

TOWN OF ALTON PLANNING BOARD
 PUBLIC HEARING
 Minutes
 September 16, 2014
 Approved October 21, 2014 as presented

Members Present: Dave Collier, Chairman
 Tom Hoopes, Vice Chair
 Roger Sample, Clerk
 Ray Howard, Member
 Bill Curtin, Member
 Scott Williams, Member
 Marc DeCoff, Selectmen Representative

Others Present: Ken McWilliams, Town Planner
 Randy Sanborn, Secretary
 Members of the Public

I. CALL TO ORDER

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

II. APPROVAL OF AGENDA

K. McWilliams stated that Case P14-13, Brian Fortier has withdrawn his application and Case P14-17, Richard Fiore has withdrawn his application. Under New Business item number c. is no longer needed because the application is not going to be made. There are two additions under New Business, one is to schedule a date to meet with the Zoning Amendment Committee to review Zoning Amendments for next spring and the second is Verizon Wireless has submitted a building permit to change out nine of the twelve existing antennas the have on the Mt Prospect Tower.

S. William had a couple of corrections. On Case P08-08 is a Rural Zone not a Residential Zone. P14-11 the name is Michael Lee not Michael Lee George. That needs to be verified.

S. Williams motioned to accept the Agenda as amended.

M. DeCoff seconded the motion with all in favor.

III. SECURITY REDUCTION

Case P06-93 John Jeddrey, Trustee of the Jeddrey Realty Trust	Map 15 Lots 56-3, 4, 21 & 23, Lot 57 and Lots 60-5 through 20	Security Reduction Ridgewood Subdivision Route 28
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John Jeddrey, Trustee of the Jeddrey Realty Trust, is requesting to reduce the security for Phase I improvements in the Ridgewood Subdivision by \$26,413 from \$93,448.72 to \$67,035.72.

K. McWilliams gave an overview of what the request was regarding. This has been reviewed by the consulting Engineer and K. McWilliams recommends that the Board approve the request.

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

S. Williams motioned to approve Case P06-93, Map 15, Lots 56-3, 56-4, 56-21, 56-23, 57 & 60-5 through 20, John Jeddrey, Trustee of the Jeddrey Realty Trust, for a further reduction of \$26,413.00 in the amount of security for Phase I. This will reduce the remaining security for Phase I from \$93,448.72 to \$67,035.72.

M. DeCoff seconded the motion with all in favor.

IV. TIME EXTENSION

Case P08-08 Ryan Heath Ryan Heath LLC	Map 8 Lot 25	Time Extension Frank C. Gilman Highway
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Ryan Heath on behalf of Ryan Heath LLC is requesting a time extension to the two-year starting of construction requirement under RSA 674:39 Five Year Exemption for the Stone Meadow Commons site plan. The property is located in the Residential Rural (RR) Zone.

K. McWilliam gave an overview of the history of this application. He read the pertinent sections of RSA 674:39 to the Board.

S. Williams recused himself from this application.

T. Hoopes asked how many extensions were permitted.

K. McWilliams stated that the RSA does not specify. It is up to the Board to decide how many extensions should be granted.

A letter from R. Heath to the Board was handed out by the Planner.

Ryan Heath spoke on behalf of this application.

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

T. Hoopes made a motion to approve Case P08-08 a one-year time extension to begin construction to November 20, 2015 as provided in RSA 674:39 Five year Exemption, Paragraph IV.

M. DeCoff seconded the motion with all in favor.

S. Williams returned to the Board.

V. CONTINUED PUBLIC HEARINGS

Case P14-11 George Michael Lee et al & Cafua Realty Trust LXXXVIII	Map 27 Lots 54 & 55	Design Review Site Plan 24-30 Main Street
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On behalf of the property owners (George Michael Lee et al – Lot 54 and Cafua Realty Trust LXXXVIII, LLC 7 24 Main Street Alton, LLC – Lot 55), Cafua management Company, LLC is requesting a Design Review for a Site Plan located on 24-30 Main Street. They are proposing to add the land (Lot 54) adjacent to the current site (Lot 55) for expansion of the drive thru and parking for the current Dunkin Donuts store. The additional land will allow the construction of a longer drive thru lane which will increase the queue length of the drive thru for up to 22 vehicles and the expansion of parking for a total parking of 31 spaces. The existing Dunkin Donuts store will remain. The property is located in the Residential Commercial (RC) Zone.

S. Williams asked the applicant to verify the name of the owner. They were unable to show that it was different than what they had on the application. The name on the tax forms is George Michael Lee.

K. McWilliams gave an overview on the past meetings on this application. New plans were done. He stated that the Board needs to decide if they are going to have the Stormwater Drainage Report reviewed by a town Engineer.

Mark Gross spoke on behalf of this application. The applicant decided to widen the entrance to the site so trucks can turn in easier. They decided to make the two accesses one way, an entrance and an exit. They did move the dumpster back about five (5) feet.

S. Williams asked if the existing drainage on the original site would remain. M. Gross stated that it would.

There will be an emergency access at car number 9 that can only be driven by fire trucks or other large vehicles.

T. Hoopes mentioned that the Board should write a letter to DOT in support of the one way direction and a left turn lane on Main Street.

The Board invited the Conservation Commission Chairman, Earl Bagley, to approach and speak on the pros and cons of the retaining wall as apposed to a slope. E. Bagley believes the applicant will need to go before the Wetlands Board to put the fill in and the Board will probably object to it. The Planning Board stated the applicant will only be filling in the buffer and that will be a decision of the local Planning Board and a Wetlands permit by NHDES is not needed. M. Gross stated that they would make the slope look the same as I does now. There will be a small retaining wall that is not in the buffer zone. The majority of the Board was in favor of the slope. R. Howard stated that the conditions should specify that the fill should be similar soil to what is already in place.

The Board agreed that the Town Engineer should review the Drainage Report.

The Board agreed that the Town Planner should write a letter to DOT when the applicant applies for the permit.

D. Collier opened the meeting up to the public.

Rueben Wentworth, 36 Main Street of Jesus Valley Realty, spoke regarding the exit lane. He is against this because it puts too much traffic coming out by the driveway used by his tenants. K. McWilliams suggested M. Wentworth may want to meet with Mark Gross about the possibility of allowing the Wentworth driveway to connect with the exit from the Dunkin Donut site.

Brenda Fontaine, 20 Main Street, was in favor of the accesses. Her concern was the tractor trailer trucks currently sitting in front of her driveway for long periods of time.

Earl Bagley, Conservation Commission Chairman, wanted to know how much the applicant can do before the DOT approval.

D. Collier closed the public input.

T. Hoopes made motion to continue Case P14-11 as a Design Review Site Plan to October 21, 2014.

M. DeCoff seconded the motion with all in favor.

D. Collier called a 5 minute recess at 7:25 p.m. and reconvened the meeting at 7:30 p.m.

Case P14-15 Huggins Hospital	Map 9 Lots 59-1 & 59-2	Design Review Site Plan Range Road & New Durham Road
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On behalf of Huggins Hospital, White Mountain Survey & Engineering, Inc. is requesting a Design Review for a proposed Site Plan located on the above lots. The proposal is to build a single story, 5,796 square foot medical office facility to be the Alton Family Medicine. These properties are located in the Residential Commercial and Residential Rural Zones.

K. McWilliams gave an overview of the past meetings of this application. This is a continuation from the last meeting. This is a proposal to build a single story, 5,796 square foot medical office facility. The Board accepted the application as complete at the August meeting. There was a Site Walk conducted on August 25th. One of the comments deals with off-street parking. The applicant is proposing to provide 37 off-street parking spaces. At the last meeting the applicant provided some information from the Institute of Traffic Engineers on parking generation for medical office building. Those figures had a range of anywhere from 14 to 31 spaces, they are proposing 37. K. McWilliams also check a number of other jurisdictions about parking requirements for medical office buildings and found comparable parking requirements. He feels their proposal for the 37 off-street parking spaces will be adequate for this size medical office building. There were some question issues raised by the Fire Department and Mark Lucy was going to speak with them and address those questions. When they come in on their final application they will need a stormwater drainage report and the Board needs to address whether the Board will need a Town Consulting Engineer to review that report. At the Site Walk the Water Department representative suggested that maybe the water line should be extended to the south side of the access off New Durham Road and place the hydrant in that location. Mark Lucy was also going to discuss that with the Fire Department.

Mark Lucy, Senior Design Engineer with White Mountain Survey and Engineering in Ossipee, spoke on behalf of this application. He has not heard from the Fire Department regarding the water line location and hydrant. They have completed their design and stormwater report and are ready to move on to a final review. They had a concern about one of the requirements is that they need to keep the volume of stormwater the same post equal to predevelopment and that is a difficult thing to do. DES requires that the two-year volume be equal post to pre. The Town code states that they need to do the same with a 25 year storm. They are going to ask this as a waiver because they cannot contain volume post development as predevelopment. If this is a requirement that cannot be waived it will cancel out the application.

The Board agreed that the applicant’s engineer get together with the Town Engineer and review the Drainage Report and decide if it is a possibility to waiver the 25-year storm requirement.

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

The Planning Board directed the applicant to move forward with their Final Site Plan Review application.

VI COMPLETENESS REVIEW OF APPLICATIONS AND PUBLIC HEARING IF THE APPLICATIONS ARE ACCEPTED AS COMPLETE

<p>Case P14-16 SMSD Lake Realty Trust, Susan Wells Trustee</p>	<p>Map 21 Lot 1-6</p>	<p>Final Minor Subdivision 119 Clay Point Road</p>
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On behalf of SMSD Lake Realty Trust, Kerry Fox, of Fox Survey Co. is requesting a 2-Lot Minor Subdivision for the above property. The proposal is to subdivide the existing 3.01-acre lot into two separate lots. The resulting lots will consist of a 1.58-acre lot (Lot 1) and a 4.43-acre lot (Lot 2). This property is located in the Lakeshore Residential (LR) Zone.

B. Curtin recused himself from this application.

K. McWilliams gave an overview of this application. His review indicates that the application is complete and recommends the Board accept the application as complete.

S. Williams motion for Case P14-16, Map 21 Lot 1-6, to accept the application as complete.

T. Hoopes seconded the motion with all in favor.

Randy Walker with Walker and Varney in Wolfeboro, spoke on behalf of this application. He showed to the Board the plan of the divisions of the two lots. In 1997 the Planning Board approved a five-lot subdivision in this area and at the time the road was required to be brought up to Town standards and it was upgraded, inspected and approved and the bond was released. It is the applicant’s position that the road does meet the Town standards and the Planner after speaking with Town Counsel agreed that it would be unfair to have them upgrade that road. They have no objections to the conditions of approval outlined in the Planner Review. They will take precautions to avoid silt going into the stream.

Karen Laflamme stated that according to the DES the stream qualifies as an intermittent stream.

D. Collier open it up to the public.

Eric Gordon of 131 Clay Point Road is mainly concerned with the silt going into the stream and flooding. He had submitted a letter to the Planning Board outlining all his concerns.

The Board agreed that DES would need to be called if there is a silt problem.

D. Collier closed public input.

R. Walker responded to the Subsequent Conditions on the Notice of Decision. Number 3.b., the last phrase in 4, 5 and 7 he was concerned that the Planning Board was not the ones that had jurisdiction to make these conditions.

The Board agreed.

S. Williams motioned to approve Case P14-16 for a two-lot minor subdivision with the following conditions.

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

- 1. A copy of any necessary Federal, State, and/or local permits shall be received by the Planning Department and the permit numbers shall be added in a note on the plat prior to plan being signed by the Planning Board Chair. This includes the subdivision approval number by the NH Department of Environmental Services for both lots.**
- 2. A note shall be added to the plat prior to the plans being signed by the Planning Board Chair stating that Best Management practices shall be utilized during any timber cutting on site.**
- 3. All "To Be Set" (TBS) notes shall be removed and all monumentation shall be set prior to the plans being signed by the Planning Board Chair.**
- 4. The following note shall be added to the plans being signed by the Planning Board Chair: This subdivision plan contains a total of one sheet, which in its entirety constitutes the subdivision plan as approved by the Town of Alton Planning Board. This sheet is recorded at the Belknap County Registry of Deeds.**
- 5. The following note shall be added to the plat prior to the plans being signed by the Planning Board Chair: this subdivision plan is subject to the Conditions of approval itemized in the September 16, 2014 Notice of Decision on file at the Town of Alton Planning Department and recorded at the Belknap County Registry of Deeds.**
- 6. Trees along the boundary of the 25' of wetland buffer setback for all wetlands greater than 10,000 square feet in size in the area within 200' of proposed development that will disturb the soil or involve removal of trees are to be flagged on the plat and accurately in the field on trees approximately every 25' with permanent markers identifying them as the wetland buffer. The wetland buffer disks are available for purchase from the Alton Planning Department. Where trees have been previously removed or do not exist, the wetland buffer shall be flagged with metal fence posts displaying the wetland markers, which should be affixed to the posts with bolts. This is to be completed prior to the plans being signed by the Planning Board chair and certified as complete by the surveyor who stamps the plan.**
- 7. The camp shown on the subdivision plan that straddles the lot line between the two proposed lots shall be demolished before the subdivision plat is signed and recorded. A demolition permit shall be obtained from the Building Department. An asbestos inspection shall be done and asbestos remediation shall be done, if needed, before the permit to demolish the camp will be issued.**
- 8. Move the proposed driveway to serve Lot #1 three feet (3') farther to the north to provide for turning radiuses at the end of the driveway and to orient the driveway more perpendicular to Clay Point road.**
- 9. The trees above Clay Point Road need to be trimmed at least twelve feet (12') above the roadway to allow passage for the height of the fire trucks. This shall be certified as complete by the surveyor who stamps the plan.**

Subsequent Conditions:

- 1. A shoreland permit approved by the NH Department of Environmental Services shall be provided to the Building Department with a building permit application on either lot if construction is proposed within the protected shoreland under the Shoreland Water Quality Protection Act.**
- 2. Any property owner applying for a building permit with access off Clay Point Road, a private road, shall submit a completed copy of "Notice of Limitations of Responsibility and Liability for a Private Road in the Town of Alton, NH". The building permit application needs to be approved by the Board of Selectmen after review by the departments, including the Planning Board, and then the Notice needs to be recorded in the Belknap County Registry of Deeds. The "Operating Procedures for Class VI & Private Roads Building Permit Requests: provides guidance for applicants for a building permit on a private road.**

3. If a driveway to serve Lot #1 will cross the stream and wetland that bisects the lot, then:

a. The property owner of Lot #1 shall first obtain approval of a wetlands permit from the NH Department of Environmental Services.

4. If a septic system pipe is proposed to cross the stream and wetland that bisects the lot to serve a new residence on the lake side of the stream and wetland, then the property owner of Lot #1 shall first obtain approval of a wetlands permit from the NH Department of Environmental Services.

5. A right-of-way bond shall be posted with the Highway Department before a building permit for a new residence will be issued on either lot. The bond is to restore the road providing access to the building site if any damage has occurred to the road during construction.

6. The applicant shall comply with all of the Town of Alton's Subdivision Regulations.

7. 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.

8. A subdivision plat which has been filed and 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 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.

M. DeCoff seconded the motion with all in favor.

VII. OTHER BUSINESS

1. Old Business – None

2. New Business

a. Review of a building permit application for Todd Greenwood to build a house on the Class VI road portion of Drew Hill Road on Tax Map 12 Lot 98 in the Rural (RU) Zone.

K. McWilliams cited the RSA to the Board.

T. Greenwood has submitted a Class VI Road Notice of Limitations.

K. McWilliams recommends approval of the building permit application provided the Notice of Limitations is recorded in the Registry.

B. Curtin made a recommendation to the Board of Selectmen that the building permit be allowed.

S. Williams seconded the motion with all in favor.

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

b. Building Permit application from KJK Wireless on a tower owned by American Tower Corporation on land owned by the Foulkes Corporation to replace two existing panel antennas at 112 feet on the existing tower at 549 Prospect Mountain Road on Tax Map 3 Lot 18.

The Board found many inconsistencies in the application and several questions that could not be answered so the Board agreed to continue this until the next meeting.

The Board agreed if they are adding two antennas they should give an engineering certification but not if they are replacing them.

- c. Scheduling meeting for Zoning Amendment Committee to meet with the Planning Board. The Board agreed to meet on Wednesday, October 8th at 6:00 p.m.
- d. Building Permit application from Verizon Wireless on a tower owned by American Tower Corporation on land owned by the Foulkes Corporation to replace nine of the existing antennas with new ones on the existing tower at 549 Prospect Mountain Road on Tax Map 3 Lot 18.

Board agreed to do the same as for the previous tower request and continue this to the next meeting.

3. Approval of Minutes:

- a) August 19, 2014 Planning Board Meeting:

B. Curtin motioned to approve the Minutes of August 19, 2014 as presented.

M. DeCoff seconded the motion with all in favor.

- b) August 25, 2014 Site Walk for Case P14-15

B. Curtin motioned to approve the Minutes of August 25, 2014 as presented.

M. DeCoff seconded the motion with six (6) in favor and one (1) abstained (SW)

4. Correspondence – None

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

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

The Public Hearing adjourned at 9:00 p.m.

Respectfully submitted,

Randy Sanborn, Recorder, Public Minutes