

APPROVED by the Planning Board on 04-03-07

Call to Order: By Jeremy Dube-Chairman at 7:10 p.m.

Present: Bruce Holmes, Cris Blackstone, Jeremy Dube-Chairman, Tom Hoopes, Bonnie Dunbar, Jeanne Crouse, Monica Jerkins-Planning Assistant and Carolyn Schaeffner Recording Secretary

Appointment of Alternates: Bonnie Dunbar appointed.

Approval of Minutes:

Minutes of September 12, 2006

Motion by J.Dube to continue the approval of the minutes of September 12, 2006. Second by J. Crouse. No discussion. Vote unanimous.

Minutes of September 19, 2006

Motion by T. Hoopes to approve the minutes of September 19, 2006 as corrected and marked on the original by the Planning Assistant. Second by C. Blackstone. No discussion. Vote unanimous.

Approval of Agenda:

The following case has requested to be continued by the applicant to the November hearing.

Case#P06-57

Map 23, Lot 38

5-Lot Subdivision

John R. Boudreau, Trustee

Prospect Mountain Road & Meadow Lands Lane

Meadow Lands Realty Trust

Continued from the September 21, 2006 hearing.

The following case has requested to continue to the November hearing due to another abutter notification error.

Case# P06-91

Map 11, Lots 27 and 29

Boundary Line Adjustment

R. Ligotti Family Trust, John & Rose Ligotti, Trustees

Dan Kelly Drive & Sanctuary Lane

Craig Churchill & Jennifer Hostetuer

Application submitted by Richard Ladd, LLS on behalf of the property owners for a Boundary Line Adjustment. The properties are located within the Lakeshore Residential Zone.

Old Business: Sedlari Construction and WW Ralph. (Moved to front of meeting).

J. Dube informed that Cases P06-93 and P06-88 will not be given a final approval this evening regarding and outstanding zoning issue per advisement of Town Counsel.

Motion by T. Hoopes to accept the agenda as amended. Second by B. Holmes. No discussion. Vote unanimous.

Public Input: None seen or heard. Public input closed.

Applications for Public Hearing:

Old Business:

Sedlari Construction

Present: Jim Balduc, Vance Edler.

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He came before the Board in April 18, 2006 and received conditional approval for a subdivision. Told to come back to the Town due to some changes in the drainage easements. Have received Wetlands Permit and Site Specific Permit and are pending State Subdivision approval waiting on Site Specific Permit (of which they just received). He is before the Board to continue to proceed in getting subdivision plan approval and recorded.

Motion by T. Hoopes to allow the applicant to proceed with the conditions of approval and no further compliance hearing would be necessary. Second by C. Blackstone. No discussion. Vote unanimous.

WW Ralph

Present for this case: Don Voltz

D. Voltz noted they are unclear on notes on WW Ralph subdivision. 1. Applicant has been attempting to give the town a letter of credit to start the subdivision construction on phase 1. Indicated on the plan but phasing of this project is not indicated in the minutes. T. Hoopes remembers that phasing was indicated. M. Jerkins will relay that the Board feels the plan clearly states that it is a phased project and there should be no question. 2. Needs clarification on the intention of some of the conditions before and after the recording of the plans. This is not indicated on the decision notice.

General discussion of project. Noted that most current Board members were not sitting on Board when this case was first presented over two years ago.

J. Crouse suggested the applicant come up with a written schedule for the phases.

T. Hoopes informed the Board of the phases marked by visually referring to the plans.

B. Dunbar suggested applicant may put up the markers phase by phase.

Motion by C. Blackstone that all the markers need to be placed before road construction can begin. Second by J. Crouse. 4 in favor, 2 opposed.

Case#P04-09

Map 2, Lot 12

**Compliance Hearing
NH Rte 28**

Sav-on Insulation

Continued from the September 19, 2006 hearing.

Present for this case: Pat McNicholas

P. McNicholas acknowledging the builder did not do as he was told. Offers apologies to the Board on this situation. Did not represent Mr. Martin at the time of approval. Two of the lots have been sold, and construction has begun on three of the lots of this 5-lot subdivision. Mr. Martin has failed to post a bond in the amount of \$35,000 to build a cistern. Presented a letter of credit for \$35,000 to the Board. Mr. Martin will provide \$35,000 cash or a letter of credit bond to the Board within 60 days of today and will complete construction of the cistern to the approval of the local authorities by June 30, 2007. Will voluntarily agree to not sell any lots until the cistern is complete and approved by the Fire Chief. Two lots sold to a builder and in turn sold privately. The third has a house on it with an owner in it. Two lots remaining with nothing on them yet.

J. Dube concerned how they obtained Certificate of Occupancy for the three homes.

General discussion of this subdivision.

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Motion by T. Hoopes that the Board accept the bond in the amount of \$35,000 for the cistern and the remaining two lots not be put up for sale until the cistern is built and approved by the Fire Chief and to be completed no later than June 30, 2007. Second by J. Crouse. Discussion: J. Dube would like to add an amendment.

Amendment to the motion that no Certificate of Occupancy or Building Permits be issued for the remaining two lots until notification from the Code Officer indicates this issue has been resolved. Second by B. Holmes. No further discussion. Vote unanimous.

Case# P06-86

Map 26, Lot 10-1

**Amended Site Plan Review
Homestead Place**

**Bahre Alton Properties, LLC
Hannaford Bros. Co.**

Application submitted by Richard Bartlett and Associates, Inc., on behalf of Bahre Alton Properties, LLC and Hannaford Bros. Co. for a proposed amendment to the site plan previously approved in October 2005, requesting two temporary storage units on site. The property is within the Residential Commercial Zone.

Present for this case: Mark Sargent, Jay Lord, and Jeff Goff.

M. Jerkins noted the applicant has changed the submitted plans tonight. The only difference on the plans is that the title block has been changed. It is now amendment to as-built plat to show temporary storage trailer sites.

Motion by T. Hoopes to accept the new plans received September 1, 2006 and dated with the term as built plat prepared for Hannaford Brothers Company and grant the waivers 7.2.2 for margins 7.2.24 for soils and accept the application. Second by B. Holmes. No discussion. Vote unanimous.

M. Sargent proposes installation of two 50 ft storage trailers on the rear of the property on a temporary basis.

J. Lord stated the store has been well received. Feels the need for trailers will facilitate the operation of the store during the holiday seasons. This is temporary only. These will be trailers with wheels, will not be on blocks. They will be there at varying lengths during the Thanksgiving, Christmas and summer seasons. Stated Mr. Boyers referred they needed approval by the Planning Board for any temporary storage.

T. Hoopes asked where the cistern is located.

J. Lord indicated on the map and there is no conflict with the cistern.

B. Dunbar are these the 18 wheeler boxes?

J. Lord confirmed yes.

Jeff Goff sees the storage units utilized April through September. Would like to place one through the holidays. These would not be refrigerated. Ground level storage is ideal for their needs.

B. Dunbar referred to the Zoning ordinance and this is not allowed in the RC Zone.

M. Jerkins feels this is accessory use.

J. Crouse asked how temporary is 8 months out of 12 that this will be used.

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everything was set. There were some minor changes that were suggested and were fine with the applicant. He met again today with staff to make sure there are no further changes or loose ends. The only issue raised was to renumber lot 15-57 to lot 23. Noted three property owners joining their property. Also noted a piece of property that will be added to existing lot 15-56-2. In summary the plan is a slightly different variation as you have seen in the past. Presented 15 different letters in support. DOT has approved.

T. Hoopes asked how the 25 ft no cut buffer will be addressed to the new lot owners.

T. Tarr indicated the buffers will be marked with signs.

R. walker noted this would be added to the covenants and restrictions.

T. Hoopes wants to protect these no cut buffers. He also asked regarding the back of the lot around Lots 9, 10 or 8, asked about a paper road and if this would make sense.

R. Walker noted it was not their intent to join to another subdivision and not put in this road.

J. Dube questioned about the conservation area.

R. Walker answered reconfigured lot 15-57 is a 42 acre lot with 36.91 acres being put into conservation area, leaving roughly 5 buildable acres. The restricted area will be owned and accessed only by the lot owner of that particular property.

J. Dube asked if Ken Roberts has reviewed this.

M. Jerkins noted he has not reviewed the set dropped off yesterday but has reviewed the previous set and his comments are included in the packets.

R. Walker noted he met with Mr. Roberts and he looked at the plans and had no issues.

J. Dube concern with road coming off Route 28 on to Old Wolfeboro Road

General discussion of this intersection.

R. Walker stated the Road Agent and DOT did not have any issues with these plans.

M. Jerkins noted there is no written comment from the Road Agent but knew he did review the files.

J. Dube asked about a letter from the Fire Chief regarding one or two cisterns

R. Walker stated it was his understanding that he recommended one. Read a comment from the Fire Chief in a letter from April.

Open to public input.

Sharon Norby in favor of the project. Gave support information on Mr. Reynolds. Through the building of their own homes Norby and Reynolds became partners. Feels the dividing of the property has been done with the utmost care. Goal was to be friendly to the environment. Not a mega construction company to rape the property with development. Noted the letters of approval from East Alton residents.

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Arthur Hoover representing Richard and Susan McDuff. The McDuff's own part of the property and property directly across the street. Very conservative in their decision to be involved with this project.

LuAnne Varney abutter to the property. Would like a traffic study on safety issue of the intersection of McDuffy Road, Old Wolfeboro Road and 28. Would like to request an extensive wildlife study be done.

Audrey Kaspriski has recently walked the property. Does not feel that putting a road through will displace wildlife. Feels the area is very nice. With regard to road intersection, she has traveled this and does not see this as a danger or safety issue. Does not see the developers abusing the environment.

T. Varney abutter to the property. Has experience and knowledge of the property of this town. Does not feel that this property is a good plan. Concern for the unsafe entrance angled at 30% and town regulations states it should be 90%. Asking the Board to follow the rules and make this a nice subdivision. Concern is that this is the wrong place to be building houses. This is a natural resource area. Referred to the Conservation Commission Resource report done in 2002 which states the proposed area should be protected. The Master Plan addresses this area and its protection.

R. Walker referred to letters in support and some that are on file with M. Jerkins. Feels the traffic study request is unnecessary.

T. Tarr commented on the large wetland. The focus of the project has been to protect that area. Protects the Hurd Brook.

Public input closed.

M. Jerkins read letters from McDermott in favor, letter from Rosemary Sullivan in favor, and letter from Kenneth Burt, Jr. in favor.

J. Crouse wanted to note that Sullivan has recently sold their property to the developer. Noted, as a resident on East Side Drive, commented on the traffic and safety on Route 28. Would like to see a traffic study on what she feels is a dangerous intersection.

C. Blackstone noted that the DOT and Ken Roberts have not found a problem with this.

T. Hoopes gave his opinion of how he feels this is not a dangerous intersection in that you cannot approach it fast and there is not a concern for safety. Concern only for the angle at which it intersects.

J. Dube concerned about the angle and the proximity of the intersection. Feels the engineer report will address these concerns. Also stated a concern about the wildlife. Feels the road is cutting off the large open space.

General board discussion of the conservation plan for the property.

C. Blackstone commented on the report provided by T. Tarr.

J. Crouse noted Section 1.5 of the town regulations. The Board's responsibility is to be concerned about what the road will do to the remainder of the land.

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J. Dube noted T. Tarr's report is on the conservation area. He would like to know how this will affect the entire parcel.

T. Tarr noted what is proposed to maintain wildlife conservation of the parcel. Stated that she would provide the wildlife study to the Planning Department as a submission to the file, for the Board to review.

Motion by B. Dunbar in case P06-93 to ask the applicant to provide a layout plan on one sheet for the Board, both in topo and the regular plan. And to send this subdivision application for review by CMA or the appropriate engineering firm, noting existing additional conditions. Second by T. Hoopes. No discussion. Vote unanimous.

Motion by T. Hoopes that case P06-93 is continued to November 21, 2007. Second by B. Dunbar. No discussion. Vote unanimous.

Motion by T. Hoopes to continue after 10 p.m. Second B. Holmes. No Discussion. Vote unanimous.

Break for 5 minutes at 9:55 p.m.

Meeting reconvened at 10:10 p.m.

Case# P06-88
Estate of Winona Houle

Map 10, Lot 26

10-Lot Subdivision
Alton Mountain Road, Alton Shores Road and
Frohock Brook Road

Application submitted by Donald Voltz of Lindon Design Associates, on behalf of the property owner for a proposed 10-lot subdivision of a 39-acre parcel located within the Rural Zone.

T. Hoopes states he worked with Mr. Houle as a cemetery trustee, but has no conflict of interest whatsoever.

Planner Report indicated comments from Road Agent on Frohock Brook Road to bring it up to a paved road. Noted a very complete application. No waivers requested

Motion by T. Hoopes to accept application for case P06-88. Second by B. Holmes. No discussion. Vote unanimous.

Present for this case: Don Voltz

D. Voltz noted information visually on plans. Proposing 9 lots with frontage on Alton Mountain road. Remaining lot is 21 acres. All lots have at least 200 ft of frontage. Have done topography on the entire lot. Two wet areas on the lot by Alton Shores and one on Lot 2, which is a drainage ditch. An old building on lot 3. Test pits on all lots. Each was suitable. Calculated the length to width ratio and all are less than 3 to 1. The large lot requires 4 to 1 but is less than 3 to 1. Sight distance is good. All driveways off existing roads.

T. Hoopes asked what Frohock Brook Road is like.

D. Voltz noted it is gravel and widened with a deep ditch on East side.

T. Hoopes asked if all the water runs down the road on the East side ditch to the junction of Alton Shores Road.

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D. Voltz water runs down the 18 inch culvert at the base. There are no cross culverts.

J. Dube noted letter from abutter. Fred and Kathy Brooks, have a drainage easement on lot 72-5.

M. Jerkins noted that the issue of a cistern has not been addressed but the Fire Chief has not reported to the Board on this parcel.

Open to public input.

Nora Leroux property located across from the proposed development. Concern on increase of the volume of water, the drainage ditch referred to is very large and dumps down at the bottom. The culvert runs under the road and runs into her backyard.

T. Hoopes stated this needs to be addressed with the Town of Alton.

N. Leroux noted on plans where other water is directed toward her property.

T. Hoopes stated they will address the water runoff to the engineers and the town road agent.

N. Leroux asked if a storm drainage study will be done.

T. Hoopes stated yes.

N. Leroux asked how many houses will be built on the large lot.

J. Dube they will be asked for a future development sketch and the intention for that lot.

D. Voltz there is no intent to further subdivide due to the steepness of the lot.

N. Leroux concern about the exposure to the back of her house.

T. Hoopes encourages doing planting on the back of her property.

J. Dube asked if she has a concern about any of the driveways

N. Leroux asked about safety concern on lots 5 and 6.

J. Dube stated the road agent will address the safety issues.

C. Blackstone suggested she speak with the road agent on her water run-off issue.

Chuck Weston – secondary abutter. Runoff goes through LeRoux property to his property and then to Hills Pond. Would like to know if lots 4 and 5 will have retention ponds or if they have been considered. Concern for clear cutting the lots. Would like to see that the large lot be listed restricted to remain one lot. Concern for driveways coming to Frohock which is part of the snowmobile trail.

Bob Bollinger spoke and noted his company built many homes in Alton. Trask Road, South View Lane, Gedney Court, and they typically clear around the house approximately 30-40 feet. Typically does not clear-cut and try to make it economically feasible. They are not planning to impact any of the wetlands at all. Would encourage any

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question regarding this to go look at some of these homes. Would like to leave the large parcel and not restrict it. Stated they could give up the two lots on Alton Shores Road and pick up two more on the large parcel and still be on the Class 5 road and still not get into the steep slopes. They would like to leave it as it. Again, stated he does not want to restrict it by deed.

T. Hoopes noted they will have to go by what the engineers determine per their drainage calculations.

B. Bollinger agreed he is fully aware of this and would support that.

Sandy Weston asked about putting a road in another area and having the driveways come off of that.

Discussion on an old road on the property.

D. Voltz noted this is a road to somebody's farm and dated back to 1750s.

Closed public input.

J. Dube stated the only issue is to get a drainage study.

D. Voltz volunteered they would look into the matter once a study has been done.

Motion by T.Hoopes to continue to the December meeting. Second by B. Holmes. No Discussion. Vote unanimous.

Other Business:

1. Old Business:
2. New Business: M. Jerkins passed a boundary survey plan around for the Board to look at.
3. Correspondence: three correspondences.
4. Any other business that may come before the Board. OEP Conference. Cris and Jeremy and Tom scheduled for conference. Jeanne and Tom signed up for the Municipal Association Law Lecture series.

Motion to adjourn by T. Hoopes. Vote unanimous.

Respectfully submitted,
Carolyn Schaeffner, Recording Secretary