

**TOWN OF ALTON
ALTON PLANNING BOARD**

**October 20, 2009
APPROVED 11-09-2009**

Members Present: Timothy Roy, Vice Chair
David Hussey
Scott Williams
David Collier, Alternate
Thomas Hoopes

Others Present: Sharon Penney, Town Planner
Stacey Ames, Planning Assistant
Members of the Public

I. CALL TO ORDER

Timothy Roy (Acting Chair) called the meeting to order at 6:02 p. m.

II. APPOINTMENT OF ALTERNATES

T. Roy appointed David Collier as a member for this meeting.

III. APPROVAL OF AGENDA

Agenda was accepted as presented.

IV. PUBLIC INPUT

T. Roy opened the floor for case non-specific public input. Hearing none, he closed public input.

V. CONTINUED

Case P09-15 Bahre Alton Properties LLC	Map 26, Lot 10-1	Site Plan Homestead Place & Range Road
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Application submitted by Richard Bartlett & Associates on behalf of applicant Bahre Alton Properties LLC to amend a previously approved site plan. Approval was obtained for construction of Hannaford Supermarket and adjoining Meredith Village Savings Bank as well as a separate 3,500 +/- sqft restaurant. This application is to amend the prior restaurant building to a proposed 10,000 sqft retail building. This parcel is located in the Residential/Commercial zone.

S. Ames informed the Board that a letter had been received on October 9, 2009, requesting on behalf of Bahre Alton Properties that the pending site plan review application be tabled until such time as they notify the Board for further consideration. They are still working on the issues pertaining to the size and possible tenant of the building.

S. Williams asked if there was a specific date; S. Ames answered that there is no specific date. S. Williams stated that they needed a specific date in order to continue it.

D. Collier recused himself from this case.

D. Hussey made a motion that the application be denied without prejudice, and that the applicant should resubmit later for a new application. Motion was seconded by S. Williams.

T. Hoopes asked if they would be blowing off their fees; S. Ames answered that they would have to submit a new site plan application which would require notifications and new fees. D. Hussey pointed out that it is the applicant who is unprepared, not the Board.

Motion to deny without prejudice passed with four votes in favor and no opposed.

Case P09-16 Robert Levasseur	Map 2, Lot 5	Subdivision Dudley Road, Proctor Road and Route 28
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Application submitted by Jack Szemplinski of Benchmark Engineering, Inc. on behalf of applicant Robert Levasseur to propose a 5 lot subdivision with frontage on Dudley Road, Proctor Road, and Route 28. This parcel is located in the Rural zone.

Mr. Szemplinski of Benchmark Engineering introduced himself. He was here last month with pretty much the same plan; at that meeting the Board had asked that some issues be resolved.

This is a 40 ½ acre lot located on the south side of Dudley Road. At the last hearing they had requested a waiver for two lots that did not meet the 3:1 lot, those lots being Lots 5-2 and 5-3. At that point the Board did not approve the waiver and so the plan was redesigned to meet the 3:1 ratio.

Lots 5-2 and 5-3 have been pushed a little bit out into the open field. The initial objective of this waiver was to subdivide along the existing stone wall which is the demarcation point between the wooded section and the open field. At this point they are going into the field; that makes the lots meet the 3:1 ratio. They also added a little easement area on these lots; you can read note 18 on the first sheet which states that the owner of Lot 5 reserves an easement over portions of Lot 5-2 and 5-4 located east of existing stone wall to allow for mowing of hay, grazing of animals or otherwise farm the easement area. No building, septic system, wells or any other improvements will be located within the easement area.

Also at the last meeting the Board requested that they do a little research on the status of Proctor Road. Mr. Szemplinski stated that he did contact Division 3 of NH-DOT and he reviewed this plan with Steven Drouin; at this point there are no curb cuts there. However, this is not a limited access highway through this site. If somebody wanted to open a driveway they would have to conform to current standards with adequate sight distance and proper drainage to be allowed to open up a curb cut.

They did receive subdivision approval, and he believes these plans meet the Board's current requirements. He would appreciate review and comments and, hopefully, approval.

S. Penney pointed out some clerical issues that need to be corrected. The tax map rendition on page one, up at the top, shows the proposed lots with Proctor Road included in Lot 5-1. Mr. Szemplinski said that should be corrected. S. Penney also noted a typographical error; "Rescent" should be "Crescent" in Crescent Lake Farm on the front page.

S. Collier called attention to the registry references which are showing RCRD for Rockingham County; those should be changed to reflect Belknap County.

T. Hoopes referenced Note 17 which states that the land is currently in current use. He stated that the assessor requests that the calculation be made by the applicant of what the remainder is. Mr. Szemplinski should ask Tom Sargent how he wants it, but it's not his job to go out and redo all the current uses. Mr. Szemplinski questioned this, stating that there are 29.9 acres remaining. This is shown on sheet two. T. Hoopes said that the farmstead and the building are not in it; in other words, they need to supply T. Sargent with a number for what is in current use. Mr. Szemplinski stated that he would do that.

S. Williams asked about the easement data for lot 5-1 for Proctor Road; he was asking if that information was part of the notes for this lot. Mr. Szemplinski answered that the bearings and distance are not shown, but they will put the bearings and distance on it so it will be clear in the future. S. Williams agreed, saying that way whoever buys that lot will know that there is an easement there, and it is an easement of record. T. Hoopes said that the easement would have to be reviewed by Jim Sessler; S. Williams agreed.

D. Collier asked about note 18, which is about the easement. The note goes on to say that the owner of Lot 5 reserves an easement over lots 5-2 and 5-4; that should be 5-2 and 5-3.

S. Penney pointed out another clerical error; it is Tax Map 2, not Tax Map 9 on sheet 1, note 1.

S. Williams stated that the wetlands should be flagged and placarded.

T. Hoopes asked about the wetlands; he was questioning whether they ran all along Route 28. Mr. Szemplinski answered that they did; they had Nancy Randell go back there and flag the wetlands and she did locate them approximately. They are not survey located; he believes that meets what they are requesting. T. Hoopes commented that any access to Route 28 in the future would have to go through a wetland. Mr. Szemplinski said that there is plenty of dry; there is actually a hill. T. Hoopes clarified that he had been asking if the entire Route 28 frontage was wetlands; Mr. Szemplinski clarified that a small portion of it is. T. Hoopes said that was fine; as long as there is a dry access, there is no problem.

S. Williams spoke on behalf of an absent member; he would like to see no further subdivision of Lot 5. Mr. Szemplinski said there is none planned right now, and he questioned why they could not do that at some point; it is 30 acres. T. Hoopes said the question is that there will only be a 76 foot frontage on Dudley Road. Mr. Szemplinski pointed out that there would be extensive frontage on Route 28, which is not a limited access highway. That meets the requirement for frontage. Technically, someone could come in and slice lots right off Route 28. T. Hoopes stated that Mr. Szemplinski's earlier story had been that they had wanted to maintain access off Proctor Road. Mr. Szemplinski restated that there is no plan at this point to subdivide the property any further. However, to make this a condition not to subdivide it forever doesn't make any sense because the property does meet their regulations. Obviously they would have to come before the Board and be subject to scrutiny at that time. D. Hussey told Mr. Szemplinski that he may want to check with the DOT because they have a new law that if you subdivide a large portion or large subdivision, you are only allowed to have three access points out of it. They have already taken their three, and DOT will not let them take any more. Mr. Szemplinski said he had not taken any access points off Route 28 at this point. D. Hussey said that doesn't matter; if you have a large subdivision, and you subdivide it and have already taken three access points out of it, the DOT may not let them come out onto Route 28. Mr. Szemplinski said he had done that; he showed the plans to Mr. Drouin at DOT Division 3 and was told that if they wanted to open up any more they would have to go through regular scrutiny as far as sight distance.

D. Hussey asked if Shoreland Protection was part of the process, as it appeared that the land falls under Shoreland Protection. Mr. Szemplinski stated that they are not within 250 feet of any water body that would be under Shoreland Protection. D. Hussey agreed that the lots aren't, but it appears that Lot 5 is, based on the tax map. Mr. Szemplinski said they had applied for subdivision, and one of the things that were reviewed was whether any of the parcel falls under Shoreland Protection, and it does not.

T. Roy opened the meeting for public input. Hearing none, public input was closed.

T. Hoopes made a motion to approve Case P09-16 with the following conditions:

- 1. The applicant shall comply with all of the Town of Alton's Subdivision and Site Plan Regulations.**
- 2. 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 signing.**
- 3. A note shall be added to the plat prior to plan signing stating that Best Management Practices shall be utilized during any timber cutting on site.**
- 4. All "To Be Set" (TBS) notes shall be removed and all monumentation shall be set prior to plan signing.**
- 5. A note shall be added to the plat prior to plan signing stating the total acreage of each Current Use Category for each lot where applicable.**
- 6. The following note shall be added to the plat prior to plan signing: This subdivision plan contains a total of two sheets, which in its entirety**

constitutes the subdivision plan as approved by the Town of Alton Planning Board. Sheets numbered 1 through 2 are recorded in the Belknap County Registry of Deeds; the remaining sheets are on file at the Town of Alton Planning Department.

- 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. Easements for Proctor Road and for the land are to be reviewed by the Town Attorney.**
- 9. The following note shall be added to the plat prior to plan signing: This subdivision plan is subject to the Conditions of Approval itemized in the _____ Notice of Decision on file at the Town of Alton Planning Department.**
- 10. All roadway names shall be approved by the 911 committee and roadway name approvals shall be provided to the Planning Department.**

Provided all listed conditions and subsequent 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.

Motion was seconded by D. Hussey. Motion passed unanimously.

Case P09-18 Richard Coskren	Map 20, Lot 3	Subdivision Mount Major Highway
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Application submitted by Dean Clark LLS of DMC Surveyors on behalf of applicant Richard Coskren to propose a 2 lot subdivision with shared access located in existing driveway with lot frontage on new cul-de-sac. The Board of Selectmen granted a waiver for the shared driveway with conditions. This parcel is located in the Rural zone.

S. Penney informed the Board that there is litigation concerning this case. T. Hoopes does not feel that they should even hear this case until the civil court stuff is taken care of. Other members agreed.

D. Hussey made a motion to deny this application without prejudice based on the current legal issues and on the fact that this applicant is not ready. Motion was seconded by S. Williams.

T. Hoopes asked D. Hussey if he could update them on the discussions with the Selectmen concerning this case. D. Hussey said he could not.

Motion to deny without prejudice passed unanimously.

Case P09-19 Paul Beckett	Map 12, Lot 17	Subdivision Route 28 North
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Application submitted by Tom Varney of Varney Engineering LLC on behalf of applicant Paul Beckett for a proposed eight lot subdivision with frontage on Route 28 and a new road, "Hilltop Drive". This parcel is located in the Rural Residential zone.

Tom Varney of Varney Engineering introduced himself, and stated that he is representing Paul Beckett and Paul Zousgo, the land surveyor. Since the last meeting they have updated the wetlands permit; they got a response back and that has been amended. A copy of the response was given to the Planning Department. He has gone over the list the engineer gave him and he has submitted those for the deadline; the drainage he submitted on Friday, but he has not heard a response. He did go through the list and add all the items that he was concerned about on the plans.

T. Roy asked S. Penney if there was a time limit on submitting. S. Penney answered that there is, and the engineer had not had a chance to review it, so that portion cannot be discussed conclusively because they don't have the engineer's feedback on the drainage. T. Roy clarified for the applicant that the deadline is one week prior to the meeting because the engineer has to have time to review it. Mr. Varney said that he did not give it to him on Tuesday afternoon; he gave it to him last Friday. Mr. Varney said that one part was done on the deadline, but he hasn't heard back on that. He doesn't have any other items to discuss.

T. Hoopes asked if there was a report of any kind from Peter. S. Ames said he really couldn't do much without the drainage report. T. Hoopes asked what the change was to the wetlands permit. Mr. Varney answered that they had made it ten square feet, down from 300 square feet. It's very minor. They were approved for 300 square feet, now they only need 10 square feet of impact. T. Hoopes asked if that was moving things away from it; Mr. Varney answered yes. He moved the road away from the wetlands and the vernal pool.

S. Williams made a motion to close discussion on this case and continue it on November 17, 2009 at the regular meeting. Motion seconded by D. Hussey and passed unanimously.

VI. OLD BUSINESS

Andrew Kierstead of Andrew's Marine came to the table.

S. Williams opened the discussion by telling Mr. Kierstead that he thought there was some question between what the Board thought his approval was and what he thought his approval was. He doesn't think they are on the same page, and he asked if Sharon or Stacey could fill them in.

S. Penney stated that they had checked in recently; Mr. Kierstead is in seasonal transition with stuff. There is a reduction of stuff hanging out compared to what was there a few weeks ago; it is mostly boat trailers. The issue is what stays outside permanently.

S. Williams said that he felt the Board was under the impression that some transient trailers in the process of moving from here to there was the only thing that would be outside. They've seen camper trailers, backhoes, dump trucks from time to time, and the general housekeeping of the outside. He also doesn't think the landscaping is complete. He feels that they (the Board) are looking to see if they can get on the same page with that. T. Roy said he believed that those were conditions of the ZBA approval. S. Williams went on to state that during the meetings Mr. Kierstead had said that he did not plan to leave anything outside, and that was fine, but somehow that didn't get into the minutes.

T. Roy again asked about the Zoning approval. S. Penney said that it was expressly stated at the Zoning meeting; it was a fire department caveat that there could be nothing within 50 feet of the building that could possibly be combustible.

Mr. Kierstead said that anything within 50 feet of the building and combustion had never been a discussion; they are still in transition to get the project done. He understands that for projects like this, two years is a standard. The trailer was actually a site trailer they have just emptied out and finished up; it was not in permanent storage there. The backhoe was used for moving trailers and at this point he is going to use it for snow removal. S. Williams asked if there was room to park it inside; Mr. Kierstead answered that there is not when the building is full of boats. S. Williams answered that the building was not full of boats all summer, and the backhoe was outside all summer. Mr. Kierstead stated that he does not understand why he can't have a backhoe on a piece of property. T. Hoopes answered that one of the requirements when the ZBA gave their variance was that nothing be stored outside.

Mr. Kierstead stated that he was given an exception for boat storage, and if they were to read the definition of boat storage, it is either within or without a structure. They hadn't planned on storing boats outside, but they hadn't not planned on it either. T. Hoopes had made a comment during one of their meetings that he didn't want to see another sea of blue, so they addressed that issue and said that in the event they did need to put boats outside they would shrink wrap them in white. His whole contention about outside storage is that he stores them at the marina, and it really doesn't behoove him to spend gas and wear and tear and effort to haul them to the building and then back to the marina. All the outside boats that they plan to store are stored at the marina. In the event something has to get stored down there, they hadn't planned on not doing that.

T. Hoopes said that what they were really looking at is appearance, and they want it neat and tidy. As people are coming from the north going south, that is the entrance to Alton. They get many comments from the public asking why all that stuff is out there. He can see having something stored outside temporarily; if it's something that is going to be outside for any length of time, it should be behind the shed.

Mr. Kierstead stated that that brings up an interesting point. He has had discussions with Brian about hiding things and moving things around. They actually had a couple of boats that were ready to be junked, so he moved them behind the building. By the zoning definition, he can store the boats outside. T. Hoopes said he does not believe so; that had been talked about. What had been said was that incidentally, in the coming and going of shifting things there is no problem with having a few boats outside at some time. During the summer or during times when the boats are all moved, they shouldn't be out in plain sight. He thinks that if they go through the minutes and through the ZBA hearing, the concept was that this was not going to happen.

T. Hoopes explained that what happened was that the approval came at 10:45 p.m. on a long, late night. Not everyone was thinking well, because that is one of the things they would have specifically put down. They had talked about them, so they assumed they were there.

Mr. Kierstead stated that they are in definite disagreement. If they take a step back and read the Alton Master Plan, there is a passage in there that says that Alton would like to encourage marinas and marina development in this town. If they look at the definition of boat storage, it is within or without a structure. Is he understanding that the Planning Board can change zoning decisions? T. Hoopes said no, but the site plan did not have "without" storage. It was "within" storage. Mr. Kierstead said they had specifically addressed the issue about having shrink-wrapped boats outside.

T. Hoopes said they had talked about boats outside, not just shrink wrapped. They have gone through this same thing in the Bay, at Gillen's Marina. A lot of this is appearance. In the town, they try to keep things neat and tidy. They get comments at public meetings when people come through and ask about all the things stored outside, and not just on his.

T. Hoopes brought out the ZBA Notice of Decision from June 9, 2007. The language for the motion granting special exception approval for boat storage states, "The construction of a building satisfy the conditions and concerns of the Alton Fire Department. That is, no outside storage be allowed within 50 feet of the building. Also, that there be no valet-type storage at this facility."

D. Hussey said that he noticed that there is the backhoe and also a vehicle that looks like a Ford Bronco. He asked if both vehicles are registered. Mr. Kierstead stated that neither of them is registered. D. Hussey said they are only allowed one unregistered vehicle on the property. Mr. Kierstead said that if that's what they're talking about, he'll register the backhoe. He has covered up the Bronco with a green tarp. D. Hussey said this is adding to the confusion; the amount of debris lying around. When they originally did this, they were told there would be no blue boats and all that stuff, but also that it would be very well picked up and well landscaped. Mr. Kierstead stated that they are still in the process; the pile of dirt is going away and he still needs to do his drainage ditches. D. Hussey said there are storage shelves out there, piles of lumber, some type of winch line, and asked if this is part of landscaping. Mr. Kierstead said they are not done, and he had spent some time the past weekend cleaning up scrap metal, a trailer... This is an ongoing

process. Unfortunately, the economy this year caused them to cut staff at the marina and he hasn't had the time to follow through and clean this up. Most of the metal is gone; he still has some sheet metal from the building which he intends to save in case of damage.

D. Hussey stated that the Board is not trying to give him a hard time. They are just looking for a way to get this cleaned up so that he is happy and the Board is happy. Mr. Kierstead said that he is happy right now, but apparently the Board is not. D. Hussey agreed that Mr. Kierstead is happy, but his neighbors are not, and they are coming down on the Board.

T. Roy said that it was a conditional approval, and it doesn't look like some of the conditions are being met. Mr. Kierstead disagreed. T. Roy pointed out the landscaping; Mr. Kierstead said it isn't done yet. He doesn't have the money to buy ½ inch stone for his drainage, so they haven't done the drainage yet; they're working on some of the landscaping, and they're working to get rid of the dirt. Some of the stuff outside actually came from his other storage after the landlord told them they had to leave. He finished the building in snow, and the stuff from the other building just got plopped. They are slowly going through it; they took another boat to the dump on Friday. There was a pile of metal they cleaned out the other day. Unfortunately, he works seven days a week at the marina, and he has been here and there trying to get the yard cleaned up. The Bronco is something he can junk; he had been saving it as a project, but if it is a big deal, he'll put it in his back yard.

The trailer was a huge eyesore; once he started hearing stuff from Brian, they got it out of there. It was a site trailer they used it for tools and other stuff. It is now gone. The Bronco will go in his yard, if that's an issue. D. Hussey stated that it is not the only issue; it is one of the issues. Mr. Kierstead said that as they pare this down, then they are going to be nitpicking. He is going to keep the backhoe there for snow removal; if he needs to park it behind the building, he can do that.

T. Hoopes stated that S. Penney has a list of requirements by the ZBA, requirements by the Planning Board, and then discussions they had during preliminary as to what they said they were going to do. He thinks it would be good if they could simply go over some of these so that they are all comfortable that they are on the same page. If they're not on the same page, there is no sense of resolution that is a happy one. They don't want to come down with an iron fist, but because of what was said at the ZBA hearing, that was a conditional approval. If that condition is not maintained, the Board has the ability to rescind the approval. There are some things the Board would like to see, and they would like to see, and they would like to work it out so there is an understanding of where things will be.

T. Hoopes read from Mr. Kierstead's own words:

1. Use of the building and its property will be restricted to Andrew's Marine Service personnel and is not intended to be used for customer drop-off or pick-up.

In addition, it was decided by the ZBA that the property would not be used for valet type storage but for longer term and winter boat storage.

2. AMS is not intending to use the facility for outside boat storage; nonetheless, there might be the occasional shrink wrapped boat that needs longer term storage beyond the storage contract deadline of May 31. This deadline is set by the Board of Directors of the Island Marina Association and the owner of Minge Cove Marina, and must be adhered to by AMS. In this case every effort will be made to place such boats within the proposed storage building or outside behind the building, either way being out of sight of the general public.

3. Final plan to be stamped by Tom Varney and signed off by the Planning Board Chair on July 15, 2008, states that storage of boats outside the building is not provided for.

T. Hoopes recognized that this is the season for moving things around; there are going to be boats and trailers around. During the height of the summer season, and as soon as they can possibly get it cleaned up, the sooner it is cleaned up, the better off everyone is.

D. Hussey stated that the key word he hears is “marine” storage. A lot of the stuff they have around there is not marine storage. Mr. Kierstead clarified that he has the Bronco and the backhoe, and asked if he has to take it off every day, bring it back, dig a hole, and then take it off again? S. Williams said no; it was noted that he is still working on the building. He just needs to get it around back, out of sight, and make the site look good.

Mr. Kierstead referred to a letter he got from Brian didn't make him very happy. He asked if the Board was aware of that; they were not. Mr. Kierstead stated that in the letter he received on the 4th weekend, he was given seven days to move those four specific items or face \$255 per day fines, with no specific zoning violations or anything. Mr. Kierstead responded and explained what all the things were doing, and Brian backed off. He thinks the letter cc'd Jim Sessler. He doesn't know where that was coming from; they had been talking about that they were moving along and having discussions about the fact that things were getting cleaned up; maybe not as quickly as people would like, but they were making progress. Then he got hit with that letter.

T. Hoopes pointed out that Brian is Building Inspector and Code Enforcement Officer. It was via Code Enforcement that he wrote the letter, because he's enforcing the zoning regs that are being violated. T. Roy stated that they are conditions, and there is no approval until all conditions are met. Mr. Kierstead says he has two years to do the project, so the backhoe should be a moot point. In two years and a day, then get on his case about the backhoe. The Bronco, you can only have one unregistered vehicle. Does that mean that once you have site plan approval all the rest of the conditions of a specific lot get erased? In other words, the only thing he can't store there is an unregistered vehicle? T. Hoopes said it is a marina, for marine storage, not for other things. It's a business, and there are requirements for it.

Mr. Kierstead said he would move the Bronco and get the backhoe behind the building. If the Board looks at the lot, they are progressing. He doesn't understand why he is getting beat up for a dirt pile; that shouldn't even be a discussion. S. Penney handed Mr. Kierstead some photos taken on November 8, which show stuff around the building. The Board acknowledged that these were taken on the 8th and it is now the 20th. S. Penney apologized for not getting the photos to the Board earlier, but explained that they had not been aware Mr. Kierstead was coming to this meeting.

S. Williams stated that the long and short of it is that it behooves Mr. Kierstead and all of us to have a neat and tidy operation. Mr. Kierstead took some exception to the pictures, stating that they had been taken from around back behind piles of wood and frames for boat racks. S. Ames stated that she had taken the pictures and she was wearing heels. Mr. Kierstead went through specific pictures showing several piles or items that have already been scrapped, including the trailer and a grill. He explained that he had put his last boat in on December 31 last year; he was paying rent at the other building, and paying here. He had to get his stuff out of the other building in Milton, so they put it here. They have slowly been processing through it, like the grill, which is now gone.

S. Williams said that as long as he is making an effort... Mr. Kierstead said they have been, and that is also a discussion he had with Brian. He couldn't store the dozer that Lynch had out front, but he was doing site work but he was parking it there and doing some work, but also parking it there and not bringing it where he should have been. They got rid of that; it's gone. Then he (Brian) said things were looking good. Then all of a sudden, he gets the letter. He's not getting consistency, and they have been making progress.

S. Williams said that all those pictures were after the letter, so he thinks the letter was somewhat justified. That stuff was there at the time. Mr. Kierstead referred to the trailer, saying it was a site trailer and questioning that he had two years for the project. S. Williams said it was a travel trailer; Mr. Kierstead said they used it as a site trailer; it is now gone, and they are making progress. He needs to know what the bottom line is at this time; get the Bronco out, park the backhoe behind the building?

D. Hussey said that the bottom line is that the Board wanted to hear what he was doing; he is doing something, which they didn't know. Mr. Kierstead said he needed to know what he could do; Avery has a backhoe in his yard; Steven Hurst has a backhoe in his yard. Right around the corner from him there is another backhoe in the yard. He needs to understand what he can and can't keep there. T. Hoopes stated that he has a specific site plan approval that says no outside storage. Mr. Kierstead said he is not storing it; he owns it and he will use it for snow removal. T. Hoopes said that it is being stored there on the site. If he is using it on the site, it shouldn't be out in front of the building; it should be either in the back or inside.

Doug Lynch of Lynch Contracting had come to the table (at this point had not introduced himself). He asked if you could keep equipment there to maintain the property. Mr. Kierstead asked if everyone who maintains property with construction type equipments

hides it. T. Hoopes referred back to the approval, which states no outside storage. T. Roy at this time told Mr. Lynch he had to introduce himself or sign in. He introduced himself, and Mr. Kierstead said he was still finishing up the site work on the property. Mr. Lynch said the trailer had been used as a site trailer on the property; they had materials in it. T. Roy told Mr. Lynch that he should not be speaking; he is not part of the discussion.

Mr. Kierstead said he understands the concerns, but it really ticks him off because he feels like he is one of the people in town who has done what he said they were going to do. They put the vegetative screen up; he actually put a second row of trees in trying to hide stuff. The building is green; they're trying to maintain. T. Hoopes mentioned that it is some of the best screening the Board has seen; they have no problem whatsoever with the planting that has been done.

S. Williams asked Mr. Kierstead to just make it tidy; that is the bottom line. Mr. Kierstead said that is what they are trying to do. He would also like to have an understanding of what he can and can't do. The dirt pile may take him another six months; they're slowly moving it. S. Williams said it is not that big a dirt pile; they could knock it over in 10 minutes and spread it out. Mr. Kierstead said that the problem is that they have to grade away, and the dirt pile isn't helping. They need to get rid of it because they then have to dig two trenches for drainage, which is going to produce more material.

S. Penney suggested that perhaps they could just do some progress communication. S. Williams agreed, asking that they keep the Planning Office current on what they are doing. Mr. Kierstead invited them to go look at it today; they had worked on it this weekend. S. Penney said that was fine; the communications line was severed. They had not expected to see him this evening. S. Williams offered to supply a copy of the minutes; this is what they have to live by. Mr. Kierstead said that is what they are doing. S. Williams said that he had mentioned earlier that they are planning on storing outside boats, and he doesn't think that is going to allow them to do it. Those are his words.

S. Williams suggested that before they go any further, Mr. Kierstead should get a copy of all that; Mr. Kierstead said he did have all that, but he also has the minutes from the discussions he had here. T. Hoopes had said he didn't want to see blue, so they had said that if they had to store any boats outside, they would not do them in blue, they would do them in white. S. Williams stated that he thought the ZBA would trump them on that because they set that condition up, and they are quasi-judicial. Mr. Kierstead said they said 50 feet, so he's got a 50 foot perimeter and if he keeps them outside the 50 feet...

T. Hoopes remembered that in the discussion they had talked about no outside storage, and Mr. Kierstead had talked about incidental boats; Mr. Kierstead said that is where he is at right now. He has one boat with wrap on it and one waiting to go inside, but it's too big to go and block the racks so it's outside until they fill the racks then it goes inside. S. Williams and T. Hoopes both stated that that type of situation is not a problem; that is working. Mr. Kierstead asked what the discussion is then; they are not storing boats outside. They had them out back because Brian asked them to put them out back.

S. Williams asked Mr. Kierstead to make it tidy and to talk with the Planning Office. They'll keep the Board posted on what is going on. S. Penney said she is glad there have been some changes and on a regular basis they just need to be kept informed.

Mr. Kierstead again asked for clarification, stating that it is not going to be completely empty of anything outside. He has a pile of blue boat racks that are modular; they are waiting to be assembled and put inside, but right now they are out back waiting to be assembled. Does he need to cover them in green? T. Hoopes said that if they know that is something that is going to be installed inside to just let them know. S. Williams said to give the Planning Office an idea of when they plan to have it completed.

S. Penney stated that when people call and complain, they are in the middle and they don't understand what the rationale is and they are trying to mollify and look into complaints. They need a good communication circle.

Mr. Kierstead said they feel they have been making progress right along. S. Williams said the Board is not taking aim on anybody or any industry in town. The boat business is integral to the Town of Alton. Mr. Kierstead referred again to the Master Plan. S. Williams said that the Master Plan says a lot of things, but let's just keep it neat. That is good for him and for Mr. Kierstead because it shows that he runs a good business. If everything looked like it was destroyed, everyone would be wondering what was up with this guy. Just make it look good.

Mr. Kierstead thanked the Board and left.

S. Penney apprised the Board of a monetary issue. She stated that on August 18 they had a pretty big agenda; they had Bahre, Coskren, Levaasseur, and also Ryan Heath with the first appearance of his amended site plan for workforce housing. There were several contentious projects on board. In her professional opinion and to forestall any protraction and to make sure they could provide the abutters with any information after fourteen months between elderly housing and a resubmitted workforce housing, she asked Mr. Julia to come.

Mr. Julia did speak to the Levaasseur subdivision. She had asked him to come just to sit because there were so many things going on, and she thought it was appropriate at the time, though it is not something she would ordinarily do. Part of Peter's time was pro-rata billed to Levaasseur; the outstanding \$402.25 was for Mr. Heath's project.

Mr. Heath contends that because he was not consulted on this that it's not his responsibility to pay it. She felt these were extenuating circumstances because of the level of volatility of the abutters and the questions, so she made the call. She would like the Board to consider this invoice; there is a possibility that the Planning Department could absorb a portion of it and reduce the level of pain for Mr. Heath. She felt that in this particular case it was to Mr. Heath's advantage to have the engineer there.

S. Williams asked if the bill had been an equal split with Mr. Levaasseur. Mr. Levaasseur's portion was about half what Mr. Heath's was; the split was about 1/3 and 2/3's. Her original thought had been to pro rate it over all three cases, but nothing actually came up for him to address with the other two cases.

S. Williams asked how long he was there for \$600. S. Penney answered that it was a very long meeting; he was at the meeting for at least three hours with an hour for travel time so it was at least five hours. He did cut them a break on it.

T. Hoopes stated that he thought it was a good decision; if they are discussing something and there is a question as to what is going on, he thinks the engineer's perspective is very important. Other members agreed. S. Penney reminded the Board how contentious this was and stated that she really thought this would be a proactive thing and, not that she was necessarily advocating for the applicant, but trying to equivocally be fair across the board. If this got all jammed up, if the engineer was on site he could answer some stuff. There was a fourteen month delay in this; she was kind of fuzzy on some of this. She did not do this arbitrarily, and she did think about the cost.

S. Williams said that they do need to be somewhat reactive to it; if they are spending someone's money, they have to know about it. That's important; having sat on the other side of this table on a couple of occasions, everyone has their hands in your pockets. He is not speaking to this right now, but going forward, they need to be very transparent and let the applicant know that there is going to be an engineer on board, this is his rate, and this is what it is going to cost.

S. Penney said she understood; this is unprecedented and in her mind, when she asked Pete to ballpark it she was thinking that it would be \$150 each after it pro-rated out to the four of them. As it turned out, the bulk of his time was spent speaking to Heath.

S. Williams said that if there were other people he was here for, and for some reason they cancelled at the last minute, they should still bear some of the cost because he responded to do that.

T. Hoopes stated that he didn't see a problem with the Town bearing some of the cost because it was certainly for their benefit. He has said many times that they are amateurs; S. Williams agreed, adding that Peter was good for what they needed to do, but they do need to be transparent going forward.

S. Penney agreed and said that she will pose this to Mr. Heath to see if he wanted to split it; if not her department will take the hit. Next time, they'll give them the opportunity if they want the engineer; not for something frivolous, but this case has been fraught with contention.

D. Hussey voiced agreement with S. Williams; they have to be cognizant of what they are doing with the applicants.

T. Roy addressed M. Guldbrandsen's response and stated that there had been engineering issues. That's why they had him here; it was the traffic study. S. Williams believed that she was not referring to Ryan's issue as not needing engineering, but to the other applicants. S. Penney said no, that this was expressly for Ryan because she could not proceed in this matter without a letter specifically saying no. T. Roy felt that M. Guldbrandsen was wrong in her response; there were engineering issues.

S. Williams said the main issue probably was that they didn't know about it ahead of time. S. Penney said she would approach them again to try to make a deal; other wise her budget would take care of it.

VII. MINUTES

While minutes were being read by some members, T. Hoopes asked about the article in the Citizen about the campground beginning to rebound; there is a comment on the second page that says, "We have had indications that we can have the same density, Smith said." T. Hoopes asked where that came from. S. Penney answered that it was bad journalism. T. Hoopes recalled that he had voiced that issue at least two or three times. T. Roy said he had read through the minutes carefully and at least five times it was asked how many are looking to rebuild. T. Hoopes recalled that S. Williams had said that they couldn't get the equipment in unless some of the buildings were moved one way or the other. Issues with the corners had also been brought up. D. Hussey said it didn't come from this Board. T. Hoopes felt that the point that had been made that night was where they would stand with anyone else who came before them if they allow them to go back to a previous density that nobody else has ever had. T. Roy also remarked that the article talked about the 43 homeowners who wanted to rebuild but even prior to that article coming out, he had gone home from the meeting and started thinking about the phasing; are they going to draw straws to see who gets in on the first or second phase.

T. Hoopes said that if you stand on the town parking spaces opposite Pop's and look back up, what is 2 ½ stories going to look like up on that hill? Every tree is going to be cut, and it will be so blatant from the east side. D. Hussey commented that it is a perfect time to take out that hill.

September 15, 2009 Minutes

On page five in the fourth paragraph, add an "s" to the end of "S. William".

T. Hoopes made a motion to accept minutes of September 15, 2009 as amended; S. Williams seconded the motion, which passed unanimously.

September 29, 2009 Minutes

On page six, paragraph two; add "County" after "Belknap".

S. Williams made a motion to accept minutes of September 29, 2009 as amended; D. Hussey seconded the motion, which passed unanimously.

October 6, 2009 Minutes

Approval of these minutes was put off until the next meeting.

VII. OTHER BUSINESS

S. Ames brought up an issue with Ridgewood Lundy. He had asked for cistern removal, and it was denied because he had already transferred lots to other owners. He got certified, notarized letters from all the lot owners saying that they don't mind the cistern removal. However, it was mentioned at one time that he might be privy to an alternate form, such as a dry hydrant. She mentioned that to him, and he is all for it, if the Board would like to remove the cistern requirement and replace it with another source.

T. Roy said that prior to saying remove the cistern, he should get something that will be acceptable to the fire department, and then come to the Board. They should not waive that without something approved or accessible. Get something agreed upon, come to the Board, and then they'll do it.

S. Ames reminded the members that there is a Zoning Workshop on Monday, October 26, 2009 at 6:00 p.m. This is not to make any changes; it is just to assign and for general discussion of things they feel should be worked on and proposed. There was discussion of what ordinances could be worked on and who would be in attendance. Zoning issues were discussed.

VIII. ADJOURNMENT

D. Hussey made a motion to adjourn seconded by S. Williams and passed unanimously.

Meeting adjourned at 7:35.

Respectfully submitted,

Mary L. Tetreau
Recorder, Regular Meeting