

ALTON PLANNING BOARD **Approved by the Planning Board November 15,2005**
MINUTES OF OCTOBER 25,2005
Continuation of October 18, 2005 Meeting

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Members Present: Chairman Thomas Hoopes, Chairman; Cynthia Balcius, Vice-Chairman; Thomas Varney; Alan Sherwood, Selectmen's Rep; Bruce Holmes; Jeremy Dube; Donn Brock, Alternate; Bonnie Dunbar, Alternate

Others Present: Town Planner Kathy Menici, Secretary Nancy Pritchard and others as identified below.

Call to Order:

T. Hoopes called the meeting to order at 7:05 p.m.

Appointment of Alternates:

T. Hoopes appointed Bonnie Dunbar as alternate in place of Jeanne Crouse.

Amended Agenda: Case #P05-13, Map 10, Lot 27, 3-Lot Subdivision by Robert Henderson on Alton Mountain Rd. Kathy received a call from Mr. Henderson that he was unable to attend tonight's meeting for personal reasons and he has asked that he be continued to the November meeting. Eric Roseen, his agent, is here if the board has any questions regarding the application. The only outstanding issue on this particular case was the road improvements to accommodate the subdivision. There has been an agreement reached with the road agent, a little bit of fine tuning that has to happen there and by next month those issues should be resolved and the board will have all of the information they need to make their decision.

Eric Roseen, Surveyor stated that the engineer has prepared some plans and given them to Ken Roberts. Mr. Henderson is reviewing the financial part of it and they have not quite come to terms yet. We have state approval.

Motion made by C. Balcius that we continue Case #P05-13, Map 10, Lot 27, the Robert Henderson subdivision, to November 13, 2005. Motion was seconded by B. Holmes. It is unanimous.

Public Input: T. Hoopes called for Public Input on non-case specific issues. There being none, he closed this segment.

Case#PO5-64 Map 6, Lot 16-14 & lot 18 Boundary Line Adjustment
Donald Roberts, Kimberly Griffin, Andrew Cote Chamberlain & Suncook Valley Roads
Application submitted by Alton Law Offices on behalf of the property owners, Donald Roberts, Kimberly Griffin and Andrew Cote for a Boundary Line Adjustment. The property has frontage on Chamberlain Rd and Suncook Valley Road and is located in the Rural Zone. The application was accepted at the September 20, 2005 meeting and continued.

It was agreed that the boundary line adjustment is actually contingent upon the applicant's receiving approval for the following case which is P05-65, which is a 3-Lot Subdivision that is being proposed by Donald Roberts. If the board takes action on this case the approval will be contingent upon the action on the following case so that the boundary line adjustment doesn't

occur if the subdivision doesn't occur.

Motion made by Alan Sherwood that we approve Case P05-64, Boundary Line Adjustment, first to be conditioned on subsequent approval of Case P05-65 which is a subdivision plan, and secondly that it be conditioned upon the final boundary line adjustment plan being updated to reflect all the changes in wetland mapping identified by Blue Moon Environmental on their letter of October 24, 2005. Motion was seconded by J. Dube. It was a unanimous vote.

Case#PO5-65 Map 6, Lot 18 3-Lot Subdivision
Donald Roberts Chamberlain & Suncook Valley Roads
Application submitted by Alton Law Offices on behalf of the property owner Donald Roberts. Applicant proposes a 3-lot Subdivision of Map 6, Lot 18. Two lots will have frontage on Suncook Valley Rd and the remainder lot will have frontage on Chamberlain and Suncook Valley Roads. The property is located in the Rural Zone. The application was accepted at the September 20, 2005 meeting and continued.

The board stated that they would like to see an update on the wetlands mapping on the plan to update calculations for the 4K area on proposed Lot 2 and also review the requirements for septic system setbacks to make sure everything still works in that lot. Both the total wetlands and slopes cannot be steeper than 25% within the 2 acres.

Public Input: Seeing there was no input, the public input was closed.

Motion made by J. Dube to continue Case P05-65 to the November 15 meeting. Seconded by A. Sherwood. Vote is unanimous.

Case#PO5-62 Map 17, Lot 7-3 Site Plan Review
James & Lucy Clemons Mount Major Highway (Rte 11)
Application submitted by Craig Bailey on behalf of the property owners, James & Lucy Clemons, for Site Plan Review for a proposed 40'x60' residential dwelling unit and a separate proposed 30'x32' commercial retail unit to be located on the same lot. The property is located on Mount Major Highway in the Rural Zone. The application was accepted at the September 20, 2005 meeting and continued.

Craig Bailey represented James Clemons. There were a few minor revisions to the plan, specifically to include the minimal dimensional control that is minimum 2 acres per growing unit for 200 ft. frontage, front and rear setbacks. This concept hasn't changed and the layout is the same. There were two issues last month with the abutter, Mr. and Mrs. Chambers, which have been addressed. As soon as there is a change of use or additional use a specified commercial driveway permit and amendment will be required.

Public Input: Seeing there was no input, the public input was closed.

Motion made by Alan Sherwood that we approve Case P05-62, Site Plan for Retail Shop on

Route 11 subject to 2 conditions: 1) all necessary state, local and federal permits be obtained prior to the beginning of excavation or timber cutting, copies to be provided at the Planning Dept; 2) that hours of operation and business related lighting be restricted to 9 a.m. to 9 p.m. Motion seconded by B. Holmes. The vote is unanimous.

Case#PO5-70

Map 29, Lot 14

Site Plan Review

Peter & Elizabeth Varney

129 Main Street

Application submitted by the property owners for Site Plan Review to convert existing building into combined Commercial Retail Space and dwelling unit. The property is located at 129 Main Street and in the Residential Commercial zone.

This is an existing site with an existing structure and a change of use. There has been previous site plan approval for that site. Because it is an existing site, the applicants have requested waivers.

Motion made by J. Dube to accept Case P05-70 and grant the following waivers: Section 7.2.33 Wetlands; Section 7.4.5.1 Drainage Plan; Section 7.4.5.2 Storm Water Management and Erosion Control Plan; Section 7.5.1.1 Physical Impact Studies; Section 7.5.1.2 Environmental Impact Study and Section 7.5.1.3 Traffic Impact Study. Seconded by B. Dunbar. Voted unanimous.

Peter and Elizabeth Varney summarized that they are proposing a gift and florist shop and are in the process of renovating the building. It was previously 4 unfinished apartments and they have combined the whole second floor into their residence and the downstairs portion would be for commercial space and the rest of the downstairs will probably become part of the residence. There was one addition to the parking lot plan from what was pre-approved which is parking lot #7 for the 2nd floor resident. Six are required for the sq. footage. The business in itself is proposed as the 995 sq. ft. and there is a proposed addition. They have applied for the permit, the foundation is poured, but the building is not up yet because the building has required a lot more renovation than anticipated. The business footprint is only the shaded area on the plan. There is an existing sign post. The hours of operation will be 9 a.m. – 6 p.m. Street lighting is sufficient at this time. The large septic system was pre-approved.

Public Input: The meeting was opened to public input. There was no public input.

Motion made by J. Dube to approve Case #P05-70, Site Plan Review. Seconded by A. Sherwood. Voted unanimous.

8:00 p.m. – T. Hoopes called for a five minute break at this time.

8:05 p.m. - T. Hoopes reconvened the meeting to order.

Case#PO5-73

Map 6, Lot 5-24

Site Plan Review

Application submitted by Jones & Beach Engineering for a Site Plan Review to operate a Karate Academy in an existing building on a residential site. The property is located at 11 Mallard Drive in the Rural Zone.

C. Balcius and Bruce Holmes excused themselves from this case.

Kathy Menici: This is an amended site plan. There were previous commercial uses on that property. There are 4 waivers requested for the application. Section 7.2.11 Certification; Section 7.2.33 Wetlands; Section 7.4.5.1 Drainage Study; Section 7.4.52 Storm Water Management and Erosion Control Plan. These are items that were reviewed by the Planning Board as part of the subdivision application which came through Planning Board I believe starting in 2001, carried over to 2002. At the time the agenda packets were put together the property owner had not been in to sign the application so the packet you have in your packets doesn't show his signature. However, Mr. Caley came in yesterday to sign the application, so the application is complete. I believe the parking area is already there and parking spaces are being designated.

Brad Jones: There is actually a pad that is already there. It needs to be graveled, but there is no extension of the property.

Motion made by A. Sherwood that the Board grant the 4 waiver requests enumerated by Kathy Menici, Planner, and that we accept the application as complete. Seconded by J. Dube. The vote is unanimous.

Meg Jones: I am here tonight for a site plan review to relocate my Karate studio, Kwoon Karate Academy from downtown Alton where I have rented a space for three years, currently holding classes down in the Community Center. I am here for consideration of relocating to 11 Mallard Drive in which I intend on purchasing. I am proposed to renovate the interior of the existing building, previously High Point Kennel, to use as a studio to teach martial arts.

Brad Jones of Jones & Beach Engineers. I am sure everybody is familiar with the location. It is about ¼ mile beyond the high school south on Route 28 and the left side is Merrymeeting Estates and the property is the first building on the left hand side. The property is approximately 300 ft. from Route 28 and it is located in the RU zone and it is a 4 ½ acre piece of property with access off of the new subdivision, Mallard Drive. What we are proposing is actually not to make any additions to the existing buildings. It is just going to be the parking lot that is going to be graveled, widening the driveway and adding another 10 ft. to the culvert at the entrance (submitted pictures of the existing buildings). The building was built approx. 9 years ago. The hunting lodge was the home and the building was built as a dog kennel at the rear of the property. The property has a natural vegetated buffer around it and there are a lot of white pines that have grown up and the buildings do set back nicely in the property and are not very visible from the road. As you leave the property there is an open space conservation lot across the street and there is no home directly across. There will be no headlight problems as people leave the property.

Public Input: Eleven residents from Merrymeeting Estates spoke of their concerns which included: safety, noise, lighting, septic system, environmental, change in the character of the

neighborhood, septic system, cars entering and exiting, flooding on that corner resulting on ice in the winter, and not being informed that 11 Mallard Drive was zoned for business when they purchased their homes.

T. Hoopes closed the public input seeing there was no more input at this time.

A site visit will be held by the Planning Board on Tuesday, November 1 at 4:30 p.m.

T. Varney made a motion that we continue this hearing for L&D Trust, Robert Caley for a site plan for Karate Academy on November 15. Alan Sherwood seconded the vote. It was voted unanimous.

T. Varney made a motion that we extend the meeting beyond 10 p.m. Alan Sherwood seconded. It was voted, 7 in favor, 1 opposed.

Case#PO5-75

Map 17, Lot 19

Site Plan Review

West Alton Marina, Brian Fortier

35 West Alton Marina Dr

Application submitted by Spaulding Land Planning on behalf of the property owner to add 3 docks to an existing marina. The property is located in the Recreational Service Zone, the Town of Alton Shoreland Protection Overlay District and the NHDES Shoreland Protection Overlay District.

K. Menici: We do have some waivers requested. At Section 7.2.9 Survey Accuracy; Section 7.2.11 Certification; Section 7.5.1.1 Physical Impact Study; Section 7.5.1.2 Environmental Impact Study; Section 7.5.1.3 Traffic Impact Study. In addition to those requested, waivers will be needed for the following or the items I am about to identify can be added to the Platt as a condition of acceptance or approval: Section 7.2.6 Scaled. There was no bar scale provided on the Platt; Section 7.2.24 the Soils Designations are the 1968 rather than the 2004, so those would need to be modified; Section 7.2.7 Elevation. Some of the labels are just not legible. They are they are blurry; and Section 7.2.30 Flood Plane Data was not addressed on the Platt.

Alan Sherwood moved that we grant the five waivers that were read by our planner and that the other four incomplete items she read be included on the plan of Platt, and then we accept the application as completed. J. Dube seconded the motion. It was voted unanimous.

Gary Spaulding from Spaulding Land Planning Associates: What we have is an ongoing maintenance program that West Alton does and we are repairing some bulkhead and some walkways. In turn we receive the Wetlands approval, Army Core approval, and also a building permit from the town to do those repairs. In addition to that after we have done the repairs and some modifications there is room for three additional docks to be built. You will see on Sheet D1 we are relocating three docks and then adding three more. We are here this evening for those three docks. We have provided parking spaces over to the north, six spaces/slips for the three docks. Our intent would be not to build them unless we absolutely needed to. Parking is not an issue out here. Given the busiest days on July 4 weekend, they have plenty of spaces to park.

T. Hoopes opened the meeting up for public input. Seeing there was none, he closed the public input.

Cynthia Balcius made a motion that we approve Case #P05-75, May 17, Lot 19 for the dock expansion. Seconded by J. Dube. Motion carried unanimous.

T. Varney and C. Balcius stepped down from the next hearing at this time.

Case#P05-77

Map 36, Lot 28

Site Plan Review

Brandt Development Corporation

167-173 Mount Major Highway (Rte. 11)

Application submitted by William Tanguay, attorney, on behalf of the property owner for a Condominium Conversion. The property is located in the Residential Commercial Zone, The Town of Alton Shoreland Protection Overlay District and the NHDES Shoreland Protection District.

T. Hoopes spoke with Attorney Sessler today regarding whether the Planning Board is dealing with a site plan or a subdivision. Our own zoning ordinance states "Conversions of Condominiums – Condominium conversions of existing structures and uses as regulated under RSA 356B:5 as amended is permitted in any district and requires subdivision approval by the Planning Board." The other question is that I am not positive of and if we need to examine is the way in which structures are built, where they were built and discuss the idea of season vs. year round usage. Attorney Sessler's recommendation was if there are no waivers required to accept it so we can discuss and then continue so he can have a workshop with us.

K. Menici: There are some waiver requests: Section 7.4.5.1 Drainage Plan, should be in there; Section 7.4.52 Stormwater Management and Erosion Control Plan; Section 7.5.1.1 Physical Impact Study; Section 7.5.1.2 Environmental Impact Study; Section 7.5.1.3 Traffic Impact Study. In addition to those waivers, staff noted that the soils designations are from the 1968 Soil Survey and they should be revised to the 2004 soils designations.

Alan Sherwood made a motion that we grant the five waivers that have been listed by our planner and accept the application as complete with the condition that the two missing incomplete items on Soils Designations and property owner's address be included on any final Platt. Seconded by J. Dube. The motion was carried unanimous.

Following the above motion, it was discovered that the property owner's address is included on the final Platt.

Public Input: Seeing there was none, public input was closed.

The Board has some questions for the town attorney. Concerns are: is this case conforming in a number of ways which includes parking, setbacks and is this case wrapped up in the pre-existing, non-conforming situation and the approvals received from ZBA? Is all that the Planning Board is dealing with is a change of ownership?

Motion made by J. Dube that we continue Case #P05-77 to November 15, 2005, seconded by Alan Sherwood. Voted unanimously.

K. Menici will confer with Attorney Sessler regarding the above case to meet with the Planning Board on November 8 at 5 p.m., and if not, November 9 at 5 p.m.

Application submitted by the property owners, Deanna O'Shaughnessy & Fae Kontje-Gibbs, for Site Plan Review for a Commercial Groundwater Withdrawal Facility to be located on Old Wolfeboro Rd. The property is located in the Rural Residential Zone. The application was accepted at the September 22, 2005 meeting and continued.

Jeremy Dube stepped down from this case.

Public Input: Jim Bureau, Pearson Rd.: I have no opposition at all to this project, but I did not know if there was some opportunity to petition the state to request a no engine brake from above the storage.

The Board assured Mr. Bureau that they would include this in the conditions.

Seeing there was no more public input, the public input was closed.

T. Varney was of the opinion that the plan should show a wide entrance driveway and showing where the drainage is going before approval.

K. Menici stated it had been addressed at the site inspection and Ken Roberts will be working with them on the redesign of the entrance to their driveway, to be part of the driveway permit approval.

Motion made by A. Sherwood that we approve Case P05-68 subject to the following six conditions: 1) a note be added to the Platt stating erosion control will be in place prior to excavation or timber cutting; 2) a note on the Platt stating the total acreage of each current use category for each lot number; 3) all necessary state, local and federal permits be obtained prior to the beginning of excavation or timber cutting; copies to be provided to the Planning Dept.; 4) no use of truck engine compression brakes in the Town of Alton; 5) hours of operation be limited to 4 a.m. to 8 p.m.; 6) all abutters be properly noted on the plan. Seconded by Bruce Holmes. 5 approved, T. Varney opposed.

Motion was made to adjourn by B. Holmes. Seconded by B. Dunbar. It was unanimous at 11:30 p.m.

Respectfully submitted,

Nancy Pritchard
Secretary Pro-Tem