

TOWN OF ALTON PLANNING BOARD
Approved Minutes
February 16, 2016

Members Present:

David Collier, Chairman
Peter Bolster, Member
Bill Curtin, Member
Roger Sample, Clerk
Virgil Macdonald, Selectmen Representative

Others Present:

Nic Strong, Town Planner
Traci Cameron, Planning Secretary

I. CALL TO ORDER

D. Collier called the meeting to order at 6:01pm

II. APPROVAL OF AGENDA

There were no changes to the agenda.

B. Curtin moved to accept the Agenda as presented.
V. Macdonald seconded the motion with all in favor.

III. TIME EXTENSION

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| Case #15-18 Deanna O'Shaughnessy, Fae Kontje Gibbs & Carol Dadura | Map 12 Lots 57 & 57-1 and Map 12 Lot 55-1 | Time Extension |
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Present was Tim Morgan.

N. Strong gave an overview of this application. The applicants are requesting a time extension of 60 days until April 15, 2016, to submit the deeds for the lot line adjustment approved on September 15, 2015.

D. Collier recused himself from the discussion as the surveyor of record.

R. Sample acted as Board chair during this discussion.

T. Morgan spoke on behalf of the applicants; he stated a 60 day extension would hopefully be enough time for both banks to complete their appraisals and to re-write the mortgages.

B. Curtin asked if that would be enough time. T. Morgan repeated that he hoped it would be enough time for the banks to do what they needed to do and for Attorney Nix to prepare the paperwork.

R. Sample opened for public input, No Public input. Closed public input.

V. Macdonald moved to extend application to 90 days instead of the requested 60 days; B. Curtin seconded the motion with all in favor.

IV. CONTINUATION OF PUBLIC HEARINGS

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| Case #16-01 Christine L Williams & Barry J Williams Revocable Trust | Map 58 Lots 5-18 & 7 | Lot Line Adjustment Timber Ridge Road |
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Present were Bryan Bailey, LLS and Christine & Barry Williams.

On behalf of the applicants, Bryan L. Bailey Associates, Inc. is proposing a Lot Line Adjustment between their two (2) separate parcels of Land. Lot 5-18, 56 Timber Ridge Road, is 122,830 sq. ft. or 2.82 acres in size. Lot 7, 54 Timber Ridge Road, is 23,091 sq. ft. or 0.53 acres in size. The proposal includes the annexation of 26,284 sq. ft. or 0.61 acres from Lot 5-18 to Lot 7. This property is located in the Lakeshore Residential (LR) Zone.

N. Strong gave an overview of this application which is continued from the last meeting. The Board had requested new plans showing the contiguous buildable area on the lot being taken away from, that information is needed to determine compliance with the contiguous upland area requirement that is in the Zoning Ordinance.

B. Bailey stated that Map 58 Lot 5-18 is part of a very large subdivision, Timber Ridge. Map 58 Lot 7 was never part of the subdivision. It is an existing lot of record of a half acre lot. His annexing any land to Map 58 Lot 7 needs not comply with the minimum lot size standard that is in place per the Zoning Ordinance for the Town today. He can add 5 sq. ft. to the non-conforming lot of record thereby making it better but still not compliant. He said the purpose of the Lot Line Adjustment was to improve/increase the pre-existing non conforming lot, which was not conforming prior to adjustment and will not be conforming after the adjustment but will be less non-conforming.

D. Collier asked about the shading on Map 58 Lot 5-18. B. Bailey explained that was just proving where the lot was compliant. P. Bolster asked about the other un-shaded areas and B. Bailey answered those areas are not compliant, not contiguous.

D. Collier opened for public input, hearing none, public input closed.

**B. Curtin moved on Case P16-01:
Let this *Alton Planning Board Notice of Decision* serve as written notification for the above referenced project as follows:
After due hearing, the Alton Planning Board hereby approves the above cited application for the Lot Line Adjustment with the following conditions:**

CONDITIONS PRECEDENT:

The following conditions must be satisfied prior to the Planning Board Chair signing of plans:

1. **Completion of the Conditional Approval Plan note on the plat prior to plan signing: This Boundary Line Adjustment Plan is subject to the Conditions of Approval itemized in the February 16, 2016, Notice of Decision recorded in the Belknap County Registry of Deeds and on file at the Town of Alton Planning Department.**
2. **Completion of the Multiple Sheet Plan Set note on the plat prior to plan signing: This subdivision plan contains a total of 3 sheets. Sheets number 1 and 2 are recorded at the Belknap County Registry of Deeds. The remaining sheet is on file at the Town of Alton Planning Department, which in its entirety constitutes the subdivision plan as approved by the Planning Board.**
3. **All “To Be Set” (TBS) notes shall be removed and all monumentation shall be set prior to plan signing.**
4. **Submission of signed deeds of record with the Boundary Line Adjustment Plan and Notice of Decision within 60 days of conditional approval of the lot line adjustment by the Planning Board. The following deeds are required:**
 - a. **A deed that adds Parcel A of 26,684 s.f. or 0.61 +/- acres to Map 58, Lot 7; and**
 - b. **A deed that deducts Parcel A of 26,684 s.f. or 0.61 +/- acres from Map 58, Lot 5-18.**

SUBSEQUENT CONDITIONS:

1. **The applicants shall comply with all the Town of Alton’s Subdivision Regulations.**
2. **The approval is based upon the plans, specifications, and testimony submitted to the Planning Board. Any alterations, additions, or changes to the plans are not authorized and require additional Planning Board approval.**
3. **A lot line adjustment which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when the applicant or successor in interest to the applicant performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications upon which the approval was based, or has materially violated any requirements or conditions of such approval.**

Provided all listed conditions precedent are satisfied, this approval will remain valid for implementation 365 days from date of original approval, unless extended by the authority of the Planning Board after petition by the applicant.

V. Macdonald seconded the motion with all in favor.

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| Case # P16-02 Golden Arch Limited Partnership | Map 27 Lot 11 | Design Review Minor Site Plan 15 Homestead Place |
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Present were John Kucich, Bohler Engineering, Thomas Duff, Architect, and Emile Haddad, owner.

Golden Arch Limited Partnership is proposing to remodel and expand the existing McDonald's building with drive-through. Minor changes will be made to the drive aisles and parking to accommodate the building expansion. The existing utility connections are to remain and be reused. This property is located in the Residential Commercial (RC) Zone. N. Strong gave an overview of the application: she stated that the Board accepted the application as complete at the January 19, 2016, meeting. N. Strong reminded the Board that a Site Walk was completed on January 26, 2016, and the report was included in their packets and the Board has waiver requests to consider.

D. Collier asked if the members of the Board were happy with the building elevations presented. V. Macdonald asked if they were greater and T. Duff responded that they were a little higher than the current building.

J. Kucich with Bohler Engineering and Emile Haddad, owner, spoke on behalf of this application.

J. Kucich addressed each waiver:

1. **Waiver Request for Required Parking:** The applicant is requesting a waiver from Section 5.07(B)(1) which states that drive-in restaurants shall have one (1) parking space per fifty (50) SF of gross floor area plus one (1) space per five (5) employees. Based on this standard, the restaurant would require sixty-four (64) parking spaces. The current site has forty (40) parking spaces. One (1) additional parking space is being added for the additional 607 SF of floor space for a total of forty-one (41) spaces. No additional seating is proposed. The applicant indicates that a significant portion of the customer traffic to the site will utilize the drive-through services and the parking demand is not anticipated to increase based upon the minor building increase since the seating will be unchanged.

J. Kucich stated given the number of seats in the restaurant is not changing from the current number, and there is no possible way to get more parking spaces given the size of the allowable parking area, he is asking the Board to grant this waiver. J. Kucich provided the Board several other New England McDonald's restaurant parking space requirements and showed that Alton's requirement is stricter than others. He provided figures which showed the ratio of building size to the number of parking spaces provided: within New England the ratio was 8-10 spaces per 1,000 s.f.; outside of New England the restaurants listed had a ratio of 4-12 spaces per 1,000 s.f.; the Alton McDonald's was at 13 spaces per 1,000 s.f.

R. Sample asked if the Board should take a look at the requirement for the future and the Board agreed they should. E. Haddad, owner, spoke about the current parking issues, buses and truck delivery supplies as examples. Mr. Haddad stated the intention of this application would be to increase food safety and storage, he stated the Health Department is not happy with their current situation. He stated if the final application is approved it will provide more storage and the restaurant would have up to date equipment installed in the kitchen. P.

Bolster asked if the container they are currently using for storage will be removed once the project is complete and Mr. Haddad answered yes, absolutely.

J. Kucich went on to the next waiver.

2. **Waiver Request for Parking Setback:** The applicant is requesting a waiver from Section 5.07(C) to allow parking lot drive aisle within one (1) foot of the existing right-of-way line on Homestead Place.

J. Kucich stated they were requesting this waiver because of the current radius of the drive up, vehicles cannot navigate the tight turning radius that currently exists; therefore many vehicles have hit the building. He noted there was a large landscape buffer of 25' with a fence and the drive aisle would not go beyond the fence.

Mr. Kucich stated the applicant was in favor of planting some vegetation to help with the appearance in the buffer area.

J. Kucich went on to the final waiver.

3. **Waiver request for Parking Lot and Aisle Dimensions:** Currently some of the existing parking spaces and aisle widths do not comply with the standards in the Site Plan Review Regulations. They are requesting to continue the pre-existing non-conformity and are requesting waivers from Section 5.07(D) and 5.07(E).

J. Kucich asked the Board to waive the requirement and allow for what is already in existence. Mr. Haddad stated they are going to be striping the parking lot again this spring as they do every year.

B. Curtin moved to grant the requested waivers Case # P16-02 for parking, Sections 5.07 (B) (1) & (B) (3), 5.07 (C) and 5.07 (D) & (E).

Virgil Macdonald seconded the motion with all in favor.

P. Bolster asked if anything was required to go to the ZBA. It was noted that variances for the sign were pending.

The Board determined that trees or shrubs should be provided in the landscape area where the drive aisle would be altered in accordance with the Town's landscaping requirements but not less than four (4) trees or shrubs to be provided.

V. COMPLETENESS REVIEW OF APPLICATIONS AND PUBLIC HEARING IF APPLICATION IS ACCEPTED AS COMPLETE

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| Case # P16-06 CNA Holdings, Inc. | Map 49 Lot 7 & Map 38 Lot 22 | Design Review Major Site Plan 327 Mount Major Highway |
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Present were Thomas Varney, PE, & LLS, and Andrew Kierstead, owner.

N. Strong gave an overview of the proposal which is for the construction of a second boat storage building for CNA Holdings, Inc., behind the existing building. The proposed building is 105' x 115' = 12,075 s.f. Boat Storage is allowed by Special Exception in the Rural Zone and if reviews were favorable they would go forward with a lot merger.

T. Varney spoke on behalf of the applicant, CNA Holdings, Inc. In 2007, Andrew Kierstead, the owner of Andrew's Marine Service, received a Special Exception and Planning Board approval for the first boat storage building on Map 38 Lot 22, Mount Major Highway. CNA Holdings Inc., now owns both Map 38 Lot 22 and Map 49 Lot 7 and wishes to erect a second boat storage building on those two lots, if review is favorable the applicant will be going forward with a lot merger.

A. Kierstead, applicant has worked very hard to maintain the integrity of the property and to conceal the current building from view. A. Kierstead stated to the Board that it was his intention to do that with this new building as well. He stated that he created a berm with natural vegetation to conceal the other building and would do so with this building as well. His main objective was to get the boats in storage whenever possible; he would try to avoid having boats sit outside of the storage building. Mr. Kierstead stated the new building would be the exact same height with the same elevations as the current building. He showed the Board some sample renderings of what the building would look like.

D. Collier asked Mr. Varney if he had contacted NHDOT in regards to the driveway, Mr. Varney said not at this time but he would be doing so. He stated he didn't feel it was necessary at this point because they were not creating a new driveway. D. Collier stated that may be so but Mr. Varney should still have that conversation with NHDOT, and Mr. Varney agreed.

Mr. Varney addressed some but not all of N. Strong's review checklist items and will add the following to the plan:

- D. Collier noted that two adjacent property lines on the two boundary line plans for the separate lots show different metes and bounds and distances. He stated a boundary plan was a requirement for final application. He also noted the wetland scientist's seal was missing from one of the boundary plans submitted.
- Building elevations will be added and will be the same as existing building.
- General floor plan will be added.
- The widths of entrances, exits and drives will be added.
- As far as parking spaces, there will be no specific parking spaces noted. It was noted that no customers come to this site and there was ample room for employees to park during normal storage operations.
- A description of fire protection measures will be added. It was noted that there would be no fuel storage on the site. A. Kierstead stated he had had two separate discussions with the fire department and that cold storage was not considered a fire hazard.
- The whole parcel is in the Aquifer Protection Overlay District and that needs to be noted.

- As far as signage, A. Kierstead stated there would not be a sign at this time but if in the future he decided to have some sort of sign placed on the property he would adhere to sign zoning regulations.
- As for the question of screening of the outside storage areas, Mr. Kierstead stated he would be continuing the berm he created to conceal the current storage building so that would help in screening the proposed building as well. D. Collier requested that the closest building on the abutting lot should be shown on the plan.
- T. Varney noted a question on the Executive Summary and stated that the hours of operation would be “as needed”. He went on to say that the stormwater drainage was from the roof into an infiltration trench into the soil. D. Collier asked about the infiltration. T. Varney noted he had calculated the 25 year storm. He next noted that the proposal was crowding the wetland buffer in back. He stated they would try to save the wetland buffer.
- T. Varney stated no landscaping was proposed. D. Collier asked whether additional plantings along the back road would be needed. B. Curtin recalled that the original plan had stated there would be no outside storage but this plan showed outside storage. A. Kierstead said that there had been some misunderstanding of the original approval and he had never said there would be no outside storage. He noted this time around he wanted to be perfectly clear that there would be outside storage.

T. Varney addressed the Fire Department’s need for a minimum 16’ access road around the buildings. Mr. Varney stated that he had a conversation with the Fire Department regarding this requirement. He said the Fire Department did not need to get around the building because they could reach the back side of the building with their ladder and hoses, he did state however the Fire Department would be able to get their fire apparatus around the building even with the 4’ infiltration trench there because the trenches can be driven over. The two buildings were noted as being 20’ apart.

D. Collier asked the Board if they felt a site walk would be in order. The Board agreed. A site walk was scheduled for Tuesday, February 23, 2016, at 4:30pm and the Board asked for the location of the proposed building and approximate areas of outside storage to be staked.

T. Varney noted that the lot merger would be part of the final application and D. Collier suggested the lot lines be labeled “to be vacated” on the site plan.

D. Collier opened for public input. No public input. Closed public input.

A. Kierstead asked if all items had been addressed. D. Collier stated those that had not been discussed should be dealt with at final. His major concern was screening with a vegetation buffer of some kind. He also asked about white shrink wrap which had been discussed as part of the original approval. A. Kierstead stated white shrink wrap turned out not to work very well and he did not want that as a restriction on this plan; the storage will be out of sight anyway.

VI. OTHER BUSINESS

1. Old Business-

N. Strong suggested inviting NHDOT District 3 engineer to a meeting to discuss driveway permits and highway access on State Highways in Alton following prior discussions the Board had apparently had on the subject. The Board unanimously agreed. V. Macdonald suggested having a joint session with the Selectmen. N. Strong will follow up with NHDOT 3 engineer and schedule a work session meeting to hold their discussion.

2. New Business- None

3. Approval of Minutes-

a. Minutes of January 19, 2016, regular Planning Board Meeting

B. Curtin moved to approve these minutes as presented.

P. Bolster seconded the motion with all in favor.

b. Minutes of January 26, 2016, McDonald's Site Walk.

B. Curtin moved to approve these minutes as presented.

P. Bolster seconded the motion with D. Collier, R. Sample, P. Bolster and V. Macdonald in favor. B. Curtin abstained (not present for Site Walk)

4. Correspondence-

a. Copy of letter dated February 2, 2016, from Nic Strong to Ken Chase, Atlas Mortgage Corporation, re: Chestnut Cove Subdivision Security/Map 15 Lot 15, for the Board's information:

N. Strong stated there had been no response from Ken Chase as of yet. B. Curtin suggested John Dever, III, write a letter halting any further CO's until Mr. Chase becomes compliant. Board members agreed to that letter.

b. Copy of memo from Mike Vignale, PE, KV Partners, LLC, to N. Strong, Alton Town Planner, re: Ridgewood Subdivision-Phase II- Construction Site Visit, for the Board's information:

N. Strong advised the Board there was a pre-construction meeting scheduled for Monday, January 22, 2016, at 8:30 am at the Town Hall.

c. Letter dated February 5, 2016, from Teresa Puzzo, Jobean, LLC, re: change of use for #28 Homestead Place, a/k/a the Cape Building, from Office/Retail to Office/Retail/Restaurant for the Board's action:

N. Strong noted that this matter was before the Board because the approved plans for 2013 and the minor amendments since then indicated that the Cape Building entire property was for office use. The applicant recalled that at one time a note was on the plan proposing that the building be used for office, retail or restaurant. N. Strong noted that this had never been added to the plan. The request before the Board was to change the use of this building without the need for site plan review due to the fact that there was ample parking and the traffic flow and septic needs were not changing.

Teresa Puzzo was present and spoke on behalf of the letter and the intended use of the property. B. Curtin reminded the Board that Dean Puzzo had been before the Board several times regarding the use of this property and it was his recollection that the plans should have indicated “Highest and Best Use” with regards to parking. N. Strong stated that may have been the case but that wording had not been placed on the plans over the past several iterations. T. Puzzo stated their intention was to utilize the property as retail space on one side of the downstairs and a café/bakery on the other side of the downstairs, the upstairs would house a kitchen that would support the café/bakery.

B. Curtin moved for the plans to read as was originally intended, with the Cape Building being utilized for its highest and best use for a bakery/restaurant. P. Bolster seconded the motion. N. Strong asked if B. Curtin would consider amending his motion to specify that the Cape Building could be used for Retail/Office/Restaurant as shown on the drawing dated 2/5/16. B. Curtin amended his motion as suggested. P. Bolster seconded the amendment. Motion passed all in favor.

d. Save the date notice for NH OEP for 22nd Annual Spring Planning and Zoning Conference, Saturday April 23, 2016, Grappone Conference Center, Concord, NH for the Board’s information.

e. Notice for Plan NH regarding the program, for the Board’s information.

5. Any Other Business that may come before the Board- None

VII. PUBLIC INPUT ON NON-CASE SPECIFIC LOCAL PLANNING ISSUES:

None at this time.

VIII. ADJOURNMENT

B. Curtin moved to adjourn. The motion was seconded by V. Macdonald and passed without opposition.

The meeting adjourned at 8:04 pm

Respectfully submitted,
Traci Cameron, Recorder, Public Minutes