

TOWN OF ALTON PLANNING BOARD
Approved Minutes
June 21, 2016

Members Present:

- Peter Bolster, Clerk
- Roger Sample, Vice Chairman
- Russell Wilder, Member
- Scott Williams, Member
- Virgil MacDonald, Selectmen Representative

Others Present:

- Nic Strong, Town Planner
- Traci Cameron, Planning Secretary

I. CALL TO ORDER

R. Sample called the meeting to order at 6:01 pm

II. APPROVAL OF AGENDA

R. Sample asked if there had been any changes in the agenda. Nic Strong stated the items under new business and correspondence in bold were added since posting the agenda.

**Scott Williams moved to accept the Agenda as amended.
Russ Wilder seconded the motion with all in favor.**

III. DESIGN REVIEW APPLICATION AND PUBLIC HEARING

Case #16-16 Victor Perin	Map 9 Lot 1 Rural Zone (RU)	Site Plan Design Review Suncook Valley Road
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N. Strong stated this was the Design Review application and the first time the applicant had been before the Board. The applicant is proposing to convert an existing building into self-storage units and build three new buildings on the site just about opposite of the high school. As a design review there is no acceptance of the application as complete. The items that were submitted were listed, there were no waiver requests at this time and the Planner Review was in the Board's packet.

Jack Szemplinski, LLS, Benchmark Engineering, Inc., and Victor Perin, owner spoke to the Design Review application. J. Szemplinski stated he had seen the Planner Review. He stated that the property was built in the 90's and was located almost directly across from Prospect Mountain High School. The existing building on the property is about 7,500 s. f. and was utilized as a storage building/garage for the personal property of the current owner's father. Mr. Perin would like to convert the existing building into self-storage units and build three additional buildings to allow for additional self-storage units on the property. The buildings to be constructed would look similar to Chamberlain Self-Storage buildings, which the Board may be familiar with. The buildings will consist of a twelve unit 12' X 20', building, a fifteen unit 10' X 15' building and a

seven unit 10' X 10' building. Altogether the new construction would be about 12,850 s. f. J. Szemplinski provided the Board with additional pictures of the existing building. He stated the existing building currently has garage doors on the north side of the building, which are suitable for individual rental units. The interior of the front half of the existing building would be utilized for Mr. Perin's personal storage, the back half would be rented to a tenant or possibly divided into smaller rental spaces depending on the demand.

J. Szemplinski stated that at this time the parking lot is entirely packed gravel and that Mr. Perin has been cleaning up the property for the past six months, moving stuff that was stored on the property. There would be no outside storage associated with this project. The plan has a small landscaped area proposed directly in front of the building. Based on the Planner's comments the plan would include three or four parking spots in front of the building. J. Szemplinski stated the plan also includes an apartment on the second story of the mezzanine of the existing building for the manager/owner of the property and two parking spaces would be added for that use. Two parking spaces would be designated for visitors or customers to the office to be located on the first floor of the existing building.

J. Szemplinski stated in terms of drainage there would be no need to cut any trees aside from a couple of small trees for the proposed project, the entire area of the proposed buildings was already pretty clear. All run off will sheet drain off the site, at this time it is all gravel, and they would be putting impermeable surface on impermeable surface, he felt it was not necessary to create a detention pond or anything of that effect. He went on to state that when the previous owner of the property, Mr. Perin's father, built the building he created a fairly sizable ditch along the property so any drainage that comes off the site goes directly into that ditch and does not leave the site. S. Williams stated they would need a drainage engineer to review the drainage plan. J. Szemplinski stated he was the drainage engineer. S. Williams stated the plan would have to be reviewed by the Town's engineer. J. Szemplinski stated there would be no need for a detention pond, the increase would be so small it would be contained within the site itself.

J. Szemplinski stated they had applied to NHDOT for the driveway permit and believed that was forthcoming and the existing state approved septic system on the site will be utilized to service the proposed apartment, it is a three-bedroom design and constructed in the 2000's. He stated there will be no other bathrooms or facilities on the proposed site aside from the proposed apartment. J. Szemplinski stated the hours of operation would be twenty-four hours a day, seven days a week. He stated about 60% of the site will remain vegetated and there would be no additional involvement with wetlands at this time.

V. MacDonald asked if the septic system was chambered and J. Szemplinski stated it was an Eljen system and there would be no need to drive over the septic system to complete the project and no buildings would be built on or over the current septic system. The septic system is identified on the proposed plan.

J. Szemplinski stated the applicant would like to construct the project in phases. The first phase would be converting the existing building and renting some storage space out. The second phase would be the construction of the remaining three buildings and paving of the parking lot.

S. Williams spoke to the light detail noted on the plan. He stated the lighting needed to be dark sky compliant and he did not believe the current proposal met that requirement. S. Williams stated the lighting on the existing building was put in place prior to the change in regulation, therefore would be grandfathered but any new construction would have to meet the current dark sky compliant construction guidelines. V. Perin stated he is an electrical engineer so he understood and would make sure that the proposed lighting would be in compliance with the new regulations and that the only lights they are proposing on the new buildings would be facing in aside from possibly one small light up front and he will make sure it is aiming down. S. Williams suggested they contact someone to develop a light plan to indicate where and what type of lights will be added.

S. Williams asked if the applicant was proposing any screening next to the residential lot to the north. J. Szemplinski stated that there is current vegetation but they would be happy to add a few more native trees. R. Wilder asked about screening for Eagle's Rest, which is located to the south of the property. J. Szemplinski and V. Perin both stated that there are a large number of evergreens that currently screen that property.

R. Wilder asked if the property was in the Aquifer Overlay Protection District. J. Szemplinski stated he does not believe the property is located in that district but will double check to make sure.

R. Wilder stated that the Fire Department had some concerns about what types of things may be stored in the units and they thought there may be some consideration for more fire protection. J. Szemplinski stated they planned to insulate the living quarters with double layers of sheetrock which will meet the fire rating. R. Wilder stated the Fire Department would like alarms installed in the storage units as an additional measure of protection. V. Perin stated he would install a fire alarm system and that all the bays on the side would all be double 5/8" sheetrock. R. Wilder stated that Fire Department also made reference to wanting some sort of cistern. S. Williams stated there is no ordinance pertaining to cisterns, unless the Selectmen have recently done it. V. MacDonald stated the Selectmen have not created an ordinance for cisterns. J. Szemplinski stated they planned on meeting with the Fire Department to review what was needed.

J. Szemplinski stated the facade of the existing building would be painted and that the site would eventually be paved.

R. Sample stated according to the Planner's Review, the elevations of the buildings were not on the plan. R. Wilder stated the Board had pictures of the building but not actual evaluations of the building. J. Szemplinski stated they would be fairly standard size buildings. S. Williams stated the applicants should get the elevations from the building manufacturer to include on the plan.

R. Wilder stated one of the comments made by the Conservation Commission was about the wetland buffer requirements and when the existing building was built the gravel fill already encroaches on the 25' buffer. J. Szemplinski stated the construction of the existing building predated the buffer requirement. R. Wilder stated with regard to protecting that edge the applicant should add some plantings or buffer for protection, mostly in the front of the property. S. Williams stated that building two, the westerly most unit appeared to be encroaching on the

wetlands setback. The Board requested that the building be moved to the east, so as to not encroach on the wetlands set back requirement.

R. Wilder asked the applicant about signage. V. Perin stated there would only be a sign on the building itself, nothing at the road, and he would follow the Town's sign regulations. S. Williams asked for the applicant to supply a rendering of the sign with the final application.

S. Williams stated a time line for paving should be added to the plan.

J. Szemplinski stated the applicant would like to complete the project in phases and would the Board allow him to do that without having to come before the Board for each new phase. S. Williams stated the project could be done in phases, the plan needed to include the phasing lines, where and what was going to be done and a schedule of completion for each phase.

R. Sample opened for public input. No public input. Public input closed.

The Board noted that they would see this application again at final.

IV. COMPLETENESS REVIEW OF APPLICATION AND PUBLIC HEARING IF THE APPLICATION IS ACCEPTED AS COMPLETE

Case #16-17 Julie St. Sauveur & Ryan Sell	Map 29 Lot 55 Residential Commercial (RC) Zone	Minor Site Plan 186 Main Street
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N. Strong stated this was a final application for a minor site plan for a one chair beauty salon. The Board had the list in front of them of the items that were submitted as part of the application for the Board's completeness determination and there were no waiver requests.

Randy Tetreault, LLS, Norway Plains Associates, Inc., agent, and Julie St. Sauveur spoke to the application.

S. Williams asked if the current septic system was large. R. Tetreault stated it is a four-bedroom system, the septic system designed for the proposed apartments was never installed. S. Williams asked how many bedrooms are currently in the house. R. Tetreault stated the tax card stated five but there are only three bedrooms currently; there was an apartment where the salon chair will be going so it meets the four-bedroom loading requirement. J. St. Sauveur stated one bedroom was converted to a laundry room. S. Williams stated the tax card would need to be amended to state the correct number of bedrooms as a condition of approval.

R. Tetreault stated he was before the Board to represent Julie St. Sauveur and Ryan Sell, owners, with this Minor Site Plan application. J. Sauveur, who happens to be R. Tetreault's niece, is proposing a one chair beauty salon on Main Street in an existing home, there are no proposed development changes to the site, there is an existing crushed stone parking area and paved driveway that the applicant plans on utilizing for customer parking. R. Tetreault stated there were a few items, mostly housekeeping with the plan listed in the Planner's Review. Some of those items included noting setbacks, noting that the signage would meet the sign regulations, the lighting is existing and consists of can lights on the porch, and a light on a post at the end of the driveway. R. Tetreault also stated the applicant had received an updated driveway permit from

NH DOT with the change of use. R. Tetreault stated there was a slight discrepancy with the square footage that N. Strong had uncovered, the tax card showed 630 sq. ft. and when the applicant measured the interior to make the rendering of the footprint of the proposed salon space, it measured more like 550 to 575 sq. ft.

R. Tetreault stated they had received the letter from the Fire Department stating the requirements and there are two means of egress and there are existing smoke alarms in the structure.

R. Tetreault stated the setback lines have been added to the updated plan, the existing parking area is not in the State right of way. R. Tetreault stated that appointments would be alternated to accommodate parking, and the spaces have been added to the plan. The spaces are 10' x 20', they were made a little larger to allow for more room to turn, there is also room in front of the garage if they needed additional parking and there is room for snow storage in the back.

J. St. Sauveur stated her hours of operation would be 9am to 7pm by appointment only, seven days a week.

R. Tetreault stated that no additional landscaping was proposed, the current property is well landscaped.

R. Wilder stated only one sign to advertise the business is permitted and the planner review noted an entrance sign by the door to the business would make sense. J. St. Sauveur stated there was open space on the porch to hang a sign. J. St. Sauveur stated when she spoke to the Code Enforcement Officer he said she was allowed a sign 6' in diameter, which she feels is way too large and would rather have one or two smaller signs, one would be hung on the wall on the porch and if allowed to have a second one, it would be hung on the light post at the end of the driveway.

Virgil MacDonald asked if the stove and refrigerator shown on the floor plan would be allowed to stay in the proposed salon. J. St. Sauveur stated that in the State of New Hampshire you are not allowed to live in the actual dwelling of the salon however a lot of spas now tend to have food and beverages to offer to their clients so she would not be removing the stove or refrigerator because she would like to utilize them in providing snacks to her customers. R. Tetreault stated as far as any code issues with having the stove and/or refrigerator in the proposed space, the Code Enforcement Officer would have to deal with that in order for a CO to be issued.

R. Sample opened for public input. No public input. Public input closed.

**S. Williams moved Case P16-17 Final Minor Site Plan application as complete.
P. Bolster seconded with all in favor.**

The Board determined that no site walk was necessary.

S. Williams moved to approve Case P16-17:

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 Case #P16-17 for Julie St. Sauveur and Ryan Sell for a Final Minor Site Plan Review for a Home Business from 536 s.f./630 s.f. of the existing dwelling as a one seat hair stylist salon at 186 Main Street, Map 29 Lot 55 with the following conditions:

CONDITIONS PRECEDENT:

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

- 1. Submission of revised plans in the number required by the Site Plan Review Regulations and that include all of the checklist corrections and any corrections as noted at this hearing.**
- 2. Addition of a note to the site plan prior to plan signing by the Planning Board Chair: This site plan contains a total of one sheet: [to be listed and dated by the applicant on the site plan itself]. In combination these plans constitute in their entirety the site plan as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department.**
- 3. Addition of a note to the site plan prior to plan signing by the Planning Board Chair: This site plan is subject to the Conditions of Approval itemized in the June 21, 2016, Notice of Decision on file at the Town of Alton Planning Department.**
- 4. Have the number of bedrooms on the property tax card reflect the actual number of bedrooms at the property so the septic loading will be accurate.**

SUBSEQUENT CONDITIONS: The following conditions subsequent shall be met during construction and on an on-going basis:

- 1. All site improvements, including, but not limited to, layout of parking spaces, are to be completed as per the approved site plans, prior to the issuance of any Certificate of Occupancy per this Notice of Decision and Section 1.22 of the Site Plan Review Regulations.**
- 2. The approved hours of operation for the salon are 9:00 a.m. to 7:00 p.m. Monday to Sunday.**
- 3. The applicant shall comply with all of the Town of Alton's Site Plan Review Regulations.**

4. **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.**
5. **A site plan which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has 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.**
6. **Once any and all conditions of approval have been met and the Chairman of the Planning Board or his designee signs a site plan, the applicant has twelve (12) months from the date of signing to start construction and, unless a different schedule is approved by the Board, must complete construction within twenty-four (24) months.**
7. **Site plan approvals that have not started construction within twelve (12) months shall automatically expire, at which time no building permits shall be issued, unless an extension has been formally requested and granted by the Board. Normally the Board shall not grant more than one extension per project, shall only grant an extension for reasonable cause, and shall normally not grant an extension for more than six months.**
8. **No site may be occupied or used until a Conditional or Permanent Certificate of Occupancy Permit has been issued by the Code Official in accordance with Section 1.22 of the Site Plan Review Regulations.**

Unless otherwise approved by the Board, the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions that are required prior to signing the site plan. Failure to complete any conditions within the one (1) year timeframe shall invalidate the Board's approval, unless an extension is approved by the Board per Section 1.14 of the Town of Alton Site Plan Review Regulations.

R. Wilder seconded with all in favor.

V. DESIGN REVIEW APPLICATION AND PUBLIC HEARING

Case #16-18 Sandra Hammond	Map 15 Lot 9 Rural Zone (RU)	Major Subdivision- Design Review Suncook Valley Road
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N. Strong stated the application was for a major subdivision of four lots, this would be the first time the application had come before the Board and as design review there is no completeness determination and some waiver requests had been made, those would be acted on as part of the final application but the Board could discuss them this evening to give the applicant some idea of what to do with the plan. The list of items submitted as part of the application were listed as part of the Board's planner review.

Kerry Fox, LLS, Fox Survey Company, agent for Duane and Sandra Hammond, spoke to the application. K. Fox stated he had not received the planner review, which N. Strong said was e-mailed to him on June 15, 2016. A Board member gave K. Fox his copy of the planner review so that he could address the planner's comments. K. Fox stated a perimeter survey had been done around this piece of land, it is Map 15 Lot 9 and is bounded by Rt. 28 to the west, Miramichie Hill Road to the north, Old Wolfeboro Road on the east and an old Class VI road to the south, which is an extension of Old Bowman Road. The perimeter survey determined there were 15.22 acres on that piece of land, which has a reservation for a cemetery that is on the property. The property was in the Residential Rural Zone, lot size requirements in the Residential Rural Zone are one acre of land with 150' of road frontage, soil type was predominately a Skerry type, a group three type of soil. The soil was moderately well drained, with a pan layer, characterized as a B slope, very gentle sloping property. There was an old house foundation on the property. K. Fox stated Adam Dorion, Wetland Scientist, did the delineation for the proposed project and a copy of his report was included in the application packet. The total amount of wetlands identified on the 15.22 acres was a little over 12,000 s. f. and the largest wetland area was 4,900 s. f. K. Fox stated that right of way limits for Old Wolfeboro Road are 25' off the centerline, the proposal was to maintain the 50' right of way. S. Williams stated that there was a stonewall that is bounded on the front line on the Old Wolfeboro Road. K. Fox stated that when an older subdivision on Miramichie Hill Road to the north was created they created that line 25' off the center line in an attempt to create that 50' in the future. The proposed plan also has a 50' right of way on the southerly side of Miramichie Hill Road, a 150' right of way on Rt. 28, 75' either side of the center line, and the Old Bowman Road right of way was maintained by the stonewall, on the southerly end of the property.

K. Fox stated one of the proposed lots, referred to as lot 9, had a very old cemetery located on it, which was on the town's register. It doesn't appear that anyone had done anything with this cemetery for many years. K. Fox stated he had created a boundary around the cemetery with enough room to maintain the cemetery, as well as a 15' easement to access for maintenance. K. Fox stated that lot 9, was a proposed 5.05-acre lot and had 4,900 s. f. of wetlands; Lot 9-1, was a proposed 5.13-acre lot, with 3,850 s. f. of wetlands by Old Wolfeboro Road; Lot 9-2, was a 2.06-acre lot and had no wetlands; and lot 9-3, was a proposed 2.97-acre lot and had 858 s. f. of wetland.

K. Fox stated the access for two of the lots would be off Old Wolfeboro Road and access for the remaining two lots would be off Miramichie Hill Road, he had noted on the plan where potential driveway access could be, they had been staked out on the property and K. Fox sent correspondence to the Highway Department but had not heard back at this point. S. Williams stated the Road Agent would require a 20' driveway culvert, however he would lobby for a 30' driveway culvert for ease of access by the Fire Department and/or other emergency apparatus. K. Fox stated he had dropped off a copy of the proposed plan to the Fire Department but had not heard back from them at this point.

K. Fox stated given the smaller scale of the proposed subdivision and that roads were not being created to accommodate access to the proposed lots he would asked for the Board to consider the waiver requests he submitted as part of the application, and they were as follows: 9B.9, Erosion

and Sediment Control, the only earth disturbance and/or clearing would be for placement of the home, septic site and front/rear yard; 9B.10, Storm Water Management Plan, not usually applicable for a project without road construction or large areas of clearing and soil disturbance; 9B.11, Soil Report, the lots proposed range from two to five acres in size and soil conditions were fine with very little poorly drained soils; 9B.12, Road and Driveway Profiles, no new road construction and the proposed driveways all have easy transitions from the adjacent travel way; 9B.13, Driveway Sight Distance Analysis, all proposed driveways had great sight distance and if a site walk was scheduled that will be apparent; 9B.14, Regional Impact Analysis, given the small size of the subdivision he hoped the Board would waive this requirement; and 9B.15, Future Development, the two five acre lots could not be further subdivided because of the 3:1 ratio, length to width, lot sizing regulation, the two lots along Miramichie Hill Road had the potential for being further subdivided but the applicants were not interested in pursuing anything beyond what was being proposed with this application. The two lots on Miramichie would also go through the state subdivision approval process, which K. Fox had not started yet. The Board stated they did not have a problem with the waivers.

S. Williams asked about the 25’ protective buffer around the wetlands. R. Wilder stated the requirement was for each one, N. Strong stated that was for each separate one and there was not one lot that reached the 10,000 s. f. so the plan would not have to show the wetland buffer.

R. Wilder asked if there were any historic issues regarding the cemetery and S. Williams asked if anyone maintains the cemetery. K. Fox stated it appeared that no one had been out there for years, and that the applicants had not known that the cemetery was on the property. S. Williams asked if the plan would be more specific regarding maintenance of the cemetery. S. Williams stated the applicant’s attorney should provide some language regarding the maintenance for the Town’s attorney to review.

R. Sample opened for public input. David Countway, realtor for Maxfield Realty stated he had been the Hammond’s agent in trying to sell the property, and there had been very little interest in the 15-acre lot as a whole, he felt subdividing it into smaller house lots would generate more interest. Keith Chamberlain asked if there would be a restriction or covenant in place to keep the subdivision residential. S. Williams stated the property could be used for whatever uses were allowed in the Rural Residential Zone and there would only be restrictions if the applicant proposed them. Public input closed.

The Board scheduled a site walk for Monday, June 27, 2016, at 4:30pm to meet at the corner of Miramichie Hill Road and Old Wolfboro Road. The Board noted the final application could be submitted.

Case #16-19 Right Field Development	Map 8 Lot 45 Residential Commercial (RC) Zone	Site Plan Design Review 166 Wolfboro Highway
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Stephan Nix, Attorney, representing Richard D’Angelo and Right Field Development, LLC regarding the redevelopment of the old Aetna Pump facility on Rt. 28, introduced himself and Steve Smith, LLS, of Steve Smith and Associates, representing the applicant. S. Smith stated his partner, William Stack, PE, the project engineer for the proposed site plan was in the audience, they had also hired Tom Sokoloski, Environmental Consultants, LLC, to do the wetland mapping

and to view the site and MJ Tavares Architects. The site was located at 166 Wolfeboro Highway/Rt. 28, Tax Map 8 Lot 45, and was the former site of Aetna Pumps and Blake Equipment. The property was located in the Residential Commercial Zone and was abutted to the east by the Residential Rural Zone, with 357' of road frontage and 2.74 acres, the driveway access was shared by the American Legion Post and Richard Cuda, who was the abutter to the north and east of the property. There had been several buildings on the site which the applicant had removed, with a demolition permit; only the main structure remains. The soil type on the property was predominantly Gilmanton fine sandy loam and in the very rear of the property it changed to a Pillsbury fine sandy loam, as per NRCS mapping, and that was shown on the existing conditions plan. No test pits had been dug at this point. This was to be a proposed phased project; the applicant does not have tenants for the remainder of the building. The current proposal was to retro-fit the northerly end of the current building by installing a two-bay fully automated car wash facility, consisting of roughly 2,436 s. f. Attorney Stephan Nix, had received a Special Exception under Article 400, Section 401, to permit the wash facility within the Residential Commercial Zone on April 7, 2016. S. Smith stated that he had received written confirmation from the Town of Alton Water Department stating there would be adequate water supply available for the proposed project today and was submitting it to the Board tonight.

S. Smith stated the remaining portion of the building was 6,510 s. f. and the applicant would like to make that available for future retail space, subject to additional site plan review and approval by the Planning Board. They had received the Planner's review and had addressed most of the issues stated on the review, most of which were spelling errors.

S. Smith stated as part of the proposed plan the applicant was proposing to update the exterior of the entire building to try to promote some interest in the site and there was an elevation plan submitted with the application, the Planner Review noted they had not submitted elevations for the rear of the building. S. Smith stated they could provide that, it will remain as it is until the future tenants' needs are determined.

S. Smith stated the applicant had received the approved/updated driveway permit from NH DOT and they had asked the applicant to stripe an island to delineate an entrance and an exit. The proposal was to enter the car wash around the rear of the building, customers would then exit the front of the building, on the road side, turning into an area where the applicant had provided vacuum cleaners and some vending machines that relate to automobile cleaning products, the customer would proceed to exit at the rear of the site.

S. Smith stated the proposed car wash would use 32 gallons total of fresh and reclaimed water for a wash per vehicle, eight gallons of that would be going to a closed containment facility per the design and the containment facility would be pumped on a regular basis. This was a procedure that the state liked because they would not be putting anything back into the ground that would make an impact and it would eliminate the need for continuous ground water testing. They had met with the NHDES and were proposing a closed system with a series of tanks, the formal application to the state for approval of this system would be submitted in the next few days. R. Sample asked how often do the tanks need to be pumped out. S. Smith stated it would depend on how busy the car wash would be; they had contracted with a septic company that would be pumping them out based on the need. R. D'Angelo stated the remaining water flows

through a series of tanks then it was reused, the rinse would be approximately eight gallons of fresh water. S. Smith stated the current septic system would be sufficient to handle the proposed plan, there would be only one part-time employee, when they determine the needs for the remainder of the building there may be a need to submit a new septic plan.

In regards to landscaping, S. Smith stated some landscaping was shown on the proposed plan, however, the applicant would like to ask for a waiver until the rest of the building was rented out so they would have a better idea of what the landscaping needs would be. S. Williams stated instead of a waiver he would recommend the applicant ask for a delayed installation. S. Nix stated they would still need to create a plan, which was costly and may not be accurate based on the needs of the future tenants. S. Williams stated the proposal should include plantings for the slope that was on the northwest side of the property. S. Smith stated that was currently on the plan. The Board agreed to consider waiving the landscaping plan at final until after the future tenants were determined.

S. Smith stated there would be a note on the plan stating anything relative to any other retail space would be subject to Planning Board approval. S. Nix stated from their perspective retail space should be removed from the plan in order to allow for highest and best use. S. Nix stated the plan should be labeled for future use that is allowed in the zone.

The Planners Review noted the lack of handicapped parking spaces and S. Nix stated for the purposes of this application they would add a space designated as handicapped parking. S. Smith stated the car wash would operate 24 hours a day, seven days a week and there would only be one employee on a part time basis. S. Williams stated his only other concern was in regards to noise. S. Smith stated the car wash would be all inside, it would be a closed system. S. Williams stated his concern was for the vacuums and for the blower, when the doors were open. S. Smith stated the abutting property was vacant and there was a fairly steep embankment separating the property. R. Wilder asked if they would be putting up all the lighting that was shown in the lighting plan. R. D'Angelo stated they would not be putting all the lights up at this time and the idea would be to indirectly light the building with down-facing lights, there would be two lights over the vacuum area and whatever was necessary to light the pathway in the back. The Board asked that the applicant note what would be happening in this phase of the project in terms of lighting that would get people in and out of the car wash safely. The Board reminded the applicant that all lights including sign lighting needs to be downward directed.

The Board stated no site walk was necessary.

S. Nix stated to expedite the process, the applicant would like to submit the updated plans based on the Planner Review comments and he would like to submit a check for the drainage review. N. Strong stated the Board could allow for the drainage report to be reviewed prior to the final application being submitted with the understanding that the applicant could come back with an application that does not look like the application that was already submitted at design review. S. Smith stated the applicant would agree that it would be nonbinding and at their own risk. S. Nix gave N. Strong a check for the drainage report to be reviewed by the Town's engineer.

S. Nix asked for the Board to waive the construction observation. The Board agreed to consider the waiver of construction observation at final.

R. Sample opened for public input. David Countway from Maxfield Realty, he was in support of the project and was wondering if there would be a new facade to the front of the building. R. D'Angelo stated it would have a clapboard look with more of a residential feel. D. Countway asked about the timeline. R. D'Angelo stated it would be done as soon as possible. Dave Hussey spoke on behalf of the American Legion in support of the project, however, D. Hussey was concerned about drainage and the detention pond becoming a breeding ground for insects carrying diseases. S. Smith stated the pond was necessary but would not hold enough water to become a concern. Public input closed.

The Board noted the final application could be submitted.

VI. OTHER BUSINESS

1. Old Business-

- None

2. New Business-

a. P16-15, Map 26 Lot 10 & 10-2, Voluntary Lot Merger, JOBEAN, LLC.

- N. Strong stated the Voluntary Lot Merger by statute requires no notice or hearing. When the application is made to the Board as long as the Town's Assessor has verified the deeds that are referenced are correct and the Town's Tax Collector has verified the taxes are up to date on both properties, State statute actually says the Planning Board "shall" approve the merger. The form was filled out and everything according to Town regulations and statutes were correct, the Town's Assessor and Town's Tax Collector have signed off on this application and it meets the Town's standards in the Subdivision Regulations.

V. MacDonald moved to approve P16-15, Voluntary Lot Merger, Map 26 Lot 10 & 10-2, for municipal regulations and taxation purposes. No such merged parcel should hereafter be separately transferred without subdivision approval.

S. Williams seconded the motion, with all in favor.

b. Distribution of the Town of Alton Excavation Regulations, Working Draft 6/17/16, for discussion at the July 19th Planning Board meeting.

- N. Strong stated the first draft on the Town's Excavation Regulation was in the Board's packet and the Board will be reviewing at the July Planning Board meeting.

3. Approval of Minutes-

a. Minutes of May 17, 2016, regular Planning Board Meeting.

P. Bolster moved to approve these minutes as amended to reflect that V. MacDonald was not present for this meeting.

R. Wilder seconded the motion with V. MacDonald and S. Williams abstaining, motion passed.

4. Correspondence for the Board's action/review/discussion:

a. Letter dated May 18, 2016, to Attorney James Sessler, Esq., from Nic Strong, Planner, re: Chestnut Cove Subdivision/Map 15 Lot 15/Ridge Road and Evans Hill Road, and email responses.

- R. Wilder stated that his understanding of Attorney Sessler's response was that the Board could grant a waiver to the 50% Subdivision Dwelling requirement for top coat of pavement on just Ridge Road given the unusual circumstance of there being two separate and distinct roads in this subdivision. P. Bolster stated as long as this was a unique circumstance and by the Board granting this waiver it would not set any precedent. V. MacDonald stated the Board should let the Subdivision Regulations work and let the applicant build 50%. R. Wilder stated presently the Board would not approve a subdivision if the roads did not connect. V. MacDonald stated even though the roads were not connected if the lots were going to sell they would have sold. N. Strong stated at the last Planning Board meeting the Board had asked her to consult with Attorney Sessler to see if there was language that could be used if the Board decided to grant a waiver to this. Attorney Sessler requested more information regarding what the Board was requesting of him. N. Strong crafted the language that is written in the email that would allow for the Board to grant a waiver without setting precedent. Attorney Sessler approved the language written in the email by N. Strong. V. MacDonald was concerned that when lots were sold on Evans Hill Road they would be starting over with the 50% dwelling requirement. P. Bolster stated the Board should be concerned for the people who bought in the development not the developer. S. Williams stated if 50% of the development gets sold then they could petition for both roads to be accepted. He was concerned that the regulation was put into place to cover the cost of maintaining the road and if the Board waives the 50% dwelling requirement there would not be enough tax revenue generated to cover the cost of plowing and other road maintenance. N. Strong stated there are six lots on Evans Hill Road and they are not built on yet, there are ten lots on Ridge Road and four of them are built on, so a total of sixteen lots in the subdivision.

Pat Torriero, resident, Ridge Road and Tammi Mousseau, realtor spoke to the Board about the waiver request. P. Torriero stated she had come before the Board at last month's meeting to ask for the Board to consider their request to waive the 50% dwelling requirement to Chestnut Cove Subdivision, so that Ridge Road and Evans Hill Road would be considered separate roads. P. Torriero stated she and her husband had a meeting with former Town Planner, Ken McWilliams, former Town Administrator Russ Bailey and Town Attorney James Sessler before they purchased their home on Ridge Road and they were told at that meeting after five houses were built the Town would take over the road. V. MacDonald stated even if the five houses were built there is no guarantee the Town will take over the road. The Board explained that if that was what they were told they had received misinformation.

Tammi Mousseau, realtor, stated she spoke to Ken McWilliams and was told that the Town would take over the road after 50% of Ridge Road was built on. T. Mousseau was before the Board to ask for a waiver to the 50% dwelling requirement because in her opinion the lots on Evans Hill Road are not going to sell.

After much discussion by the Board,

R. Wilder moved that The Planning Board recognizes the unique configuration of the Chestnut Cove Estates Subdivision, Tax Map 15, Lot 15, Chestnut Cove and Hurd Hill Roads, wherein two unconnected, dead end roads were created as part of the subdivision. Ridge Road contains 10 lots, four of which are currently built on. Evans Hill Road contains 6 lots, none of which are currently built on. The Planning Board hereby grants a waiver to the Subdivision Regulation Section X G 14 which states: "Surface Course of Pavement: The construction of a minimum of fifty (50) percent of the dwelling units in the subdivision must be completed before the surface course of pavement is laid down. The surface course of pavement must be laid down, inspected and approved before the Planning Board can grant approval for completion of the subdivision improvements." The Planning Board grants a waiver that, due to the fact that Ridge Road and Evans Hill Road are not connected and that no dwelling units have been built on Evans Hill Road, and four dwelling units have been built on Ridge Road, the requirement for 50% dwelling units to be completed before the surface course of pavement is laid down may be considered on a per road basis. Therefore, 50% of the dwelling units on Ridge Road, i.e. five dwelling units, must be built before the surface course of pavement may be laid down on Ridge Road, and 50% of the dwelling units on Evans Hill Road, i.e. three dwelling units, must be built before the surface course of pavement may be laid down on Evans Hill Road. All other requirements for construction, inspection and approval of the roads and subdivision, as detailed in the Town of Alton's Subdivision Regulations and the Planning Board's approval of this subdivision, remain in full force and effect. Additionally, the granting of this waiver in no way constitutes acceptance, overt or implied, of either of the roads in this subdivision; the right of acceptance rests solely with the Alton Board of Selectmen under their acceptance procedures and is not guaranteed. This decision is made without prejudice.

P. Bolster seconded the motion. R. Sample, P. Bolster and R. Wilder voted yes. S. Williams and V. MacDonald voted no. Motion passed.

b. Memo to David Collier, Chair and Planning Board Members from Nic Strong, Planner, re: JH Spain Commercial Services, LLC., Woodlands Subdivision/Map 9 Lot 53-2 through 20, New Durham Road, Dated June 20, 2016.

- Joe Spain, Owner, Woodland Subdivision spoke to the Board. J. Spain stated he had not submitted the road bond which would have caused him to be vested in the subdivision. At the last Planning Board Meeting, J. Spain asked the Board if they would allow him to put

the bond in place so he could secure the subdivision. He stated that all the roads are in place and named, he gets 19 separate tax bills under the names of Lisa and Marie Drive, the subdivision was recorded back in 2007, however, the amended plan that approved the fire pond rather than the cistern and the underground utilities was not recorded.

N. Strong stated after the April Planning Board meeting, she had sent a lengthy memo to Attorney James Sessler, which the Board was copied on. N. Strong stated she had just heard back from Attorney Sessler and would like to go down the list that explains the status and where the Board needs to consider going forward; Memo dated June 20, 2016. The original subdivision was approved and recorded in 2007, multiple extensions were requested and granted through 2013. In 2014, the amended subdivision plan was submitted and the conditional approval replaced the prior Notice of Decision and add a five year exemptions criteria. Those conditions were subsequent only, there was nothing that had to be done prior to the plan being signed. The 2014 plan does not include all the details for subdivision construction, the road profiles, the culvert layouts, etc. The Town's files do not have any full size copies of the 2007 Subdivision Plan.

Therefore, it needs to be verified that all local and State permits are in place and that the Town has them in the files; that security is in place as well; the plans that were approved in 2014, in the correct number and format to be signed and recorded, and should be submitted; for the file, the Town needs the 2007 Subdivision Plans. The 2007 Plan would not be changed, the 2014 Plan would not be changed, it would need to be signed and recorded and Notice of Decisions from March 14, 2015 and April 21, 2015, which extended it, need to be recorded as well because State statute changed requiring Notices of Decision to be recorded all of which would be at the applicant's expense. The Board could consider an extension to the active and substantial deadline pursuant to RSA 674:39, VI, which allows an extension by the Board for good cause. Attorney Sessler suggests that it would be due to a circumstance beyond the control of the applicant such as weather, the economy, regulatory delay by other jurisdictions, litigation by others, etc. and would require a hearing with notice at the applicant's expense and the Board can determine if they would allow that. Any other conditions that were part of the other approvals were not given deadlines, the Board is left dealing with that as the project moves forward, there are no other deadlines. J. Spain stated he is prepared to submit the bond in the amount of \$402,400.

P. Bolster moved to hold a hearing to discuss a deadline extension for Woodlands Subdivision.

R. Wilder seconded the motion with all in favor.

c. Memo to David Collier, Chair and Planning Board Members from Nic Strong, Planner, re: Jilyan Byrnes Estates Subdivision, Joseph Byrnes, Map 15 Lot 17, 17-4, & 17-5, Route 28A a/k/a East Side Drive, Dated June 20, 2016.

- N. Strong stated the plan was not recorded and there was no security submitted but the Planning Board made a determination that the subdivision was substantially complete. N. Strong contacted Attorney Sessler for assistance. The Board's hands were tied to a certain extent, but she could send a letter like the one drafted and included in the Board's packet

to Joe Byrne, which would lay out the history of the subdivision, the conditions that remain outstanding for approvals, letting him know what he would need to do to come into compliance and request a status of the other ones. Continued construction observation needs to take place. There was \$2,190.15 for inspections and \$26,000+/- for a stabilization escrow. The Board directed N. Strong to send the letter to Joe Byrne.

5. Correspondence for the Board's information:

a. Receipt of Irrevocable Letter of Credit from Sedlari Construction, LLC., to expire May 24, 2017, in the amount of \$11,510.95.

- N. Strong and George Fredette from SFC met with Sedlari Construction on site to try to come to a consensus as to why the road was cracking and an understanding as to how to fix it. There was water that is getting under the road and it needs to be determined why.

b. Letter dated April 15, 2016, to Cafua Realty LXXXVIII, LLC, from Traci Cameron, re: Case # P15-08, Map 27 Lot 55, Changes made to site plan.

- N. Strong stated the former Town Planner, Ken McWilliams had approved a minor change to the Dunkin Donuts site plan, making an island slightly larger. The letter acknowledged the change and requested an as built to be submitted at the end of the project.

c. Letter dated June 2, 2016, to Lakeside at Winnepesaukee, from John Dever, III, re: Dow-Falls Cemetery access.

6. Any Other Business that may come before the Board:

- None

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

Open to the public. None at this time. Closed Public session.

VIII. ADJOURNMENT

P. Bolster moved to adjourn. The motion was seconded by R. Wilder and passed without opposition.

The meeting adjourned at 9:45pm

Respectfully submitted,
Traci Cameron, Recorder, Public Minutes

