
	P-237	04/18/24	04/18/24
	Applicant: EASTERN PROPANE	Expires	Expires
	Contractor: EASTERN	04/18/25	04/18/25
		Fee	Fee
		\$ 25.00	\$ 25.00
		Est. Cost	Est. Cost
		\$ 0.00	\$ 0.00
Contractor Phone: 6039230086			
<b>PID: 000013 000008 000026</b>	<b>Project: GARAGE -- BARN/GARAGE 1536 SQ FT ON FROST</b>	<b>Location: 65 ADAMS WAY</b>	<b>Proj. Date: 04/25/24</b>
Permit Type	Owner: SHIELDS JR, JAMES E	Permit Status	Owner Phone: 3215068657
BUILDING PERMIT	Permit Number	Added	Approved
	2918	04/25/24	04/25/24
	Applicant: JAMES SHIELDS	Expires	Expires
	Contractor: SELF	04/25/25	04/25/25
		Fee	Fee
		\$ 530.00	\$ 530.00
		Est. Cost	Est. Cost
		\$ 0.00	\$ 0.00
Applicant Phone:			
Contractor Phone:			
ELECTRICAL PERMIT	E-24-10	04/25/24	04/25/24
	Applicant:	04/25/25	04/25/25
	Contractor: CRAIG THIBODEAU	Fee	Fee
		\$ 50.00	\$ 50.00
		Est. Cost	Est. Cost
		\$ 0.00	\$ 0.00
Contractor Phone: 6038284493			
<b>PID: 000009 000005 000002</b>	<b>Project: ALTERATION -- MINI SPLIT 3 ZONES</b>	<b>Location: 379 NH ROUTE 153</b>	<b>Proj. Date: 05/01/24</b>
Permit Type	Owner: WALLACE, GISELLE	Permit Status	Owner Phone: 9097675717
ELECTRICAL PERMIT	Permit Number	Added	Approved
	E-24-11	05/01/24	05/01/24
	Applicant: HERITAGE HOME SERVICE	Expires	Expires
	Contractor:	05/01/25	05/01/25
		Fee	Fee
		\$ 50.00	\$ 50.00
		Est. Cost	Est. Cost
		\$ 0.00	\$ 0.00
Applicant Phone: 6032555869			
Contractor Phone:			
<b>PID: 000012 000040 000003</b>	<b>Project: ALTERATION -- 16X20 DECK</b>	<b>Location: 151 KINGS HIGHWAY</b>	<b>Proj. Date: 05/01/24</b>
Permit Type	Owner: SAVLEY, STACY L	Permit Status	Owner Phone: 6039231097
BUILDING PERMIT	Permit Number	Added	Approved
	2919	05/01/24	05/01/24
	Applicant:	Expires	Expires
	Contractor: RANDY TUTTLE	05/01/25	05/01/25
		Fee	Fee
		\$ 76.20	\$ 76.20
		Est. Cost	Est. Cost
		\$ 0.00	\$ 0.00
Applicant Phone:			
Contractor Phone: 6038420672			
<b>PID: 000004 000293 000000</b>	<b>Project: DECK -- 453 SQ FT DECK</b>	<b>Location: 181 NICOLA ROAD</b>	<b>Proj. Date: 05/01/24</b>
Permit Type	Owner: ROACH, DONALD F, TTEE	Permit Status	Owner Phone: 9785904124
BUILDING PERMIT	Permit Number	Added	Approved
	2920	05/01/24	05/01/24
	Applicant: DONALD ROACH	Expires	Expires
	Contractor: K&M'S HOME SOLUTIONS	05/01/25	05/01/25
		Fee	Fee
		\$ 172.48	\$ 172.48
		Est. Cost	Est. Cost
		\$ 0.00	\$ 0.00
Applicant Phone:			
Contractor Phone: 6039733245			

**Permits Issued**

**Permits Issued With Approved Date Between 04/01/2024 And 06/13/2024 Sorted by Project Date**

PID: 000014 000001 000000	Project: ALTERATION -- 267 SQ FT SOLAR ARRAY ROOF	Location: 262 NH ROUTE 153	Proj. Date: 05/01/24
Permit Type	Permit Number	Permit Status	Added
BUILDING PERMIT	2921	Approved	05/01/24
Owner: GRECO, MARK A.	Owner Phone: 5022414699	Expires	05/01/25
Applicant: FREEDOM FOREVER LLC	Contractor Phone: 8434479000	Fee	\$ 99.76
E-24-13	Applicant Phone: 505/01/24	Est. Cost	\$ 0.00
Applicant: FREEDOM FOREVER LLC NH	Contractor Phone: 8434479000		
Contractor: FREEDOM FOREVER LLC NH			
<b>PID: 000004 000223 000000</b>	<b>Project: ALTERATION -- 2 ACS WIRED</b>	<b>Location: 57 LAKESHORE DRIVE</b>	<b>Proj. Date: 05/31/24</b>
Permit Type	Permit Number	Permit Status	Added
ELECTRICAL PERMIT	E-24-14	Approved	05/31/24
Owner: BAYLOR, BRITTANY E	Owner Phone: 6038338987	Expires	05/31/25
Applicant: BRITTANY BAYLOR	Contractor Phone: 6037657007	Fee	\$ 50.00
E-24-15	Applicant Phone: 606/01/24	Est. Cost	\$ 0.00
Applicant: HALLS ELECTRIC LLC	Contractor Phone: 6037815962		
Contractor: HALLS ELECTRIC LLC			
<b>PID: 000011 000002 000006</b>	<b>Project: ALTERATION -- 200 AMP SERVICE AND</b>	<b>Location: 73 PHEASANT DRIVE</b>	<b>Proj. Date: 06/01/24</b>
Permit Type	Permit Number	Permit Status	Added
ELECTRICAL PERMIT	E-24-15	Approved	06/01/24
Owner: TTEE OF THE CARR FAMILY REVOCA	Owner Phone: 6038338987	Expires	06/01/25
Applicant: BRITTANY BAYLOR	Contractor Phone: 6037815962	Fee	\$ 50.00
E-24-16	Applicant Phone: 606/04/24	Est. Cost	\$ 0.00
Applicant: HALLS ELECTRIC LLC	Contractor Phone: 6037815962		
Contractor: HALLS ELECTRIC LLC			
<b>PID: 000017 000006 000000</b>	<b>Project: GARAGE -- 832 SQ FT GARAGE</b>	<b>Location: 211 RIDGE ROAD</b>	<b>Proj. Date: 06/01/24</b>
Permit Type	Permit Number	Permit Status	Added
BUILDING PERMIT	2922	Approved	06/01/24
Owner: STEVENS JR., LESLIE A	Owner Phone: 6034738234	Expires	06/01/25
Applicant: LES STEVENS	Contractor Phone: 6034738234	Fee	\$ 332.96
E-24-16	Applicant Phone: 606/04/24	Est. Cost	\$ 0.00
Applicant: LES STEVENS	Contractor Phone: 6034738234		
Contractor: LES STEVENS			
<b>PID: 000004 000072 000000</b>	<b>Project: EXTERIOR ONLY -- 240 SQ FT PREFAB SHED</b>	<b>Location: 133 LAKESHORE DRIVE</b>	<b>Proj. Date: 06/01/24</b>
Permit Type	Permit Number	Permit Status	Added
BUILDING PERMIT	2923	Approved	06/01/24
Owner: CARROLL, JAMES	Owner Phone: 6039415195	Expires	06/01/25
Applicant: SELF	Contractor Phone: 6039415195	Fee	\$ 63.40
E-24-16	Applicant Phone: 606/01/24	Est. Cost	\$ 0.00
Applicant: SELF	Contractor Phone: 6039415195		
Contractor: SELF			

**Permits Issued**

**Permits Issued With Approved Date Between 04/01/2024 And 06/13/2024 Sorted by Project Date**

PID: 000003 000029 000000	Project: NEW BUILDING -- 1232 SQ FT LIVING SPACE WITH	Location: BEECH TREE DRIVE	Proj. Date: 06/01/24
Permit Type	Permit Number	Permit Status	Permit Status
BUILDING PERMIT	2924	APPLICANT: JAMES WOODMAN	APPLICANT: JAMES WOODMAN
	Contractor: SELF	Contractor: SELF	Contractor: SELF
	Owner: WOODMAN, JAMES	Owner Phone: 6037551464	Owner Phone: 6037551464
		Added	Added
		06/01/24	06/01/24
		Approved	Approved
		06/01/25	06/01/25
		Expires	Expires
		\$ 1,054.20	\$ 1,054.20
		Fee	Fee
		\$ 0.00	\$ 0.00
		Est. Cost	Est. Cost
<b>PID: 000002 000016 000000</b>	<b>Project: NEW BUILDING -- 640 SQ FT 1 BR 1 BATH</b>	<b>Location: 38 LINCOLN ROAD</b>	<b>Proj. Date: 06/01/24</b>
Permit Type	Permit Number	Permit Status	Permit Status
BUILDING PERMIT	2925	APPLICANT: STEWART MACUMBER	APPLICANT: STEWART MACUMBER
	Contractor: SELF	Contractor: SELF	Contractor: SELF
	Owner: MACUMBER, STEWART	Owner Phone: 7818582507	Owner Phone: 7818582507
		Added	Added
		06/01/24	06/01/24
		Approved	Approved
		06/01/25	06/01/25
		Expires	Expires
		\$ 533.40	\$ 533.40
		Fee	Fee
		\$ 0.00	\$ 0.00
		Est. Cost	Est. Cost
<b>PID: 000012 000015 000004</b>	<b>Project: NEW BUILDING -- 1528 SQ FT HOUSE 360 SQ FT</b>	<b>Location: KINGS HIGHWAY</b>	<b>Proj. Date: 06/01/24</b>
Permit Type	Permit Number	Permit Status	Permit Status
BUILDING PERMIT	2926	APPLICANT: SCOTT GORDON	APPLICANT: SCOTT GORDON
	Contractor: PLANO BUILDER LLC	Contractor: PLANO BUILDER LLC	Contractor: PLANO BUILDER LLC
	Owner: PLANO BUILDERS LLC	Owner Phone: 6037652610	Owner Phone: 6037652610
		Added	Added
		06/01/24	06/01/24
		Approved	Approved
		06/01/25	06/01/25
		Expires	Expires
		\$ 1,249.56	\$ 1,249.56
		Fee	Fee
		\$ 0.00	\$ 0.00
		Est. Cost	Est. Cost
<b>PID: 000004 000051 000000</b>	<b>Project: NEW BUILDING -- 1476 SQ FT 2 STORY 2 BED 2.5</b>	<b>Location: SPRUCE ROAD</b>	<b>Proj. Date: 06/08/24</b>
Permit Type	Permit Number	Permit Status	Permit Status
BUILDING PERMIT	2927	APPLICANT: PRIDE BUILDERS	APPLICANT: PRIDE BUILDERS
	Contractor: TROY PERRAULT	Contractor: TROY PERRAULT	Contractor: TROY PERRAULT
	Owner: ST. PIERRE BUILDERS, LLC	Owner Phone: 2074512308	Owner Phone: 2074512308
		Added	Added
		06/08/24	06/08/24
		Approved	Approved
		06/08/25	06/08/25
		Expires	Expires
		\$ 1,001.56	\$ 1,001.56
		Fee	Fee
		\$ 0.00	\$ 0.00
		Est. Cost	Est. Cost
ELECTRICAL PERMIT	E-24-17	APPLICANT: TROY PERRAULT	APPLICANT: TROY PERRAULT
	Contractor: DON ST PIERRE	Contractor: DON ST PIERRE	Contractor: DON ST PIERRE
	Owner: ST. PIERRE BUILDERS, LLC	Owner Phone: 2074512308	Owner Phone: 2074512308
		Added	Added
		06/08/24	06/08/24
		Approved	Approved
		06/08/25	06/08/25
		Expires	Expires
		\$ 100.00	\$ 100.00
		Fee	Fee
		\$ 0.00	\$ 0.00
		Est. Cost	Est. Cost
PLUMBING PERMIT	PL-24-05	APPLICANT: PAUL GATES	APPLICANT: PAUL GATES
	Contractor: PAUL GATES	Contractor: PAUL GATES	Contractor: PAUL GATES
	Owner: ST. PIERRE BUILDERS, LLC	Owner Phone: 2074512308	Owner Phone: 2074512308
		Added	Added
		06/08/24	06/08/24
		Approved	Approved
		06/08/25	06/08/25
		Expires	Expires
		\$ 75.00	\$ 75.00
		Fee	Fee
		\$ 0.00	\$ 0.00
		Est. Cost	Est. Cost



BUDGET vs ACTUAL STATEMENT  
For the Five Months Ending May 31, 2024

		Year to Date Budget	Year to Date Actual	Remaining Budget	Percent Expended
Expenses					
4191-11-plb	Straf Reg Plan	\$ 5,275.00	2,389.44	2,885.56	45.30
4191-14-plb	Newspaper Ads	1.00	0.00	1.00	0.00
4191-15-plb	Workshops	450.00	0.00	450.00	0.00
4191-17-plb	Reference Material	300.00	0.00	300.00	0.00
4191-26	Legal	7,500.00	0.00	7,500.00	0.00
	Total Expenses	13,526.00	2,389.44	11,136.56	17.67
	Net Income	(\$ 13,526.00)	(2,389.44)	(11,136.56)	17.67

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# Title 674 - Local Land Use Planning and Regulatory Powers

## Section 674:39-a - Voluntary Merger.

**Universal Citation:** NH Rev Stat § 674:39-a (2022)

[← Previous](#)

[Next >](#)

### **674:39-a Voluntary Merger. -**

I. Any owner of 2 or more contiguous preexisting approved or subdivided lots or parcels who wishes to merge them for municipal regulation and taxation purposes may do so by applying to the planning board or its designee. Except as set forth in paragraphs II and III, all such requests shall be approved, and no public hearing or notice shall be required. No new survey plat need be recorded, but a notice of the merger, sufficient to identify the relevant parcels and endorsed in writing by the planning board or its designee, shall be filed for recording in the registry of deeds, and a copy mailed to the municipality's assessing officials. No such merged parcel shall thereafter be separately transferred without subdivision approval. No city, town, county, or village district may merge preexisting subdivided lots or parcels except upon the consent of the owner.

II. If there is any mortgage on any of the lots, the applicant shall give written notice to each mortgage holder at the time of the submission of the application. The written consent of each mortgage holder shall be required as a condition of approval of the merger, and shall be recorded with the notice of the merger pursuant to paragraph I. Upon recordation of the notice and each consent, the mortgage or mortgages shall be deemed by operation of law to apply to all lots involved in the merger. The municipality shall not be liable for any deficiency in the notice to mortgage holders.

III. No merger shall be approved that would create a violation of then-current ordinances or regulations.

## RULES OF PROCEDURES

### PLANNING BOARD, TOWN OF MIDDLETON, NEW HAMPSHIRE

#### AUTHORITY

1. These rules of procedure are adopted under the authority of New Hampshire Revised Statutes Annotated (RSA) 676:1.

#### MEMBERS AND ALTERNATES

1. The Planning Board shall consist of seven (7) members. The Selectmen shall designate one selectman as an ex-officio and an alternate ex-officio member with the power to vote.
2. Selection, qualification, term, member removal, and vacancy filling shall conform to RSA 673.
3. Alternate members may serve on the Planning Board as authorized by RSA 673:6 and participate as non-voting members.
4. Up to five alternate members shall be appointed, as provided for by the local legislative body. They should attend all meetings to familiarize themselves with the workings of the Board to stand ready to serve whenever a regular member of the Board cannot fulfill their responsibilities.
5. At planning board meetings, alternates who are not activated to fill the seat of an absent or recused member or who have not been appointed by the Chair to temporarily fill the unexpired term of a vacancy may participate with the Board in a limited capacity. During a public hearing, alternates may sit at the table with the regular members. They may view documents, listen to testimony, and actively participate and interact with other board members, the applicant, abutters, and the public. However, they shall not be allowed to make or second motions. They shall not participate in any way during the deliberations by the Board. Upon the close of the public hearing, alternates must remove themselves from the table and sit with other members of the public unless they are sitting in place of another member. During work sessions or portions of meetings that do not include a public hearing, alternates may fully participate, exclusive of any motions or votes that may be made. At all times, the Chair shall fully inform the public of the status of any alternate present and identify the members voting on the application.
6. Members must reside in the community and are expected to attend each meeting of the Board to exercise their duties and responsibilities. Any member unable to participate in a meeting shall notify the Chairman as soon as possible. Members, including the Chairman and all officers, shall participate in the decision-making process and vote to approve or disapprove all motions under consideration.
7. Each newly elected or appointed (including re-elected or re-appointed) member shall be sworn in and take an oath of office as required by RSA 42:1.
8. The Secretary shall forward to the Town Clerk to record the appointment/election and expiration dates of the terms of each member of the Board.



## OFFICERS

1. The officers of the Board shall be as follows:
  - Chairman: The Chairman shall preside over all meetings and hearings; shall prepare, with the assistance of the Secretary, an annual report; and shall perform other duties customary to the office.
  - Vice-Chairman: The Vice-Chairman shall preside in the absence of the Chairman and shall have the full powers of the Chairman on matters that come before the Board in the absence of the Chairman.
  - Secretary: The Secretary shall keep a complete and accurate record of the proceedings of each meeting; issue notices of all meetings; record the names of the members present; notify applicants and abutters of hearings; and prepare such correspondence and fulfill such duties as the Chairman may specify. In the absence of the Secretary, the Chairman shall appoint a secretary pro tem to keep records of the meeting.
2. The officers of the Board shall be elected annually during the month of March by a majority vote of the Board. If requested by a majority of those present, voting shall be by written ballot.

## MEETINGS

1. Regular meetings shall be held at least monthly at The Middleton Old Town Hall, 200 Kings Highway, Middleton, NH 03887, at 6:30 PM on a Thursday of the third week of each month.
2. Special meetings may be called by the Chairman or, in their absence, by the Vice-Chairman, or at the request of three members of the Board, provided public notice and notice to each member is given at least 48 hours before such meeting. The notice shall specify the purpose of the meeting.
3. Nonpublic sessions shall be held only in accordance with RSA 91-A:3.
4. Quorum: A three(3) member majority of the membership of the Board shall constitute a quorum, including alternates sitting in place of regular members.

If any regular Board member is absent from a meeting or hearing or disqualifies him/herself from sitting on a particular application, the Chairman shall designate one of the alternate members to sit in place of the absent or disqualified member. Such an alternate shall have all the powers and duties of a regular member regarding any matter under consideration on which the regular member cannot act. The alternate should continue until the matter is completed; the regular member does not vote.

5. Disqualification: If any member finds it necessary to be disqualified from sitting on a particular case, as provided in RSA 673:14, s/he shall notify the Chairman as soon as possible so that an alternate may be requested to fill the place. The disqualification shall be announced by either the Chairman or the member before the discussion or the public hearing on the application begins. Disqualified members shall leave the Board table during all deliberations and the public hearing.

If uncertainty arises as to whether a Board member should disqualify him/herself, on the request of that member or another member of the Board, the Board shall vote on whether that member should be disqualified. Such request and vote shall be made before or at the commencement of any required public hearing. A vote on a question of disqualification shall be advisory and non-binding. It may not be requested by persons other than board members.

*[NOTE: Except as may otherwise be provided by local ordinance.]*

6. Order of Business shall be as follows:
  - a. Call to order by Chairman
  - b. Roll call by the Chair
  - c. Consider completeness and acceptance of applications
  - d. Hearings on subdivision/site plans
  - e. Other business - public comment
  - f. Minutes of the previous meeting
  - g. Reading of communications directed to the Board
  - h. Report of officers and committees
  - i. Unfinished business
7. A duly seconded motion shall be carried by an affirmative vote of a majority of the members present. Voting shall be by roll call, recorded in the minutes.
8. If there is a tie vote, another motion should be discussed and worded in a way that would not result in a tie vote.
9. If there is a failed motion, the Board could try another motion to get a motion to pass.

#### **PRELIMINARY DESIGN REVIEW**

1. Applications for a Design Review Phase (676:4, II (b)) meeting with the Board shall be made on forms provided by the Board. They shall be presented to the planning staff, the Secretary of the Board, or the Board's agent, who shall sign and record the date of receipt.
2. Notice shall be given as required in RSA 676:4, I(d) 10 days before such application is submitted to the Board.
3. The plan shall include, at a minimum, the following items:
  - a. A site location map placing the parcel in the larger context of the community;
  - b. A site survey showing pertinent features of the site;
  - c. An indication of any future subdivisions contemplated in or adjacent to the proposal;
  - d. A topographic map of the area;
  - e. Any soils information, such as permeability or boring data, that has been gathered;
  - f. A sketch showing the proposed layout of lots, streets, and recreation areas; watercourses; natural features and easements.
  - g. The standards and location for the signature block signifying the Town's approval.
4. The Board shall determine the conclusion of the Design Review Phase process and inform the applicant.

#### **APPLICATIONS FOR SUBDIVISION AND SITE PLAN REVIEW**

1. Applications for hearings before the Board shall be made on forms provided by the Board and presented to the planning staff, the Secretary of the Board, or the Board's agent, who shall sign and record the date of receipt.
2. Notice shall be given as required in RSA 676:4, I(d) 10 days before a completed application is submitted to the Board.

3. Completed applications shall be accepted by a majority vote of the Board and scheduled for consideration within 30 days of acceptance. Completeness and acceptance can be determined at one public hearing, if appropriate.
4. The Board shall reject all applications that are not correctly completed.

## FORMS

1. All forms, including but not necessarily limited to application, checklist, and waiver requests, prescribed herein and revisions thereof shall be adopted by resolution of the Board and shall become part of these rules of procedure.

## NOTICE

1. Public notice of the submission of and public hearings on each application shall be given in the (local newspaper) and posted on the Town website and at least one (1) public place not less than ten (10) days before the date fixed for submission and consideration of the application. Posting requirements cannot count the day of the posting and the day of the meeting in the ten (10) days before the meeting.

*[Notes: RSA 676:4 requires the public notice of submission to be given by either publication or posting. The Board may do one or the other so long as the rules of procedure are consistent with the subdivision and site plan review regulations.]*

*In 2017, the legislature made several amendments to RSA 91-A:2, effective January 1, 2018, including the passage of RSA 91-A:2, II-b, which requires the online posting of meeting notices if a website is maintained "in a consistent and reasonably accessible location" or post and maintain a notice on the website stating where meeting notices are posted.]*

2. Personal notice shall be made by certified mail to the applicant, all abutters, and any professional whose seal appears on any plat not less than ten (10) days before the date fixed for application submission to the Board.

*[Note: RSA 676:4 permits the planning board to combine the notice of submission with the notice of the public hearing by stating that if the application is accepted as complete, it will be on the agenda of each planning board meeting until a decision is made. The public hearing date must also be included on the notice.]*

## PUBLIC HEARINGS

The following rules shall govern the conduct of public hearings:

1. The Chairman shall call the hearing in session, identify the applicant or agent, and ask for the Secretary's report on the proposal.
2. The Secretary shall read the application and report on how public and personal notice was given.
3. The Board considers completeness, waivers (if any), and acceptance. If the application is complete, the Chair opens the public hearing for the applicant to make their presentation.
4. Members of the Board may ask questions at any point during the presentation.
5. Any party to the matter who desires to ask a question of another party must go through the Chairman.

6. Any applicant, abutter, or person directly interested in the matter may testify in person or writing. Other persons may testify as permitted by the Board at each hearing.
7. Each person who speaks shall be required to state their name and address and indicate whether s/he is a party to the matter or an agent or counsel to a party to the matter.
8. The applicant or agent shall be called to present the proposal, and those appearing in favor of the proposal shall be allowed to speak.
9. Those in opposition to the proposal shall be allowed to speak.
10. Other members of the public may speak.
11. Other parties, such as representatives of town departments and other town boards and commissions interested in the proposal, shall be allowed to present their comments in person or in writing.
12. The Chairman shall indicate whether the hearing is closed.
13. Once the hearing is closed, the Board will deliberate and decide or continue the application pending the submission of additional material or information or the correction of noted deficiencies. In the case of a continuance, further notice is not required if the continuation date, time, and place are made known to the public at the adjournment.

#### **DECISIONS**

1. The Board shall render a written decision within Sixty-five (65) days of the date of acceptance of a completed application, subject to extension or waiver as provided in RSA 676:4. If the planning board does not act on the application within Sixty-five (65) days (unless the Board has determined that the application is a development of regional impact, which gives the Board an additional Thirty (30) days, then the governing body {selectmen} is required to approve the application.
2. The Board shall act to approve, conditionally approve, or disapprove.
3. Notice of the decision will be made available for public inspection on the Town's website and at least one (1) public place within five (5) business days after the decision is made, as required in RSA 676:3.
4. The decision shall include specific written findings of fact that support the decision. Failure of the Board to make specific written findings of fact supporting disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.

#### **RECONSIDERATION, APPEAL, AND COURT REVIEW OF PLANNING BOARD DECISIONS (677:15)**

The Planning Board may reconsider any decision to approve or disapprove an application for good cause, provided it is within the statutory appeal period. This may be done through a motion that specifies the reasons for reconsideration. Upon successfully passing the motion, the Board shall schedule a public hearing, with notice as provided in 676:4, I(d), where they shall consider whether to revise or alter their original decision. Should the Board reach a new decision, a new appeal period shall be deemed to have begun pursuant to RSA 677:15, et seq.

## RECORDS

1. The Secretary shall keep the records of the Board and make them available for public inspection at the office of the Town Administrative Secretary for the Planning Board, as required by RSA 91-A:4.
2. Minutes of the meetings, including the names of Board members and persons appearing before the Board and a brief description of the subject matter, shall be open to public inspection within five (5) business days after the meeting as required in RSA 91-A:2, II.
3. If a website is maintained, RSA 91-A:2, II-b (effective January 1, 2018) requires that approved minutes must also be posted on the website in a consistent and reasonably accessible location, or a notice must be posted and maintained on the website stating where minutes may be reviewed, and copies requested.

## JOINT MEETINGS AND HEARINGS

1. The Planning Board may hold joint meetings and hearings with other "land use boards," including the Zoning Board of Adjustment, the Historic District Commission, the Building Code Board of Appeals, and the Building Inspector. Each Board shall have discretion whether or not to hold such joint meeting or hearing (RSA 676:2).
2. Joint business meetings with another local land use board may be held at any time when called jointly by the presiding officers of the two boards.
3. A joint public hearing must be a formal public hearing when the subject matter of the hearing is within the responsibilities of the boards convened.
4. The Planning Board Chairman shall chair all joint meetings and public hearings when the subject matter involves the Planning Board.
5. The rules of procedure for joint meetings and hearings, the subject matter of which involves the Planning Board, shall be the same as these rules of procedure, except that the order of business shall be as follows:
  - a. Call to order by Chairman;
  - b. Introduction of members of both boards by Chairman;
  - c. Explanation of reason for joint meeting/hearing by Chairman;
  - d. In the case of a public hearing relative to a requested permit, an application for a plat approval, or both, the applicant shall be called to present his/her proposal;
  - e. Adjournment.
6. Each Board involved in a joint public hearing makes its own decision based on its criteria for the particular matter.

## AMENDMENT

A majority vote of its members may amend the Board's rules of procedure. The Board shall hold a public hearing before adopting new regulations or amendment of existing rules. Notice for the time and place of the hearing shall be as provided in RSA 675:7. The amended procedures shall be filed with the municipal clerk.