

**PLANNING BOARD
27 School Street
HILLSBOROUGH, NH
December 17, 2025**

TIME: 6:00 p.m. –7:15 p.m.

DATE APPROVED 1/7/2026

CHAIRPERSON: Chairperson Susanne White

VICE CHAIRPERSON: Dana Clow,

MEMBERS: Andrew Morris, Steve Livingston, Bryant Wheeler, Kim Opperman

EX-OFFICIO: James Bailey III

PLANNING DIRECTOR: Robyn Payson

ALTERNATES: Cathy Houle

Excused:

Public: James McDonough, Jackie Stetser, Heather Johnstone, Sam Ingram, Tim Morgan, Peter Mellen, Jeff and Abby Rand, William Schaffer, Riche' Colcombe

Pledge of Allegiance

Call to Order:

Chairperson Susanne White called the meeting to order at 6:00 PM and called the roll. Cathy Houle was appointed to sit for Steve Livingston

Minutes

12/3/25-Bryant Wheeler made a motion to approve the minutes. Andrew Morris seconded the motion. The motion carried unanimously.

Public Hearings

Subdivision

109 Jones Road (Map 8 Lot 111)

D. Kracov Revocable Trust

This hearing is continued from the meeting of 11/19/25.

A site walk was conducted earlier in the day at noon.

Sam Ingram of Meridian Land Services. He passed out a map providing detail on the buildable are of lot 11-8. The second piece is from the Department of Environmental Services which stated there were no in danger or threatened species on the lot. Nothing else has changed in the plan.

Susanne White opened the public hearing. She read a letter received from Matt Haag
102 Jones Road (See attached)

Sam Ingram said he wanted to comment on the letter. He said that they are there solely to represent the client's interest. He said that is not true and he is here to represent the town's zoning ordinance and making sure the plan he presents meets those requirements.

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Jackie Stetser said her concern is that there are five lots that are going to be putting their septic tanks into wetland. There is no way to tie it into the sewer system, so they are going to have to put in their septic tank and their leach field going right into the wetlands and she doesn't think that is a good thing for the nature around it. She thinks that it is going to have a negative effect and that should be considered since there is no way to tie into a sewer system.

Sam Ingram said that there will be no septic tanks or leach fields installed in wetland areas. There are clear town and state rules requiring the separation from wetlands to septic tanks to leach fields that they will have to adhere to. Because of that the town has a set of standards in place that we will follow, the state does as well. Anyone building on these properties will have to adhere to them as well.

Chairperson Susanne White said there was a question about the perk tests which were done during a drought.

Sam Ingram said there's a difference between a "perk test" and a "test pit" they performed test pits on the property that was performed with an excavator sometimes they go 10 feet deep. What they do is read the soil profile and the soil characteristics. Those characteristics have published data that have known perk rates so regardless of the time of year, regardless of how much rain we've had the published soil data does not change and that perk rate does not change.

Heather Johnstone said she was concerned about the erosion of the road and all the water that floods down the paved part of Jones Road which goes right to that corner lot. She walks all the time so she sees what happens when it rains a lot. She said her road was shut down for three days. She said the three corner lots are going to be impacted by a lot of erosion. And she said Bible Hill Road floods multiple times per year. If you have multiple houses with all of that deterioration it is going to be significantly affecting the road and the water table. She said she built a house and there are lots of rocks it took months to get rid of the rocks from her land her house doesn't affect anything but those lots are going to affect the road and the water table and the wetlands.

James McDonough of the Conservation Commission said he was there to reiterate what he said at the last meeting. He said he wanted to be a resource for the Board if they want clarification on what they were saying. He went on to discuss the earth work that is going to have to happen to develop the lots. He discussed impervious surfaces and how they would affect the flow. He (on behalf of a resident on Jones Road) asked the applicant's agent would delay the sales to give the local people the opportunity to get the funds together to purchase a conservation easement.

Sam Ingram said he could relay that to the owner after the approval.

Jeff Rand asked if there would be any further environmental review after this application is approved.

Andrew Morris explained the building permit process.

Robyn Payson said there would be no further hearings.

Sam Ingram said another step in the process is a driveway permit which will address the erosion on the road the driveway will have to meet town requirements

Dana Clow said it is worth re-stating that comments were solicited from all the town departments and no comments were received except for the Water/Sewer department. While abutters expressed concern about

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the erosion none of the town departments seemed to have any concerns and it is important to make note of that.

Abby Rand asked if adding children to the school system could be considered.

Robyn Payson said it could not.

Dana Clow said the school population in town is down significantly so he didn't think the addition of five homes would affect the school system significantly.

Heather Johnstone said it would also be extra traffic. She loved the dirt roads and didn't want to see them paved. It is extra traffic and wear and tear on a sensitive area. She spoke of the "amazing special place" it was for the residents. She said it breaks her heart to think of all of the trees being cut down, it is sad in such a beautiful area.

Bill Schaffer said there was concern about the larger 75 acre lot, he asked if that had been brought to the table again.

Dana Clow said that it had been addressed.

Heather Johnstone asked if the 75 acre parcel could become a development.

Bryant Wheeler said yes. He said the town was very fortunate to not have that lot developed entirely.

Dana Clow said that's the merit of a conversation with the owner about a conservation easement. That's down the road. What's in front of us now is what we have to respond to and we have to respond to it in the context of the regulations that we have to operate under.

James. McDonough said the Planning Board needs to plan for the future.

Dana Clow said planning for the future is important but there have to be standards set that the applicant can be forced to address. There are no standards for planning for the future. How can you ask an applicant to address what might happen in the future. The rules can be adjusted in the future but right now the Board has to work within the current regulations.

There was discussion about developing a Wetlands Ordinance.

Chairperson Susanne White said if we do consider a Wetlands Ordinance in the future we would like to have the Conservation Commissions input.

Riche' Colcombe said Richard Head had said he was addressing things that were in the room. She asked if he was inaccurate about that.

Robyn Payson said in a sense he was inaccurate. She said there was a court case (Mojajaki Holdings v. City of Franklin), where a town denied an application based on the purpose section of their regulation. It was overruled because the applicant couldn't comply with the regulations because there was nothing specific that the applicant could comply with.

Chairperson Susanne White closed the public hearing.

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Chairperson Susanne White said it was a very unpopular decision for the Board. There is no other option because the plan meets all of the specifications of the regulation.

Bryant Wheeler said he didn't think there was a member of the Board that wants to see this, but they meet the subdivision requirements.

There was a brief discussion about the proposed conditions of approval.

Dana Clow made a motion to approve the application for a 7 lot Subdivision application submitted by Sam Ingram of Meridian Land Services Inc., on behalf of D. Kracov Revocable Trust at 109 Jones Road (Map 8 Lot 111) as shown on the plan entitled Subdivision Plan Land of D. Kracov Revocable Trust dated October 29, 2025 with the following conditions and in accordance with the findings of fact.

Conditions of Approval

1. Compliance with all local, state, and federal laws and regulations.
2. All development and construction on all lots within the approved subdivision must be done with no impacts to wetlands on any property.
3. Prior to development of any of the lots, wetlands will be marked in the field for the purpose of identifying the edge of wetlands to prevent accidental intrusion into the wetlands during construction.

Findings of Fact

1. The property is located at 109 Jones Road.
2. The property is located in the Rural District.
3. The use of the property is residential.
4. The application was presented by Sam Ingraham of Meridian Land Services, Inc.
5. The owner of record is the D. Kracov Revocable Trust.

Bryant Wheeler seconded the motion. The motion carried unanimously.

Subdivision

844 Bog Road (Map 3 Lot 39)
Jacob and Alyssa Caron

Robyn Payson introduced the application for a three-lot subdivision on Bog Road. Peter Mellen has submitted a letter to waive several provisions of the Subdivision regulations.

Peter Mellen said they are seeking 4 waivers. One is for a full survey for the entire property, the second is for identification of surface waters, the third is a written statement on the plan by a wetland scientist that

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all wetlands and surface waters have been delineated, and the fourth is a topographic survey with a minimum contour interval of 20 feet of the entire property.

Peter Mellen said the remaining lot is 69.5 acres minimum lot size for the Rural zone is 2 acres and there are no immediate plans for its development. A full survey at this time would put a financial burden on the applicant. Surface waters and wetlands were observed on the remaining lot but since no immediate development is planned delineation would be of little value in evaluating the application. The same applies to the requirement for a topographic survey. He directed the Board to look at the plan sheet with the two new lots which had a topographic survey, and no wetlands were observed on the lots.

Bryant Wheeler made a motion to grant the waivers. Kim Opperman seconded the motion. The motion carried unanimously

Dana Clow made a motion to accept the application as complete. Jim Bailey seconded the motion. The motion carried unanimously.

Peter Mellen walked the Board through the plans. This was the site of an old barn. There is a cabin on the land with no septic or water. The sister wants to build a house so an additional lot is necessary. They are proposing a couple of easements shown as A and B. Right of Way easements will benefit lot 1, then lot 2 will have an easement over right of way B to get to their lot. He showed the buildable areas on both lots and told the Board that the test pits had been done.

There was discussion about flood zones. This property is located in "A" which is the 100 year flood zone.

Chairperson Susanne White opened and closed the public hearing because there was no public present.

Andrew Morris made a motion to approve the application for a 3 lot Subdivision application submitted by Peter Mellen of Donald R. Mellen Surveyor, LLC., on behalf of Jacob L. Caron and Alyssa B Caron Trustees 844 Bog Road (Map 3 Lot 39) as shown on the plan entitled Plan of Lots, Part of Map 3 Lot 39 Hillsborough NH. dated November 20, 2025 with the following condition and in accordance with the findings of fact.

Conditions of Approval

1. Compliance with all local, state, and federal laws and regulations.

Findings of Fact

1. The property is located at 844 Bog Road.
2. The property is located in the Rural District.
3. The use of the property is residential.
4. The application was presented by Peter Mellen of Donald R. Mellen Surveyor, LLC.
5. The owner of record is Jacob L. Caron and Alyssa B. Caron Revocable Trust.

Bryant Wheeler seconded the motion. The motion carried unanimously.

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There being no other business, Andrew Morris made a motion to adjourn. Kim Opperman seconded the motion.

Meeting Adjourned 7:15 pm

Respectfully Submitted,
Robyn L. Payson, Planning Director

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Ms. Payson,

I'm hoping you can pass on my note to the Planning Board for tonight's meeting.

Members of the Planning Board,

I'm writing today as I am unable to attend in person due to the flu.

I want to reiterate my opposition which I vocalized at the last meeting to the applicants proposed subdivision at Jones, Bible Hill and Beard Roads.

I believe this subdivision is contrary to its place within the rural district of Hillsborough and what the objectives of a rural district designation means. An objective designed to maintain the rural character of our community in key geographic areas that support wildlife, hunting, fishing, and outdoor recreation as well as to protect sensitive environmental areas such as wildlife corridors and wetlands.

While the owner's engineer and real estate agent downplayed any objections of neighborhood residents—not surprising as they are their to solely represent the financial interests of their client—it is because of that that their findings should be considered in that context. Their studies and findings on environmental impacts should be independently assessed and not taken for their word. As I suggested at the last meeting we should wait for the release of FEMA's new flood maps to see if the previous map's assumptions around potential flooding are still valid based on new data. Those new maps could demonstrate even more unnecessary impacts on wetlands and roadways as well as illustrate further risk to contamination from significant runoff and overflowed septic systems.

I appreciate that the board has a complicated charge but I believe if our objective as a community is to have thoughtful planning for the use of our most limited and precious resources than the answer is clear. Deny this application.

Thank you,

Matt Haag
102 Jones Road