

**TOWN OF ALTON
ALTON PLANNING BOARD**

**November 17, 2009
APPROVED 12-8-2009**

Members Present: William Curtin, Chair
Timothy Roy, Vice Chair
David Hussey
Scott Williams
Bruce Holmes
David Collier, Alternate
Cynthia Balcius

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

I. CALL TO ORDER

W. Curtin called the meeting to order at 6:00 p. m.

II. APPOINTMENT OF ALTERNATES

W. Curtin appointed David Collier as a member for this meeting.

III. APPROVAL OF AGENDA

A conceptual was added after the continuation of Case P09-19.

C. Balcius made a motion to accept the agenda as modified. D. Hussey seconded the motion which passed by unanimous vote.

IV. PUBLIC INPUT

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

V. CONTINUED

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.

Mr. Varney was not in attendance to present this case.

T. Roy made a motion to continue Case P09-19 until the December 15, 2009 meeting. Motion was seconded by C. Balcius and passed by unanimous vote.

VI. CONCEPTUAL

Case P09-22 Frank and Lynn Alden	Map 3, Lot 25	Subdivision Prospect Mountain Road
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Conceptual presented by the engineer/surveyor, Mr. Jeff Greene. Mr. Greene is representing the property owners, Frank and Lynn Alden.

Jeff Greene handed around smaller prints of the plan. The parcel is located across from the upper entrance to the tower on Prospect Mountain and it goes all the way to the New Durham town line.

Mr. Greene surveyed the property last year and found out how many acres were there; there are 92.648 acres. The owners' son wants to build a house out there, but they don't want him to have the whole ninety-two acres. The son picked his house site, which is right in the middle of the lot. They are going to do a three-lot subdivision; all three of the lots will be thirty-plus acres.

Lot #2, as indicated on the map, is where they are intending to build at this time. The other two lots they are intending to keep. In order to give the son what it wants, it is going to give them two more lots. They have no intention of building or re-subdividing or anything of that sort; they just want to give their son a lot to build on.

Mr. Greene has been out there mapping, and the wetland that is showing on the plan is the biggest wetland on the property. It's like a marsh, and it is on both sides of the road. There are several other smaller runs of wetland. He is looking at asking the Board, if they are to come before the Board showing building areas on all three sites, if he could get by not doing wetlands and topo on the entire ninety-two acres. He is looking at going just beyond the wetlands that are shown on the plan, which is roughly 500' back. He is certain he can come up with three building sites on those lots, and map all the wetlands within the area to show where everything is going to be.

The topo that is on the plan is off the USDS map. There are some pretty hefty knobs of land out there and a lot of that down below in the back isn't going to be usable anyway. They have roughly 900 feet that will end up on all three lots. The lots are all going to be roughly thirty acres. The lines on the plan are preliminary, until all the wetlands are mapped.

He is looking for input from the Board whether they would be allowed to go forward with that, or whether they have to do the whole ninety-two acres.

S. Williams stated that he thinks it would be absurd to map all ninety-two acres for a thirty acre lot; he still has to find a spot on there that's decent.

C. Balcius commented that he still has to meet the zoning with the contiguous upland area and the appropriate wetland amount in the front; she knows this area wetland is a lot larger than that. It is also a bog, which elevates its functions and values. If they want to draw a line halfway up; there are a lot of seeps coming down those slopes, and to make sure they have the contiguous acreage. She would go that way, not the entire ninety-two acres, but a substantial amount that covers all the concerns.

S. Williams asked C. Balcius if she was thinking about the access to the building area. Using the plan given by Mr. Greene, she drew a line to indicate the area she is referring to. The other issue is that these are very steep slopes coming off the road there, so that buildable area can only contain so much steep slope. He does have to prove out enough of all of that, and he does have a twenty-five foot buffer on the wetlands, so it is important that he gets at least halfway up there so that can be substantiated. She does agree that in this case, she would not make them do all ninety-two acres, especially where they are large thirty acre lots with frontage on an existing road.

W. Curtin asked if they were going to remain thirty acre lots. Mr. Greene stated that at this point they are; there is no intention of re-subdividing for any purpose. The only reason they are doing this now is because they are giving their son thirty acres so he can build. He wanted to get up behind the fields that are there; that's on lot two.

The wetland has been delineated by Peter Shauer and located, and that is the one wetland area he had been concerned with. That has a definite possibility of changing the lot lines because that is one of the steeper areas and trying to maintain contiguous area on that. His intention is to find a buildable area and show any wetlands around that buildable area. C. Balcius commented that any further subdivision would have to come back anyway and prove out the rest of it.

The Board members agreed that there would not be a problem with what Mr. Greene is asking to do. W. Curtin stated that before he does come back in, he is going to have to notify the town of New Durham, as they are one of the abutters. Mr. Greene said he definitely would do that.

C. Balcius gave Mr. Greene the plan she had drawn on, indicating that it is about halfway up. She and Mr. Greene continued to discuss the topography of the land. C. Balcius asked Mr. Greene if he had talked to the road agent about the driveways, because there is a limitation on the driveway slope. He answered that is the next step he is going forward with; he had wanted to see how this Board felt about it to start, and then he wanted to get a little bit of preliminary mapping. He did the boundary, but at that time there wasn't an intention to subdivide. He didn't do any preliminary topo and that was a year ago. He was out there looking at sight distances.

D. Hussey asked Mr. Greene to just find an area out there that meets all of the Board's regulations. Mr. Greene stated he would do that.

There was discussion concerning the property. Mr. Greene departed.

Mr. Varney for Case P09-19 arrived during Mr. Greene's presentation.

W. Curtin made a motion to un-continue Case P09-19 so it could be heard tonight. T. Roy seconded the motion, which passed by unanimous vote.

Mr. Tom Varney, representing Paul Beckett, came to the table and requested a continuance to next month.

W. Curtin made a motion to rescind the motion to un-continue Case P09-19. D. Hussey seconded the motion, which passed by unanimous vote.

VII. OTHER BUSINESS

A letter was received from Jones and Beech Engineering; they would like to discuss escrow and securities issues on their nearly completed subdivision. The actual amounts mentioned in the letter are off, but can be discussed. Brad is here to speak to this topic.

C. Balcius recused herself.

Binder pavement and road are substantially complete; it was paved in July, 2008. The only remaining item to finish is the topcoat of paving. Their letter of credit has expired; they are looking to set aside some money for the topcoat which will be done when 50% of the houses are built. They will need 273 tons of paving material at \$60 each to total \$16,388 to pave the road. Right now the town is holding \$12,992 in escrow for engineering inspection money; they would like to use that and add a remaining amount to bring them up to \$16,388.

A question was asked about the power to the site. All the vaults and conduits are in, but the cable is not in yet. They are waiting for the first house to be started before they run the cable, but it is ready to go. There was discussion concerning the cost of running in the power. They are estimating \$5 per foot, and about 1,000 feet of road.

S. Penney stated that an engineering certification is fine, as long as there is a certification of where the development is at, so there are no unforeseen issues. There was discussion concerning as-builts. Monumentation is done for the roadways, and the lot corners are in. There was discussion of having Peter from Farmhouse give the certification. Members discussed as-builts and when they need to be in. Brad stated that there are a few driveway culverts still needed, but there is very little else. Kenny is going to approve the driveway culverts. CMA inspected; Brad feels that is good certification, though he does understand the need for the as-builts.

S. Penney spoke about the money still needed; the cost of the paving, plus a 10% contingency based on the paving, and an additional \$500 for any additional immediate engineering. Without electrical or any money needed for as-builts or certification, there is a need for an additional \$6,000, plus \$5,000 for electrical is about \$11,000.

S. Williams questioned whether there was anything in the rules about requiring that he have money for the electrical. After discussion it was determined that they do not have a rule about this at this time. S. Penney stated that was discussed as an addition to the site plan checklist.

S. Penney will call Kenny to arrange a meeting so he can verify the estimated tonnage needed and the cost per ton. The Board determined that a letter from Kenny will suffice.

S. Williams made a motion to increase the fund in the Alton Mountain Estates Subdivision/Brad Jones project on Alton Mountain Road by \$6,000, in addition to what they already have, to handle the one inch course of asphalt. This includes a 10% security and \$500 for engineering. D. Hussey seconded the motion, which passed with 6 votes in favor and no opposed.

S. Ames stated that the money they have now for Jones is in a user fee subaccount and needs to be moved to a bond account, minus the \$500 which can stay where it is. A motion is needed to move all but the \$500 for engineering to a security bond account.

D. Hussey made a motion to move all but \$500 from the Jones account to a security bond account. S. Williams seconded the motion, which passed with 6 votes in favor and no opposed.

C. Balcius is back with the Board.

S. Penney brought forward an issue concerning Mr. Mark Fecteau (represented by Lee Matson), concerning Map 51, Lot 31-1. This is a snag from a 1976 subdivision that had a restriction on the plat. The property is going to be sold; the restriction is that it could only be a one bedroom house, but the property has had a re-engineering on the septic and the DES has approved for a three bedroom system. This is due to an upgrade in technology. The lot is ½ acre at 68 Route 11-D. Mr. Sessler feels that the Board should rescind this restriction because it was a Planning Board restriction. Mr. Matson corrected that it had been approved as a two bedroom, not one.

Mr. Fecteau bought the property a few years ago; it came with a three bedroom septic approval. Mr. Fecteau built a three bedroom home on this lot which had been part of the estate of Julia Colori. The restriction read "...limited to a maximum of two bedroom septic system. The minutes of that meeting indicate that there was a restriction to be placed on the plat. Mr. Desevy at DES indicates that technology has improved and the lot can support a three bedroom system; this was approved in 2005 and installed in 2008. There is no reason for the restriction to a two bedroom system at this time.

S. Williams made a motion to rescind the decision of December 14, 1976 of the Planning Board limiting the property to a two bedroom septic system and increase it to three bedroom on tax map 51, lot 32-1. D. Hussey seconded the motion, which passed unanimously.

The following template was read into the record and signed by S. Williams.

The Town of Alton Planning Board abstract minutes of the meeting of November 17, 2009, with regard to tax lot 51/32-1, Route 11-D in Alton, owned by Mark A. Fecteau. Upon a motion by Scott Williams seconded by Dave Hussey, it was voted 7 votes in favor and 0 votes against to rescind the notation on December 14, 1976, approved subdivision plat of the above property which reads notation on plat of restriction to a two bedroom dwelling on Lot 1 by NHWS and PCC.

S. Ames has a letter from Mr. Hunter requesting a 12 month extension on the start of road construction for the Bay-Winns development due to the current economic situation. There is no real demand for housing now, so there is no reason to proceed. He does not fall under the newly legislated ruling. The plan was signed and recorded on December 8, 2008. Alteration of terrain permit will expire in February, 2010; he is applying for an extension on that as well. All other permits are all set.

S. Williams made a motion to grant the requested 12-month extension from today. Motion was seconded by D. Hussey and passed by unanimous vote.

S. Williams Meadowlands Trust/Highland Park meeting with Peter Julia; Peter is looking for as-builts. Culverts are in where they are required. There was discussion concerning as-builts for subdivisions and whether they are needed. Some of the post-approval work has been sloppy; as-builts have to be chased. S. Penney will check past subdivisions for need for as-builts; there is a data base being done showing the status of each subdivision.

Model language is being worked on for Workforce Housing Ordinance, Sexually Oriented Business Ordinance, and the Lighting Ordinance.

T. Roy and S. Penney left to meet with the Selectmen.

There is a workshop scheduled for November 19, 2009, at 5:00 p.m.

The next regular meeting will be December 15, 2009, at 6:00 p.m.

VIII. ADJOURNMENT

D. Hussey made a motion to adjourn seconded by S. Williams and passed with 6 votes in favor and no opposed.

Meeting adjourned at 6:55.

Respectfully submitted,

Mary L. Tetreau
Recorder, Regular Meeting