Surry Planning Board
1 Village Road
Surry, NH 03431

Minutes: May 20, 2026
Present: Eva Morel, Matt Goodwin, Laryssa Hiller, Ron Profaizer, Laura Barrett

7:00 PM

The minutes of the April meeting were amended and accepted as amended. (Matt, Ron)

Mail: The newsletter from SWRPC was received. The planning board received a notice of decision from the zoning board regarding the grant of a variance for property of Deborah Sylvain at 980 Route 12A allowing her to employ outside employees for more than 20 hours per week at her cottage industry called Paws to Groom.

Bart Cushing and surveyor, Wendy Pelletier, appeared for an initial consultation regarding property of Cushing and Sons on Route 12 in the Commercial Industrial Zone. Mr. Cushing explained that his well-drilling business employs 30 people and has numerous trucks and large pieces of equipment and will need a new larger building in the next few years. He is taking rock and soil from the site to grade for the proposed building and adjacent parking for employees and equipment, ultimately moving and/or removing 13000 cubic yards of material. He is selling excess aggregate to recoup the cost of the project and believes that the excavation is exempt from permitting under RSA 155-E:2-a as excavation incidental to construction. New zoning in 2026 in the Surry allows a building permit to remain valid for 3 years, therefore Mr. Cushing plans to apply for a building permit and site plan now and commence construction when the excavation is complete. Ron feels that because he is selling the excavated material and has signs advertising such, that this is a commercial gravel operation and should have an excavation permit under our regulations. Matt responded that our regulations are “dated” and that we should examine them in reference to state law at RSA 155-E. Ms, Pelletier stated that Mr. Cushing is not operating a gravel pit but excavating for a building. They will come back next month.

Laura asked if the drainage issue for Lot 7B-71L on Cider Mill Drive had been resolved by the Selectmen. Ron answered that some drainage cleanout had occurred and that the Selectmen are still looking at easement plans.

7:30 PM
This part of the meeting is a continuation of the April meeting where The Tree Agents, LLC presented an application for subdivision and the planning board asked for more information before accepting the application. That part of the meeting was adjourned to this date and time.

Eva noted that the planning board had received additional information regarding the proposed subdivision from the applicant and others, including a traffic study, letter from Josh Brooks, Fire Chief, a report from the Surry Conservation Commission and a plan showing the two previously approved lots and the current proposal, as requested in the letter finding the application incomplete. In addition, the planning board has received a letter containing Caroll Lothrop’s personal observations of Joslin Road traffic, excerpts from the Surry Hazard Mitigation Plan, and excerpts from the Surry Master Plan. The planning board also received a letter from the Surry Selectmen. Ron felt that the planning board also needed copies of the alteration of terrain permit and state subdivision approval from NHDES. Chad Branon from Fieldstone Land Consultants stated that the planning board cannot hold up applications for state permitting. Laura made a motion to accept the application as complete, Laryssa seconded. Ron requested to see the state

law regarding state permitting before the vote. Sufficient evidence was found that in NH planning boards cannot refuse submission of subdivision applications because state or federal permits have not been issued but may base approval conditional upon the receipt of those permits. All voted in favor of accepting the application from The Tree Agents, PLLC.

The public hearing was opened with a presentation by Chuck Ritchie from Fieldstone Land Consultants, PLLC explaining that this is an 11-lot subdivision proposal of Tax Map 4A Lot 18. The lot totals 87 acres and the proposal includes a 1390-foot long roadway with a hammerhead turnabout at the end. There will be no wetland permits sought as no wetlands will be impacted. The proposed road will meet all town road standards, but they asked for a waiver of curbing because of the rural nature of the area and curbing would complicate the drainage design and maintenance. Current plans include a pull-off lane for fire trucks at the cistern site and signage prohibiting parking there. The engineers had met with the Conservation Commission but had not received their report. That report was distributed at this time. Chad Branon then spoke about the drainage plan for the site stating that the storm water management plan will meet all alteration of terrain standards and will capture all runoff from the roadway and direct it to drainage and treatment swales. Many of the concerns of the conservation committee will be addressed in the alteration of terrain permit which is reviewed by specialists from various state agencies. As to the curbing, on this site drainage water would be more concentrated and the required catch basins would require regular maintenance. The engineer believes that drainage swales are better for this site.

Mr. Branon explained that the traffic report compares existing traffic with the potential increase in traffic and compares it with NHDOT standards as to impact on adjacent roadway systems. The traffic report for this site meets NHDOT standards for all seasons and does not show an impact on adjacent roadway systems, nor does it trigger off-site road improvements.

John Davis, chairperson of the Surry Conservation Commission, spoke about that committee's concerns. He said that the project borders a priority resource area, boggy wetlands west of the property. Water from those wetlands enter the property through woods into wetlands in the north area of the proposed development. He is concerned that the removal of trees will dry out those wetlands. He also is concerned that the current drainage plan does not consider the runoff from one of the lots previously subdivided. He feels that the storm water running down the proposed road into the proposed swale will undermine Joslin Road and be a threat to the town by causing a slide. He questioned if the swale could take all the water in a heavy rain. He is also concerned about water temperature from swale water entering Merriam Brook and harming temperature sensitive species. He would like to see studies by a wetlands scientist and protections for wetland species and Merriam Brook. Mr. Branon replied that there are no local regulations regarding wetlands protections, therefore they will be reviewed on the state level and treatment of wetlands will be determined by the state as part of the alteration of terrain permit. The proposed plan complies with all buffer requirements and intents to retain mature trees around wetland areas. The alteration of terrain permit requires review by the NHDES, the ecology review board, and may be reviewed by NH Fish and Game. Water temperature controls are not part of the local ordinance but are part of state permitting. The issuance of an alteration of terrain permit may require changes to the proposed plan. Mr. Brannon believes that the plan was designed well enough that those changes would be minimal.

Eva spoke about Joslin Road and its history of landslide as a major concern of the town. Mr. Branon stated that test pits had been dug in the storm water drainage areas. The drainage areas will be lower than the road and will take some pressure off the road.

Scott Hiller asked about runoff from the house lots. We had been discussing runoff from the proposed road. Mr. Brannon stated that though runoff from house lots was not specifically addressed, that runoff was included where it runs into the roadway. Scott was also concerned about the construction phase,

while the drainage system and road were being built. Mr. Branon explained construction sequencing; typically the first phase being logging, then sediment control procedures are put in place. Sediment controls are under the authority of the state and are inspected regularly. Storm water swales are then constructed. Seeding of swales would follow.

Tim Peloquin asked if the developer was just creating lots to sell or would be building houses. Could new owners change the building sites shown on the plan? Mr. Brannon answered that typical building sizes were placed on the plan in the location that the surveyor felt was optimal, but the purchasing landowner would decide the location, orientation and size of the building on each lot.

Lesley Johnson asked who will build the road. Mr. Branon answered that the developer will choose a road construction contractor. Fieldstone Land Consultants has produced a construction plan and will go over the details with the contractor. Lesley also asked why the road was not designed through the westerly of the two previously subdivided lots. Mr. Branon replied that it would have impacted more wetlands and required more buffers. Sight line distances at that location would have been an issue and there was a desire stay away from the dirt section of the Joslin Road. Lesley asked why there are two very large lots proposed. Mr. Branon answered that geometry was a major factor and it just made sense. Lesley then asked who would maintain the drainage swales, would there be a homeowners' association? Mr. Branon replied that in theory, it should be the town. In reference to the proposed road becoming a town road Eva responded that the town was not interested in taking over the road. Mr. Branon replied that the planning board does not usually speak for the town in that matter. Eva responded that the town had advised the planning board that it didn't want to take over the road and that in an earlier subdivision proposal there was talk about an HOA and private road. Elizabeth Bramel, who had earlier appeared as counsel for the developer, responded that the earlier proposal was for a conservation subdivision, this proposal is a conventional subdivision and there is no plan for an HOA.

John Berglund asked about the location of the cisterns, which were pointed out on the plans.

Bill Russell questioned the traffic study and standards used by the state to grade existing roads. The state looks at current traffic and future traffic in relation to the geometry and width of the road. It does not look at the road subjectively. If a class V road is the required width, the standard is that it can be plowed appropriately. Bruce Smith wishes to submit a comment on the Joslin Road in writing. Bill Russell said that he will be upset if the subdivision is approved. He is not sure that the state standard is correct and that increased traffic will impact the safety of residents and in his opinion the area on Joslin Road is not appropriate for development. Scott Hiller said that this an instance where both things are true; the state standard and the opinion of the residents on Joslin Road.

Jay Croteau, selectman, expressed concerns about access to the subdivision. He quoted the Surry Subdivision regulations as to the character of the land and his belief that the land is not safe for building development because of exceptional danger to health and peril. He also quoted the regulation in regard to scattered and premature subdivision in belief that the subdivision would involve danger or injury to health and safety by reason of transportation. For reasons, he cited the occasional closure of the road in winter, the history of washouts, grades of 15%, narrowness of the road, the drop-off on the south side, structural integrity of the road, the lack of guardrails, and the one lane bridge in the dirt section. He believes Joslin Road is at capacity now. There is no school bus service nor mail delivery on Joslin Road. It passes near Merriam Brook and Forty-foot Falls. There are challenges for fire protection. With the allowance of Accessory Dwelling Units, the number of households could increase to 26. The board of selectmen will submit their concerns in writing.

Elizabeth Bramel commented that there are already established residences on Joslin Road in the development area, therefore the town cannot argue prematurity.

Caroll Lothrop commented that most of the fire calls for Surry are for EMTs, and whether emergency-vehicles could access residences by an icy Joslin Road in winter. She has observed many accidents on Joslin Road, mostly involving driver inexperienced with that road. She questioned the safety of adding more cars to the road with the possible increase in icy conditions caused by climate change. She also noted the dangerous ravine along the road with no guard rails.

Scott Hiller noted that the traffic study assumed only single-family homes in the subdivision.

Caroll Lothrop read from the Surry Hazard Mitigation Plan citing flooding, lightning, wind, wild fires, drought as possibilities for the hilltop location. She related some of her personal experiences living on the hill and Joslin Road. She also read from the Surry Master Plan which encourages growth on the town's most serviceable roads. The master plan steering committee identified Webster Road, Mine Ledge Road and Joslin Road as not meeting that standard. She also said that one of the guiding principles of the master plan was to maintain the rural residential lifestyle of Surry. She feels that it would be indefensible and immoral to allow more people on that road. She will submit her comments in writing.

Bruce Smith stated that the planning board may deny a subdivision based on RSA 674:36, II (a), a provision against scattered and premature development. He gave a history or the Joslin Road and cited its steep grades, corners, and drop-offs. He cited the two NH law cases where towns had denied subdivisions based on the condition of the access roads. He encouraged the planning board to deny the subdivision on the basis of prematurity. He will submit his comments in writing.

Mr. Branon responded that the proposed plan meets all existing town regulations and that the planning board had recently approved two lots.

Lesley Johnson stated that the conservation commission had asked for a wetlands report. In her personal opinion the piece of land is special and important. She asked if the subdivision plan had tried to meet the master plan. She asked that the board consider that Surry has both individual residences on large tracts and a village setting. There has been limited subdivision in town. She felt that this subdivision is a significant change and would set a precedent for future development. She said we have no idea of the cost to the town and the impact beyond this subdivision. Some developments have shown disregard for the natural environment. She would like to see a fiscal impact statement and the cost/benefit to the town, now and in the future.

John Davis wants to know the soil conditions under Joslin Road and the effect of the drainage plan.

Mr. Branon responded that the information on the plans submitted was produced professionally under the required ethics and integrity of their professional office. The storm water management report and wetlands information will be supplied.

Tim Peloquin questioned why the planning board did not have the town's attorney present and noted that the applicant was recording the meeting and preserving the record for possible litigation, while the board was relying on the board secretary. There was some back and forth with Mr. Bramel.

Eva closed the public hearing.

Eva requested a site visit by the planning board with members of the conservation commission and selectboard. That site visit will be Tuesday, May 26, 2026 at 4 pm.

Mr. Branon asked that there be a motion to continue the matter of The Tree Agents subdivision at the next meeting. Laura made a motion to continue this matter to the June 17, 2026 meeting. Matt seconded and all voted in favor.

Ron encouraged us to drive by the Cushing and Sons property on Route 12 to see the advertising for the sale of gravel.

Laryssa suggested that the planning board have some supplemental meetings to work on the zoning ordinance. She made a motion to add one meeting per month to work on a specific topic. Ron seconded. All voted in favor.

Meeting adjourned 10:12 pm

Laura Barrett
Secretary