

Members Present: Chairman, Cindy Balcius; Vice-Chairman, Thomas Hoopes; Marcella Perry; Ex-Officio, Alan Sherwood; and Thomas Varney,

Members Absent: D. Brock, Bonnie Dunbar and R. Eddy

Others Present: Town Planner, Kathy Menici; Secretary, Stephanie Verdile and others as identified below.

Call to Order: Chairman, Cindy Balcius called the meeting to order at 7:00 p.m. She announced the purpose the meeting and explained the details of the Interim Growth Management Ordinance (IGMO). She read into the record a letter from Justine Gengras, Co-Chair of the Alton Conservation Commission in support of the IGMO. She introduced Kathy Menici who will explain the overview of the IGMO.

K. Menici explained that the Planning Board has scheduled this time to update the ordinances, as needed, especially the Master Plan, Zoning Ordinance and other Town regulations. She explained the importance of the Master Plan and its function as a guide as the direction of where the community would like to go. She explained the IGMO is temporary and will be voted on at Town Meeting. She stressed this is an interim ordinance and will not prohibit the Building Permit applications and now there are about 900 buildable lots and 100-150 lots that are greater than 5 acres. She explained building lots that are 5 acres or less that have been previously approved, will not be affected by the IGMO. She also said the Planning Board will continue to review commercial site plan applications and new commercial development with the following criteria: 10,000 SF or less of wetlands impacts, steep slopes of 25% or less, the project is not located in an aquifer zone and will not create new roads. She stressed that any changes or expansions in existing businesses will not be affected. She said that Minor Subdivisions will continue to be addressed by the Planning Board of 3 lots or less and the IGMO will allow 1 subdivision per parent lot while the IGMO is in affect. A Minor Subdivision is as defined in the Alton Subdivision Regulations. She read into the record how a minor subdivision is defined as per the Alton Subdivision Regulations Section 3. The Planning Board will continue to review and process subdivision applications prior to December 20, 2004. She stressed that the number of building permits in Alton will not be limited but will have to meet other criteria as outlined in the IGMO. She said the Planning Board has thought about this IGMO since June of 2004 and that the Board has struggled with the issue of instituting and IGMO. She said this IGMO is necessary in the community at this time. She read statistics that helped the Board come to the decision of and IGMO Census. From 1990-2000, the population of Alton has increased 37% and other communities have only increased 12-15% from 1990-2000. Alton was the fifteenth fastest growing community in New Hampshire. In 2002 Alton issued 80 building permits for newly constructed homes while other communities issued 37. In 2003 Alton issued 100 building permits for new homes and other communities issued 47. In 2004 Alton has issued 103 building permits new homes. She spoke about the number of applications in 2003 Planning Board received 41 applications, including site plan review and subdivisions, BLA's. In 2004 63 applications have been brought in front of the Planning board. The impacts in 2003 of subdivisions were 2 & 3 lot subdivisions and few had internal roads and they were accessed of off state roads. In 2004 larger scale subdivision were submitted, such as 15-20 lot subdivisions with internal roads with significant wetlands impacts and steep slopes. The number of lots created by subdivisions in 2003

including 2004 carryovers are 32, in 2004 there have been 37 and 49 that are pending that will carry over into 2005 will be 86 lots created. She finished her presentation.

C. Balcius explained that this issue (IGMO) did come up last year and this year the Planning Board has concerns about the infrastructure being able to handle the increase in the applications. She explained the maps on display for people to look at.

Public Input-C. Balcius opened up the hearing for general public input at 7:25 pm

Arthur Hoover, Attorney, lives in New Durham, works in Alton. He spoke about the purpose of the IGMO and he asked if there are revisions in place to the Master Plan and other town ordinances.

C. Balcius said the Master Plan is in the process of being re-written as well as the other town ordinances.

A. Hoover asked about what abutting communities the Board is referring to and He asked which communities played a part in the IGMO and that Barnstead has a limit in building permits and how does that affect Alton.

C. Balcius referred to the LRPC as far as the statistics for growth of neighboring communities.

A. Sherwood spoke about the time that is needed for the Board to re-write the regulations. This IGMO is for the restriction of large subdivision and site plan applications that are stressing the Board and the staff.

Suggestion for Version 2 of the IGMO A. Hoover spoke about the minor site plan that the Board will review. He spoke about the turning lane issue should not be a disqualifier if other conditions are met. He spoke about the number of lots that are impacted by a wetland and is that a various degree. He asked if the board feels they have a weakness in mandating wetlands because he believes the Board does a good job of limiting impacts to the wetlands.

C. Balcius said the Board would like to carry over the wetlands issue into other zones.

D. O'Shaughnessy, 166 Old Wolfeboro Rd, She spoke about the concern and the length of time the IGMO will be in place. She recognizes the Board has made provisions to continue to work and accept applications. She does not have any examples of someone who is trying to apply to the Planning Board. She spoke about her project (Ground Water Withdrawal) and by not being able to apply and the financial issues that may occur.

C. Balcius said this happened every year when things go to Town Meeting and it is their responsibility to be informed of the process and changes. She spoke about this IGMO does not keep people from doing nothing with their property but it does have limits.

A. Sherwood spoke about the time frame and that the law does allow additional time and it would go into effect really from March 2005- December 2005. He spoke about the work to re-write the Master Plan and other regulations and he hopes to have it complete by the fall. He said they did not add the additional 3 months that they could have because they want to get the regulations re-written.

D. O'Shaughnessy suggested that the Board mitigate by saying a limited number of applications and meetings per month.

C. Balcius said by law the Town of Alton cannot do what D. O'Shaughnessy is suggesting.

A. Sherwood said that the law does not allow them to do that and currently they have to

act upon an application within the time frame required by law and the only way to do this is through the IGMO.

D. O'Shaughnessy suggested that the wording be clear and people should be able to appeal whether they meet the criteria.

C. Balcius said the Board has researched this proposal and had the assistance of the Town Attorney and the Board does not have consistent regulations to assist the applicants and the Town of Alton. This is the best avenue and every year people and applicants have to face the issue of changes to zoning and they have to draw the line somewhere.

D. O'Shaughnessy wants the Board to consider continuing to accept applications.

Jean Krauss, 428 East Side Dr., consultant. She asked about the statement of need and had questions about which communities are abutting Alton and comparisons to the. She asked about the number of lots approved and carried over from. She said the way it reads is that 11 subdivisions created 37 lots. She said that the grammar should be correct to explain the statistics. She asked about affordable housing and the term "bonified" and the age of elderly.

K. Menici referred to the RSA's as where she got her definitions.

C. Balcius spoke about the need for volunteers fro committees that are coming up.

Joe Byrne, 33 Lake Street, Alton, he is a developer, Agrees with the IGMO and how Alton has grown. He has concerns about the time frame and the elderly age for housing. He asked when the IGMO becomes into effect.

K. Menici said it becomes the ordinance when it is posted by law not the date of effect within the ordinance. She cited the RSA 673.

C. Balcius explained the Planning Board has to act as if it is adopted at Town Meeting, if it is not adopted at Town meeting that than it would revert back to the old ordinance. She explained the time frame by the RSA and is no different than any other zoning ordinance and if it is posted within the time frame allowed by law than the Planning Board has to act as if it in place. She explained that it is the responsibility of all agents to be aware of any proposed changes.

D. O'Shaughnessy spoke again and asked about any type of appeal for people to utilize while the IGMO is in place.

A. Sherwood spoke about the appeal process to the ZBA and an applicant appeal to the ZBA.

C. Balcius said that any project that is in the process of Planning Board review now will be treated the same.

Scott Williams, 281 Halls Hill Rd, Developer, refuses to sign in to speak. He asked about how the development affects Alton.

T. Hoopes spoke about a 36% growth since 1980 and this growth affects the infrastructure and the effects are cumulative. He said it is now year round homes being built that are impacting the Town.

S. Williams asked if the other Department heads are in approval and spoke about the commercial site plan. He wants to see if the other department heads are in favor of the IGMO.

C. Balcius said the other department heads are involved and they are a part of the daily applications.

S. Williams thinks the public should be made aware of the department heads input so the

voters can make an informed decision.

D. Hussey 141 Lakewood Rd, Investor- He is totally against any type of change that will affect the economics of the Town of Alton. He thinks the regulations should be updated. He does not think the Town of Alton should be slowed down.

C. Balcius said she agrees and she referred to the building lots that are still buildable that will not be affected by the IGMO.

D. Hussey said the lots that are available are filled with steep slopes and wetlands.

C. Balcius said that is why the Board is doing this.

D. Hussey said there should be another committee to help the Planning Board and the Planning Board should still review applications.

T. Hoopes spoke about the role of the Planning Board and the need for volunteers on those committees to assist the Board.

D. Hussey agrees with T. Hoopes but does not think the whole process should stop.

T. Hoopes spoke about other communities that have put more limits than Alton. T. Hoopes said there has to be a line in the sand and the Planning Board by law has to be the governing body.

Mary Welch, 32 Rum Point Rd, Consultant, spoke about an interest as a resident and she has observed the approval process and commends the Board and the planner for the improvements they have made.

A. Sherwood said he has spoken to the Board of Selectman and the Town Attorney about the need for an outside consultant and the Board of Selectman is in favor of appropriating \$30,000.00 for the additional consultant help.

A. Hoover spoke about the ability for other communities to continue the Planning Board process and re-write the ordinances at the same time. He spoke about the time frame and he said subdivision applications of 3 or more will not be heard until April of 2006.

K. Menici said once the ordinance is posted and they accept the applications under the ordinance the Planning board has to act upon that ordinance.

C. Balcius said that is what happens every year at Town Meeting

A. Hoover asked why can't they make upgrades to the road if needed because the regulations now do not allow that. His suggestion is maybe to change that part of the IGMO.

Alan Johnson, 151 Fort Point Rd, Fire Chief, He spoke about 41 calls above last year of 571 calls for 2004. He spoke about the inspections the Fire Department does for the Town of Alton and they had 188 calls for service. He spoke about the Fire Department can adapt to the growth and he agrees with A. Hoover who said that the roads could be upgraded.

Keith Chamberlain, 118 Range Rd, Real Estate Agent, Developer, Business Owner. He thinks a questionnaire should be sent out to the Town of Alton residents. He thinks the findings of fact are not accurate. He said the Planning Board should not go into the IGMO because now the Town has a full-time Town Planner and help with the Master Plan and he thinks the re-write can take place in addition to the applications and he said the re-writes will not be able to be completed in one year. He also said people are still going to apply with what is allowed in the IGMO. He said there is a lack in getting the IGMO getting to the public and is devious and underhanded and he didn't find out about until December 18, 2004 and the workshop meeting agenda did not advertise the IGMO. He also has volunteered for the Master Plan re-write and he wants to make sure the language is clear. He said the findings of fact concern him and the interest rates are low enough now and he is seeing the slow down in economic process and he thinks the

number used in the findings of fact are flawed. He thinks there is not a time issue for the Board to do this IGMO. He thinks the Master Plan should be more available to the public and the maps are now just being posted. He said there should be new zones in the Town of Alton and there is too much Rural and there are not enough Commercial zones. He said this type of work to re-write ordinances takes time and he does not expect the Board can get it done within the time frame they set.

C. Balcius spoke about Barnstead, Belmont, Gilmanton, that have growth management ordinances in place and that Alton is very vulnerable. She clarified there is not limit on building permits and she spoke about even the Town of Alton's Attorney has commented on the inadequacy of the Town's regulations.

A. Sherwood agrees with the inadequacy of the zones and the zoning is inadequate and the objective is to be able to have the time to work on the regulations and the Board is not saying that 100 building permits are too many; they need decent regulations to assist them.

M. Perry spoke about not stopping the growth but they want to get inconsistencies out of the regulations and the Master Plan will be available on line.

K. Menici spoke about the Planning Board and the regulations they are using now were drafted in a different time and the applications that are being reviewed contain serious wetlands and steep slopes and that the existing regulations are not adequate and the lands being subdivided are marginal lands. Because of the regulations the Board reviews applications for a extended period of time and that is not fair to the Town of Alton and the applicant.

T. Varney spoke about the growth in the 1980's and how Alton reacted by re-writing the Master Plan and that Alton was the leader in getting a Planner in the region and Alton was once the leader in regulations. Now Alton is being left behind in their regulations and all the Board works on is applications, not re-writing the regulations and now he has seen the other towns that have better regulations and Alton is being left behind. He said now is the time for the Town of Alton to act and the IGMO is needed.

S. Williams spoke about the Master Plan and the affordable housing and rental housing being something that is important to the community and now it is left out of the Master Plan. He accused T. Hoopes of taking the rental housing out of the Master Plan. His concern is not being able to have affordable housing and the Board not allowing again within this re-write of the Master Plan.

T. Hoopes denied taking rental housing out of the Master Plan.

C. Balcius called for a 5-minute break at 9:05 pm. She called the meeting back to order at 9:20 pm. She would like to have people who have not spoken yet please speak.

Judy Fry, Stage Coach Rd, she spoke about the voters and how they will view it and the communication lines are very difficult and it is hard to let people know what is going on. She asked if the voters do not pass it, how will the Board get everything done in the time frame. She would like to see the Planning Board succeed and she spoke about the need for volunteers and the need for the questionnaire to be distributed.

C. Balcius said currently they do not have a contingency plan if it is not approved by the

voters, but in the meantime they have to work within the IGMO time frame.

D. Hussey asked why would the Planning Board post the IGMO around Christmas time. He said he would like to offer his help for the Master Plan but is not sure of his qualifications. He also asked why any amendment on a Warrant Article says recommended by the Planning Board because it seems like they are stacking the deck.

C. Balcius clarified that the process of the RSA that requires the timing for the IGMO and when it can be posted.

A. Sherwood said law requires the "recommended by the Planning Board" wording.

K. Menici said that because 25 people or more can propose a zoning change to be voted on and it is for clarification on whom proposes the amendment by law.

A. Sherwood spoke to D. Hussey about involving all types of professions in the Master Plan re-write.

C. Balcius closed the Public Hearing at 9:30 pm when no other people wanted to speak.

C. Balcius opened up the Work Session Portion of the Meeting at 9:35pm

K. Menici spoke about other dates for the Planning Board Workshop

She said K. Roberts, Road Agent, would like to come speak to the Board and Kim Koulet, LRPC would speak to the Board about Master Planning at a work session. She also spoke about the future Master Plan meetings being scheduled so she can include it in her next article for Main Street in February. She wants to include the meetings to help recruit volunteers.

C. Balcius spoke about calling Nancy Johnson to assist with a questionnaire and to get a formula together and also have Kim Koulet assist with the questionnaire.

Discussion about when to circulate the questionnaire the Board decided to do it in the March edition of Main Street

- Work Session January 20, 2005- 6pm-Kim Koulet and Nancy Johnson to speak
- Work Session February 8, 2005- 6pm- Ken Roberts
- Work Session February 22, 2005- 6pm
- February 17, Public Planning Forum-7pm

The Board went into discussion on the changes to the Draft IGMO.

- Change to the wording in the beginning of how the numbers of applications are listed.
- Change to the wording regarding the Elderly Housing wording

Discussion about the language in the RSA and which one to utilize the paragraph subparagraph 1 instead of 3 for the Elderly Housing definition.

Discussion about the source for the affordable housing and the definition of what qualifies as affordable housing.

K. Menici recommended that the Board make the change to the Elderly Housing wording.

A. Sherwood made a motion to accept the changes recommended by K. Menici,

seconded by T. Hoopes, motion carried with all in favor.

A. Sherwood asked about the road improvements, turning lanes etc. on the roads and should that wording be changed.

K. Menici said maybe the wording can be "any changes to *existing* Town Roads infrastructure.

A. Sherwood also asked about the definition of the minor subdivision and the definition of the roads as it relates to the intent.

Discussion about the improvements to the Road and type under section "g".

Motion made by A. Sherwood, seconded by T. Hoopes, to change the wording of paragraph "g" of the IGMO to change from Highway to say "does not necessitate changes to any existing Town Road, such as widening, turning lanes or signals, motion carried with all in favor

A. Sherwood spoke about the Warrant Article for money to be allocated to LRPC and the Board has to decide on the scope of services from LRPC. K. Menici is going in front of the Budget Committee on Thursday January 13, 2005 and should be prepared to include the requested money at that time.

K. Menici wants Kim Koulet to come to the Planning Board meeting on the 18th and speak to the Board about the scope of services that LRPC can provide and what is required in a Master Plan.

A. Sherwood would be willing to meet during the day with K. Koulet and still have him come into the meeting on the 18th.

T. Hoopes will speak with Kim Koulet about his availability to speak to the Board on the 18th.

T. Hoopes wants to have some money to buy bookcases for Planning Board files, A. Sherwood will ask R. Bailey.

Discussion ended.

Motion made by A. Sherwood to adjourn at 10:30 pm, seconded by T. Varney motion carried with all in favor.

Respectfully submitted by,

Stephanie N. Verdile,
Planning Department Secretary.