

TOWN OF ALTON PLANNING BOARD
PUBLIC HEARING
Minutes
September 15, 2015
Approved 10-20-15

Members Present: Dave Collier, Chairman
Tom Hoopes, Vice Chair
Roger Sample, Clerk
Bill Curtin, Member
Scott Williams, Member
Peter Bolster, Member
Virgil MacDonald, Selectmen's Representative

Others Present: Ken McWilliams, Town Planner
Randy Sanborn, Secretary

I. CALL TO ORDER

D. Collier called the meeting to order at 6:00 p.m.

II. APPROVAL OF AGENDA

There was one change to the agenda. P15-17, Map 12 Lot 32, Continued Final Minor Subdivision, Susan Gatton, Old Wolfeboro Road was continued to the October 20th meeting per request of Jeffrey L. Green, LLS.

B. Curtin motioned to accept the Agenda as amended.

P. Bolster seconded the motion with all in favor.

III. TIME EXTENSION REQUESTS

Case #P15-03 Alton Bay Christian Conference Center	Map 34 Lot 33	Time Extension on Condition 5 Broadway Blvd.
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Brad Smith on behalf of the Alton Bay Christian Conference Center is requesting a time extension to move or raze the Maserian cottage by August 18, 2015. This was a condition of approval for the time extension approved by the Planning Board on May 19, 2015.

K. McWilliams gave an overview of the application. He recommended that the Board provide an additional 90 days from the August 18th date which would extend it until November 18, 2015.

Brad Smith spoke on behalf of this application. The applicant is waiting for Mr. Maserian to make a decision as to what they are going to do with the property. The correspondence they received from him stated that they are turning the cottage over to the Conference Center. The Christian Conference Center is in the process of taking ownership of the building. They have sent the agreement to the Meserians and are waiting for it to come back signed.

S. Williams stated that he felt this should be the last extension approval.

T. Hoopes requested a letter on the behalf of the Planning Board to Selectmen stating the Boards wishes of the ninety (90) day period so they are aware of the last 90 day warning.

D. Collier asked to have the letter cc'd to Mr. Maserian.

D. Collier opened it up to the public. There was none at this time.

S. Williams motioned to grant the ninety (90) day extension as the final ninety (90) day extension.

V. MacDonald seconded the motion with all in favor.

B. Curtin questioned the date on the Notice of Decision of December 18. The date was change to November 18.

Case #P10-12 Alton Bay Christian Conference Center	Map 34 Lot 33	Time Extension on Site Plan 5 Broadway Blvd.
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Brad Smith on behalf of the Alton Bay Christian Conference Center is requesting a time extension of one year until August 18, 2016 for the Beacon Site Plan originally approved on September 14, 2010.

K. McWilliams gave an overview of this application. He recommended the Board approve a time extension of 12 months until August 18, 2016.

B. Smith spoke on behalf of this application. They have been doing work on the drainage. They have loam and seeded it. This year they are putting in a small septic. The plans have been submitted to the State.

D. Collier opened it up to the public. There was none at this time.

T. Hoopes motioned to approve a 12 month time extension until August 18, 2016 for Case P10-12.

All other conditions of approval in the September 4, 2010 Notice of Decision shall remain in effect.

S. Williams seconded the motion with all in favor.

IV. CONTINUED CONCEPTUAL CONSULTATION

Case #P15-15 Brad Bissell	Map 8 Lot 48	Conceptual Consultation Site Plan 12 DOT 3 Street & Route 28
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Brad Bissell is proposing to replace the approved car wash building with a proposed storage building for equipment and car storage. The storage building would not have water or sewer. The 4.02 acre property is located in the Residential Commercial (RC) Zone.

D. Collier recused himself from this application. T. Hoopes proceeded as Chair.

K. McWilliams gave an overview of the application. The applicant has provided the sketch of where the building was going to be located that the Board had requested at the previous meeting.

Brad Bissell spoke on behalf of this application. He spoke with his engineer regarding the drainage. The engineer felt he didn't need it because it was over a four (4) acre lot but stated that if he wanted to do it he recommended a stone and column system. He feels that because there is less pavement there should be no drainage problems but he will put it in if required by the Board.

D. Collier of Jones & Beach Engineering spoke as the land surveyor, not the engineer. He did speak with the engineer and the engineer gave the applicant an example of what he could use for the runoff around the foundation. They have not done a site analysis of this as far as drainage is concerned so he cannot speak as what may happen with the drainage.

T. Hoopes opened it to public input. There was none at this time.

S. Williams motioned to approve P15-15 to build a 40' X 100' building without having to come before the Planning Board for a Site Plan.

V. MacDonald seconded the motion with all in favor.

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

Case #P15-18 Deanna O'Shaughnessy, Fae Kontje- Gibbs & Carol Dadura	Map 12 Lots 55-1, 57 & 57-1	Lot Line Adjustment Old Wolfeboro Road
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On behalf of the applicants, David M. Collier, LLS, Jones & Beach Engineers, Inc. is proposing a three-lot Lot Line Adjustment for properties on Old Wolfeboro Road. Lot 55-1 presently contains 1.22 acres, lot 57 contains 266.79 acres and lot 57-1 contains 15.75 acres. The proposed acreage of lot 55-1 presently contains 1.22 acres, lot 57 contains 266.79 acres and lot 57-1 contains 15.75 acres. The proposed acreage of lot 55-1 will be 11.51 acres, lot 57-1 will also be 11.51 acres and lot 57 will be 260.76 acres. Road frontages will not be changing. This property is located in the Residential Rural (RR) Zone.

K. McWilliams gave an overview of the application. The applicant has requested four (4) waivers. 1) Section 9.E.7.E – Complete Boundary Survey; 2) Section 9.E.7.G – Jurisdictional Wetlands; 3) Section 9.E.7.H – Slopes in Excess of 25%; and 4) Section 9.E.7.I – Contiguous Upland Area. He recommended the Board approve the waivers.

D. Collier, Tim Morgan and Carol Dadura spoke regarding this application.

S. Williams motioned to accept the waivers as presented.

V. MacDonald seconded the motion with all in favor.

K. McWilliams stated that his review shows the application to be complete and recommends that the Planning Board accept it as complete.

S. Williams motioned to accept Case P15-18 application as complete.

B. Curtin seconded the motion with all in favor.

K. McWilliams stated that within 60 days after approval the applicant needs to present new deeds to the Planning Department for all three (3) lots. Also they need to update the current use report on the property where the changes occur.

T. Hoopes opened it up to the public. There was none at this time.

B. Curtin motioned after due hearing, the Alton Planning Board hereby approves the above cited application for a Lot Line Adjustment with the following conditions:

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

- 1. The following note shall be added to the plat prior to plan signing: This Lot Line Adjustment Plan is subject to the Conditions of approval itemized in the September 15, 2015 Notice of Decision recorded in the Belknap County Registry of Deeds and on file at the Town of Alton Planning Department.**
- 2. All "To Be Set" (TBS) notes shall be removed and all monumentation shall be set prior to plan signing. This is to be certified as complete by the surveyor who stamps the plan.**
- 3. A note shall be added to the plat prior to plan signing stating the total acreage of each Current Use Category for each lot in current use as applicable. If part or all of one or more lots is in current use, then the property owner shall submit an updated current use application for those lots to the Town Assessor prior to the plat being signed. An updated current use application does not need to be recorded again and there is no cost for an updated current use application. The Town Assessor shall verify receipt of this updated current use application prior to the plat being signed.**
- 4. The applicants need to submit signed deeds to record with the Lot 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 new deed for Map 12 Lot 55-1 that results in a 11.51 acre lot after the lot line adjustment;
- b. a new deed for Map 12 Lot 57-1 that also results in a 11.51 acre lot after the lot line adjustment; and
- c. a new deed for Map 12 Lot 57 that results in a 260.76 acre lot after the lot line adjustment.

Subsequent Conditions:

1. The applicants shall comply with all of 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 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.

Provided all listed precedent conditions 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.

S. Williams seconded the motion with all in favor.

D. Collier returned to Chair the remainder of the meeting.

Case #P15-16 Irwin Marine	Map 15 Lot 16	Amended Final Major Site Plan Review 723 East Side Drive (Route 28A)
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Irwin Marine is proposing to improve the existing boat storage yard with some earthwork and re-grading of the lot. The areas proposed for re-grading of existing gravel areas with the exception of a portion of the site in the southwest corner that was cleared and disturbed in Fall 2014. This property is located in the Rural (RU) Zone.

K. McWilliams announced to the Planning Board that the Town Attorney would like to speak with the Planning Board in non-public session regarding this application.

The Board proceeded to the downstairs meeting room at 6:50 p.m. They returned to the normal meeting at 7:15 p.m.

D. Collier proceeded with the application.

K. McWilliams gave an overview of the application. This spring after initiating an enforcement action, Irwin Marine agreed to file this amended final site plan review application to address that violation. In addition to the site plan, the applicant submitted a Storm Water Drainage Plan and Report of the reconfigured site. That report and plans were conveyed to Mike Vignale with KV Partners for review and comments. The applicant is requesting two (2) waivers. 1) Section 4.02 (F) 24 – Approximate location of buildings, wells, and septic systems on abutting properties within 200’ of the site; and 2) Section 4.02 (F) 46 Construction schedule. A letter dated August 24, 2015 submitted by the applicant’s agent outlines the rationales for the waiver requests. He recommends the Board approve the two (2) waivers.

S. Williams motioned to approve the two waivers requested for Case P15-16, Section 4.02 (F) 24 Approximate location of buildings, wells, and septic systems and Section 4.02 (F) 46 Construction schedule.

B. Curtin seconded the motion with all in favor.

With approval of the two waivers, K. McWilliams stated that his review indicates that the application is complete and recommends the Board accept the application as complete.

S. Williams made a motion to accept Case P15-16 application as complete.

B. Curtin seconded the motion with all in favor.

Bruce Wright from Irwin Marine and Paul Fluet from Fluet Engineers, Dubois & King spoke on behalf of this application. They explained that the purpose of the plan was to allow regrading of the site, implement proper management of storm water on this site and to recreate a visual buffer along the southwesterly corner of the property And the west side of the property.

P. Fluet presented the plan to the Board. He told the Board that they were planning on planting two (2) rows of arborvitae with initial planting heights of 6-8 feet.

The Board recommended that instead of arborvitae, balsam fir be planted since deer will eat the arborvitae.

P. Fluet stated that there were not many wetlands on the site. There is a culvert pipe that crosses Route 28A. There is an existing storm water drainage pond. There is another wetland far away from their construction work and a perennial stream that is also far away from the construction area both to the north.

B. Wright stated that test pits were dug in the filled area in the southwest corner of the site to determine if there was any impacted wetland or stream. He noted they should be in the engineer's report. K. McWilliams indicated he had not found them in the report.

D. Collier requested that the location of the test pits be placed on the plans and they receive a report of the results from the test pits.

D. Collier opened it up to the public.

David & Marlee Quann spoke in regards to the lighting. The lighting fixtures on the larger building shine into their living room.

B. Wright agreed to fix that problem by shielding the fixtures. He noted that would be taken care of within a week.

D. Quann was happy about the change from the arborvitae to the balsam fir trees.

He questioned where the water comes from onto his property. He showed the applicants and the Board pictures of culverts and runoff areas. He did not notice any more water coming onto his property than historical flows.

D. Quann noted he heard the fill was "junk fill". He was concerned about contaminants in the fill that could impact his property. K. McWilliams suggested the fill be tested for contaminated material.

Kathleen Kraft spoke in regards to the amount of time it is going to take for the work to get done and how much is going to be on the weekends.

B. Wright stated that the work will be done in June or July of next year and the contractors work Monday through Friday only and will follow the Town Noise Ordinance.

D. Collier closed the public input.

S. Williams motioned to schedule a site walk.

V. MacDonald seconded the motion with all in favor.

The Board agreed to do the Site Walk on Wednesday the 23rd of September at 6:15 p.m.

S. Williams motioned to continue Case P15-16 to the October 20th meeting.

B. Curtin seconded the motion with all in favor.

VI. OTHER BUSINESS

1. Old Business –

- a. Building Permit application from T-Mobile Northeast LLC on a tower owned by American Tower Corporation on land owned by the Foulkes Corporation to replace and add antennas on the existing tower at 549 Prospect Mountain Road on Tax Map 3 Lot 18. A structural analysis has been provided.

K. McWilliams explained their proposal. It is to add nine (9) new antennas on the existing tower and reuse a vacant equipment shelter at the base of the tower. They have submitted a structural analysis to show that the tower has sufficient strength for the addition of the nine (9) new antennas. There was new legislation passed in 2013, Chapter 12K, deployment of personal wireless service facilities that requires that collocation applications to be reviewed for conformance with applicable building permit requirements that shall not otherwise be subject to zoning or land use requirements including design or placement requirements for public review. He included a copy of that legislation in their packets. Town Counsel concurred that this legislation overrides the section in the ordinance 603. E. 1. that requires the Planning Board review of a co-location before a building permit is issued. He suggested that the building permit for co-location be left up to the building department and no longer come before the Planning Board.

- b. On the Miramichei Hill Tower, K. McWilliams called the representatives twice and left messages and no one responded.

2. New Business –

- a. S. Williams requested to the Board of Selectmen that Ken McWilliams be part of the new Town Planner search.

- b. K. McWilliams discussed the revised draft of the Senate Bill 146 regarding the Accessory Apartments. It will be going back to the House Committee which will take a couple of months. He suggested the Board members take it home and read it and then discuss it in the next meeting.

D. Collier requested that K. McWilliams talk to the Lakes Region Planning Commission to see if there is any feedback from them in how they are involved in addressing these issues and what other communities are doing.

- c. S. Williams will be absent on the October 20th meeting.

3. Approval of Minutes:

- a. Minutes of the August 18, 2015 regular Planning Board Meeting.

B. Curtin motioned to approve these minutes as presented.

S. Williams seconded the motion with six (6) in favor and 1 (abstained) (TH).

4. Correspondence – None

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

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

There was none at this time.

VIII. Adjournment

V. MacDonald made a motion to adjourn. The motion was seconded by B. Curtin and passed without opposition.

The Public Hearing adjourned at 8:26 p.m.

Respectfully submitted,
Randy Sanborn, Recorder, Public Minutes-