

**TOWN OF THORNTON PLANNING BOARD**  
**Hearing Minutes**  
**July 17, 2008**

The Thornton Planning Board met and held a public hearing on,  
Thursday, July 17, 2008, 6:00 PM. at the Thornton Town Hall.

**Board Members present:** Barry Van DeMoere, Chairman, Jim Parziale, Selectman, Tyler Phillips, Beverly MacIntosh, Russell Gilman, Fred Gunter, Bart Dutto, Frank Freeman, Carolyn Piantedosi, Arthur Gross and Marianne Peabody, Secretary.

**Others present:** Tony Pierce, Richard W. Tuttle, Michael Leon, John March, John Benton, Myrtle Benton, Hilda Duffy, Richard Duffy, Heide Hawkensen, Parker Uhlman, Barbara Patterson, Jerel Benton, Shirley Benton, Jack McCormack, Tom Duffield, and Keith McNamara

Chairman Van DeMoere called this meeting to order at 6:00 PM. Board Members reviewed and made corrections to the minutes of June 19, 2008. The minutes of the June 19, 2008 was accepted as corrected. VOTED 7-0.

***Tony's Italian Grill & Pub – Route 3 W. Thornton - Informational***

Tony Pierce and Richard Tuttle were before the Board to introduce themselves and to inform the Board that they are in the process of opening an Italian Grill & Pub at the former Frannies Place on Rt. 3N. They have renovated the inside of the restaurant and are planning to set a 30x50 white tent outside for weddings and other functions. Presently they are waiting for their State Food Service License. When this is issued the restaurant will be ready to open. Board Members discussed with them hours of operation and Mr. Pierce and Mr. Tuttle informed the Board they have no intention of staying open beyond midnight.

***December 20, LLC – Exit 29 – Route 3- Informational***  
Cancelled.

***Heide Hawkensen – Route 175 – (2) Lot Subdivision – Consultation Review/Formal Consideration***

John March, Surveyor presenting plan. Parker Uhlman & Heide Hawkensen present. No Abutters present. John March explained to the Board that Heide Hawkensen owns a total of 160.9 ac. and is proposing a 2.10 ac. lot as shown on the plan. Parker & Heide are also donating to the town a small parcel with acreage to be determined to be merged with the Town House lot PID#10-03-39. There will be a shared 20-ft. ROW off Route 175 through the new town lot to Lot 1. The DOT Driveway permit has been issued. Parker Uhlman will submit a copy. Waiting for State approvals. Slopes over 35% have been delineated. Board Members have requested a written justification statement to be provided relative to the proposed irregular shaped Lot 1. There was discussion relating to maintenance of the proposed ROW, along with parking concern, and the potential of blocking the ROW. Signs were discussed and a maintenance agreement will be worked

out between the applicant and the Town. The Town may want to consider a stop sign entering onto Route 175 off the ROW. The checklist has been reviewed. A motion was made and seconded to accept the application. VOTED 7-0. Will be posted again next month.

***Richard Duffy – Cross Rd – (2) Lot Subdivision – Consulation Review/Formal Consideration***

John March, Surveyor presenting plan. Richard & Hilda Duffy present. Abutters present Barbara Patterson, John & Myrtle Benton. Richard Duffy owns 8.74 ac. and is proposing two lots. Lot 1, 3.03 ac. with an existing house, and Lot 2, 5.73 ac. Lot 1 has existing access off of Cross Rd. Lot 2 will access off of Cross Rd. DES subdivision approval has been submitted for our records. The checklist was reviewed. A motion was made and seconded to accept this application. VOTED 7-0. A motion was made and seconded to vote this subdivision final. VOTED 7-0.

***Richard McManus – 14 Berry Knoll Rd (2) Lot Subdivision – Final***  
Cancelled

***Old Saw Mill Properties – Shirley & Jerel Benton, Keith McNamara – off Route 175  
Off Route 175 Phase I (18) Lots – Consultation Review/  
Formal Consideration***

Tom Duffield, Engineer presenting plan. Attorney McCormack representing applicants. Shirley & Jerel Benton present. Keith McNamara present. The amendments to the June hearing minutes were discussed. Engineer Duffield reviewed with the Board the 20 items listed for submission from the June 19, 2008 hearing.

1. Slope over 35% shown on plan or show table (TABLE SHOWN ON PLAN)
2. 2 ft. contours shown (ADDED TO PLAN)
3. Dry hydrants on fire ponds (SHOWN ON PLAN)
4. Lot size calculations (SUBMITTED ON FILE)
5. Waiver requests (SUBMITTED ON FILE)
  - a. Paving the proposed road as it is intended to remain a private road.
  - b. To allow two sections of road grade that will be at 10% grade for short distances stations identified.
6. New road profile submitted.
7. Acreage shown.
8. Road name confirmed.
9. Fire Chief has been contacted (REPLY SUBMITTED ON FILE)

**ITEMS TO BE SUBMITTED AND ADDRESSED**

- 1. State approval (alteration & terrain, DES, wetlands)**
- 2. Stormwater pollution plan**
- 3. Road Agent profile plans.**
- 4. Apron off of Route 175 access.**
- 5. Resolution to the ROW – (discussion: Corrected deed relating to the ROW relative to the Smith Lot)**
- 6. Declaration and covenants (Association responsible for the care & maintenance of roads, bridge & ponds)**

7. **Pictures of bridge pour.**
  8. **Letter of Credit – Utilities, road construction, bridge, firepond construction, paving etc.**
  9. **Town Engineering review**
  10. **911 Fee**
  11. **Additional required recording fees.**
  12. **Site visit (scheduled for August 7, 2008 5:00 PM)**
- Will post again for August hearing.**

***Benton Enterprizes – Shirley Benton & Jerel Benton – Cross Rd – Excavation Permit Renewal***

Board Members reviewed the recent site walk discussions and questioned if the Shoreland Protection Act required set backs of 250 ft was addressed at the excavation site. The minutes of the July 10, 2008 state that the pond is 250 ft from the Pemi, 400-500 ft. from the southern boundary and 300 ft. from abutter Susan Rossley. The other item of discussion was to confirm with Benton Enterprizes that no materials would be trucked in on weekends in an effort to honor the concern of abutter Morris & Barbara Patterson. A motion was made and seconded to renew the excavation permit for Benton Enterprizes for two years. VOTED 7-0.

***Other Business before the Board***

Michael Leon owner and operator of the new Thornton Family Store on Route 3 in West Thornton presented to the Board a sketch of the proposed business sign and specifications for construction. This sign will read THORNTON FAMILY STORE GROCERIES-SUBS-PIZZA. It will be 2-sided painted and mounted between 2 pt posts in front of the store. It will be lit on both sides. A motion was made and seconded to approve the sketch submitted. VOTED 7-0.

Next scheduled hearing will be held on, Thursday, August 21, 2008, 6:00 PM at the Thornton Town Hall. This hearing adjourned at 8:30 PM

Respectfully Submitted,

Marianne Peabody  
Secretary  
Posting Date: 07/23/08