

TOWN OF ALTON PLANNING BOARD  
 PUBLIC HEARING  
 Minutes  
 November 18, 2014  
 Approved December 16, 2014

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

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

**I. CALL TO ORDER**

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

**II. APPROVAL OF AGENDA**

There were no changes to the Agenda.

**S. Williams motioned to accept the Agenda as presented.**

**B. Curtin seconded the motion with all in favor.**

**III. COMPLETENESS REVIEW OF APPLICATIONS AND PBULCI HEARING IF THE APPLICATIONS ARE ACCEPTED AS COMPLETE**

<b>Case #P14-22</b>	<b>Map 27 Lot 49</b>	<b>Design Review Major Site Plan</b>
<b>Carol A. Dadura</b>		<b>64 Main Street</b>

On behalf of Carol A. Dadura, Steven J. Smith & Associates, Inc. for Morning Rise Real Estate LLC is proposing to construct an Aroma Joe's Drive-thru Coffee Facility. This property is currently occupied by a single family residential home. The site is served by on site sewage disposal and municipal water. The property contains 26,217 sf (0.60 ac) of land area with 154.60 feet of frontage along Main Street/NH Rte 11. This property is located in the Residential Commercial (RC) Zone.

K. McWilliams gave an overview of the application. He recommends the Planning Board accept the application as complete.

**S. Williams motion to accept Case P14-22, Map 27, Lot 49 application as complete.**

**B. Curtin seconded the motion with all in favor.**

Bill Stack of Steven J. Smith & Associates, Inc. spoke on behalf of this application. He introduced Randy Remick, Michael Sillon and Marty McKenna. He showed and discussed what they are proposing. They are proposing to construct a new drive thru facility called Aroma Joe's. It will have a single lane access drive thru served by one order window and a pickup window on one side and a single walk up window on the south side. There will be a pass thru lane. They have provided nine parking spaces and a dumpster on the north side. There will be a new onsite sewage disposal system and a new stormwater collection system. There will be one free standing sign on the front and one sign on the building. They have submitted a driveway permit to NHDOT.

R. Howard asked what size vehicles will be making deliveries.

B. Stack stated that WB 50 tractor trailers. They will come a couple times a week at off-peak times. The Board asked the applicant to suggest delivery times at the next meeting.

D. Collier requested that they show the WB 50 turn radius on the plans.

S. Williams asked what kind of underground stormwater system will be used.

B. Stack stated that they will be using a chambered system.

D. Collier suggested that the Town Engineer review the drive thru queue up.

T. Hoopes suggested they look into providing turning lanes off Route 11. He also asked if the traffic studies they have done take into consideration tourist towns.

B. Stack stated that they do.

The Board agreed that there should be a third party traffic engineer who would review the traffic study prepared by the applicants.

S. Williams asked if there will be any outside seating.

B. Stack stated that maybe in the summer there might be one table.

K. McWilliams stated that if they are proposing outside seating they need to show that on the plan and needs to be factored into the parking needed.

B. Stack stated that the rear of the site is for mechanicals and recyclable storage area. There was a request from the Board to provide sound screening around the mechanical area.

D. Collier opened it up to the public.

Kenneth Gannon spoke on behalf of his mother who is the abutter to the project. He was concerned about the dumpster being open to animals. He also was concerned about the effect on traffic and his mother having difficulty getting out of her driveway.

Marc Dame spoke as an abutter to the project. He is requesting that there be no spotlights off the building. He also requested a nice looking fence bordering their property. He was concerned if the business failed, what would happen to it. He questioned hours of operation. He was wondering if they would be taking down the trees bordering his property. He requested that dumpster be closed in because there are bears in the area.

D. Collier closed the public hearing.

Michael Sillon spoke regarding the comparison to Dunkin Donuts. He stated that they do about 1/3 of DD's volume and their transaction times are under 60 seconds.

Randy Remick spoke as the proposed owner of the property. He told the abutters that he is happy to speak to any of the abutters before the next meeting and answer any questions or concerns they might have.

The Board set the Site Walk on Tuesday the 25<sup>th</sup> at 3:30 p.m. and Wednesday the 26<sup>th</sup> as the snow date. They will meet at the site and the abutters are welcome to join them. They requested the entrance be staked.

**T. Hoopes motioned to continue Case P14-22 to January 20, 2015.**

**B. Curtin seconded the motion with all in favor.**

Richard A. Maynard of Maynard & Paquette Engineering, LLC is proposing to subdivide Map 41, Lots 33 & 59 containing 12.95 acres along Saw Mill Brook Road into 9 lots. This property is located in the Lakeshore Residential (LR) Zone.

K. McWilliams gave an overview of the application. He recommends the Planning Board accept the application as complete. They are requesting two waivers.

**S. Williams motion to accept application P14-23, Map 41/Lots 33 & 59 as complete.**

**B. Curtin seconded the motion with all in favor.**

Richard Maynard, the property owner and with Maynard & Paquette Engineering, LLC, spoke on behalf of this application. He showed the Board the location of the property on the Tax Map. He is proposing a new section of road called Forest Road that will connect Sawmill Brook Road with Trask Side Road. There are two wetland areas on the property. He explained the present drainage. He is trying to keep the same grades on the road but widen the pavement to 16 feet. Sawmill Brook Road and Sand Peep Lane currently are about 10-12 feet wide.

R. Maynard stated that there will be no frontage on Sand Peep Road. All frontages will be on Sawmill or Forest Road. There will be no improvement on the northerly part of Sawmill Brook Road.

D. Collier requested that steep slopes be shown and shaded on the plans. He also requested that the Town Engineer review the road design. He asked what the intent of the 10 foot access to the lake.

R. Maynard stated that that easement is on everyone deeds. The Board asked Mr. Maynard to document the rights to use the 10 foot wide strip to the lake for all nine proposed lots. The Board requested to see the deed that originally granted the 10 foot strip to the lake.

K. McWilliams stated that there is a provision in the Town Zoning Ordinance (Section 326) that says if you are going to use a piece of property on the shorefront in common for properties located off shore, there are certain standards on that lot on how it is developed.

B. Curtin asked if all the nine lots would have access through the ten foot easement.

R. Maynard stated that they would.

K. McWilliams stated that is needed to be stated in his deed.

R. Maynard stated it was only for boat access.

D. Collier stated that that was a change in use because the use is increased and needs to be shown on the plans and have approval from DES.

S. Williams suggested the road layout be revised to create a stop sign intersection of Forest Road and Sawmill Brook Road.

D. Collier opened it to the public.

Peter Cooperdock, a certified wetland scientist, spoke on behalf of some of the abutters. He stated that the wetlands have been flagged. He stated that the wetlands have very poor soil and is usually saturated. They are concerned about the detention ponds and asked the Board the standard requirements for detention areas. He noted the soils mapping needs to be updated. He also noted the wetland area is not a good location for detention ponds since they are already saturated. He also suggested that the drainage report identify the entire watershed.

D. Collier requested the Planner give the applicant a copy of the applicant's letters to the Board. The letters were; 1) e-mail from Joan Katsoulakos and Diane Pierce, Owners of 26 Sandpeep Lane Parcel #0041-0028-000; 2) memo from Neighbors to the Proposed Subdivision of Lots 33/39 Map 41; 3) e-mail from Dixon Richard; 4) e-mail from Gardner, Jonathan and; 5) a letter from Ronald J. Cavallo to Mr. Richard A. Maynard

Richard Anderson, 24 Sand Peep Lane and George Stevens, 14 Sand Peep Lane spoke regarding the application. They gave the Board a letter with several concerns. Their main concern is the water control. They are concerned with the level of the wetlands going up from the runoff. Drainage out of the wetlands enters the lake between Lots 27 and 28. They asked about the 10 foot right-of-way. They stated that the deed says bathing rights. They asked where the existing Sawmill Brook Road is going to intersect the new Forest Road is there going to be a transition because the two roads are of different widths.

D. Collier stated that the Town Engineer will deal with these issues when he does his review.

R. Maynard stated that there was a possibility that he might put in a new culvert but he needs to look at it to see what kind of shape it is in. He felt it was doing what it is suppose to do now but it if flows over the top then there will be a problem. He will have to make it longer because the road is widening.

The abutters asked about the process of the lot clearing.

D. Collier stated that they require Best Management Practice. He also has to go by DES requirements.

The abutters stated that their concern is that the subdivision gets approved and then the rules for timber cut would be followed and there would be a lot of timber cut and then the lots don't sell or buildings don't get built and then the project just sits there open.

D. Collier stated that Mr. Maynard has a right to develop his land and there is a 25 foot buffer on the wetlands that is a no cut buffer.

S. Williams stated that Mr. Maynard will need to put up surety to make sure the subdivision improvements are done properly and if they don't get done the money can be used to complete the improvements.

R. Maynard stated that the main thing is that the road gets built. The lots will not be precut until they are sold.

The abutters asked about the Associations. There is a Sawmill Brook Road Association which has Bylaws. They take care of the road; they built it and funded it. The question is if Forest Road dissects Sawmill Brook Road what association hierarchy is there. Is there a new Forest Road Association that will take over the maintenance of the roads?

The Board suggested that the two associations get together and work out an agreement of a plan to maintain those roads.

R. Maynard requested that they send the Sawmill Brook Association regulations to him.

Bob Morris of 56 Rocky Lane, the President of the Sawmill Brook Association spoke in regards to the wetland delineation. He is suggesting that they come back in May when the water is high in the wetlands.

The Board stated that it is not necessary because the soil core samples will tell how much water has been there. Plants, water and soil determine the wetland boundaries.

D. Collier closed public input.

R. Howard asked who will be maintaining the southern part of Sawmill Brook Road because no one will be using it after Forest Road is complete.

D. Collier stated that that should be addressed when the two associations have their discussion. He stated that if they discontinue that end there should be a turn around because it would become a dead end.

The Board decided to do a Site Walk and have the center line of the road marked. They scheduled the walk for Saturday, December 6 at 10:00 a.m. and a snow date of Saturday, December 13 at 10:00 a.m. and they will meet at the intersection of Sand Peep and Sawmill Brook.

B. Curtin motioned to continue Case P14-23 to the January 20, 2015 meeting including a Site Walk on December 6, 2014 at 10:00 a.m.

S. Williams seconded the motion with all in favor.

#### **IV. OTHER BUSINESS**

1. Old Business – None
2. New Business - None
3. Approval of Minutes:

- a) October 21, 2014 Planning Board Meeting:

**B. Curtin motioned to approve the Minutes of October 21, 2014 as presented.**

**T. Hoopes seconded the motion with five (5) in favor and one (1) abstention (DC).**

4. Correspondence

- a) R. Howard submitted his letter of resignation.

“I am writing to inform you that, because of being elected as State Representative, I have decided to step down as an acting member of the Alton Planning Board. I feel this is the correct move on my part as, I am not able to meet the time commitments of both the Planning Board and a Legislator. It has been my pleasure to serve the residents of Alton along side of you and the current Planning Board Members. Thank you for your time and attention to this matter.

5. Any other Business that may come before the Board – None

#### **IX. PUBLIC INPUT ON NON-CASE SPECIFIC LOCAL PLANNING ISSUES**

None at this time.

#### **X. Adjournment**

**R. Howard made a motion to adjourn. The motion was seconded by T. Hoopes and passed without opposition.**

The Public Hearing adjourned at 8:30 p.m.

Respectfully submitted,

Randy Sanborn, Recorder, Public Minutes