

**TOWN OF ALTON PLANNING BOARD
MINUTES OF 2022
TUESDAY, JANUARY 18, 2022**

APPROVED

Members Present:

Drew Carter, Chairman
Russ Wilder, Clerk
Roger Sample, Member
Scott Williams, Member
Virgil MacDonald, Selectmen's Rep.
Lee Hillsgrove, Alternate
Bill O'Neil, Alternate

Others Present:

Jessica A. Call, Town Planner
Trisha DeRoche, Planning Secretary

Call to Order

Meeting was called to order at 6:01 P.M. +/-

Appointment of Alternates

Bill O'Neil was appointed as a full voting member for tonight's meeting in place of Bob Regan.

Election of Vice Chair for the remainder of 2021-2022 (Cont'd from 12/21/2021)

Mr. Carter asked for volunteers and/or nominations from the Board for Vice Chair.

**Mr. Williams MOVED to nominate Roger Sample as the new Vice Chair of the Planning Board.
Mr. MacDonald seconded the motion, and it PASSED unanimously.**

Approval of Agenda

Ms. Call stated there are some changes to the Agenda under Other Business, Old Business (b) is a follow up on the Building Space Needs discussion, (c) is a Master Plan update, (d) is to include a Memo from herself regarding a letter that was submitted from Belinda McLin, (e) will be an add on regarding edits to the December 21, 2021, meeting minutes as the Board needs to vote on the Planning & Zoning Consultant Warrant Article, there was a motion and a second but not a vote; also, the Board needs to make a motion on the Lakes Region Planning Commission Warrant Article, the Board voted and Mr. Williams seconded, but no one officially made the motion. Ms. Call stated on page 2 under #3 Correspondence for the Board's Review/discussion/action, (b) indicates there is a memo dated January 13, 2022, instead of a memo she prepared an official Planner Review; (c) is an addition for a discussion on amending a subdivision approval regarding John Jeddrey's Ridgewood Subdivision and (d) is to review an application from Belinda McLin for a Planning Board Alternate.

**Mr. Wilder MOVED to approve the Agenda as amended.
Mr. Williams seconded the motion, and it PASSED unanimously.**

1. Design Review

Case #P21-33 (Cont'd from 12/21/2021) Scott Lawler, P.E., of Norway Plains Associates., Inc., Agent for Keith Dube of Piperdube, LLC, Owner	Map 2 Lot 12 800 Suncook Valley Road	Design Review/Major Site Plan Rural (RU) Zone
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Proposal: To operate as a Contractor's Yard for a landscaping business, and construct a Self-Storage Facility consisting of two (2) storage buildings.

The Chair read the case into the record.

Mr. Lawler, Agent for Keith Dube of Piperdube, LLC, and Mr. & Mrs. Dube came to the table for discussion. Mr. Lawler stated they were before the Board for the December 21, 2021, meeting for Design Review where an open discussion took place regarding the Self-Storage Facility for Mr. Dube, but the ZBA meeting for the Special Exception for the Contractor's Yard had not taken place, so he only briefly spoke about it at that meeting; now that the Dube's obtained a Special Exception from the ZBA on January 6, 2022, they would like to bring forth that component of the Site Plan application. As a reminder, Mr. Lawler gave a brief overview of the details for Tax Map 2 Lot 12, located at 800 Suncook Valley Road/NH Route 28; he stated it is 3.33 acres located in the Rural district. The lot was purchased by the Dube's in 2020, a garage with an apartment was constructed and they are serviced by an onsite well and septic system, there is a gravel driveway area they are currently using for storage of their vehicles associated with the landscaping business. He stated they had the wetlands delineated on the property by Stoney Ridge Environmental this past summer, early fall; the land generally slopes from South-North and to the rear of the property is the snow mobile trail that cuts along the back property line. He stated Piperdube, LLC, is requesting approval for a Contractor's Storage Yard which is consistent with their existing landscaping business. The landscaping business has about five employees and the Dube's currently reside on the property; they have depicted on the updated plans, a small parking area for the Dube's employees as well as the small equipment they have onsite; the majority of the larger equipment is actively on job sites. The hours of the Contractor's Yard will be from 8am to 5pm, however, during the winter months and snow emergencies they will be operating on a 24/7 basis for clearing snow. Mr. Lawler stated that after talking with the Board last month, they have updated the plans for the separation from the Self-Storage Facility and the Contractor's Yard; they have modified the plans to show a row of tall Junipers with a stone bed which will create an access isle that loops around the perimeter of the gravel that goes out to the Self-Storage buildings, which keeps the Contractor's Yard confined to a smaller area.

Mr. Lawler continued and stated they followed the Board's recommendations of keeping the two businesses separate in order to help restrict access to the Self-Storage Facility. To restrict access to the Self-Storage Facility, Mr. Dube will install a rolling gate at the beginning of the row of Junipers and the access isle with a key pad, which will restrict the hours of operation to 6am to 9pm and reduce the amount of traffic in the back of the Self-Storage area after hours. Mr. Lawler stated in accordance with the plan modifications, they have added some additional Evergreens to be installed at the end of the Self-Storage buildings parallel to the back property line and snow mobile trail to help eliminate the head light glare and reduce the noise near the abutter's property on the Northside of the property line. Mr. Lawler stated Mr. Dube had a productive meeting with the abutter to the rear of his property, they discussed the plans and the abutter agreed with the proposal to help screen the development that faces his property in the rear. They have also added some additional trees along the Westerly property line at the back of the long Self-Storage building. They have made modifications to the stormwater management system to address the comments by the Town Engineer

and submitted those changes to the Planning Department; they received a letter from both with no further comments on the stormwater management system. Mr. Lawler stated the stormwater management system consists of sheet flow from the gravel areas towards the sediment forebay and the water from the sediment forebay will flow into a pocket pond which will provide attenuation and treatment for the stormwater before leaving the site at an equal or less than predevelopment flow rates. Lastly, he stated per the recommendation of the Chair they will add a note to the lighting plan to reduce the light fixtures to a 3000k color. He stated the project will require NHDOT approval, an application will be submitted this week; there are no other State permits necessary.

Mr. Carter asked if the Board had any comments or questions regarding the application; Mr. Carter stated he noticed there was a waiver request for landscaping plans but it seems the landscaping has been addressed. Mr. Lawler stated the waiver request was submitted before the last meeting so when they submit for the Major Site Plan application, they will no longer be requesting the waiver for landscaping. Mr. Carter asked if they were familiar with the rules and regulations for landscaping to make sure they address all of the details; Mr. Lawler stated he is familiar. Mr. Carter asked for clarification on what materials will be used and stored in the Contractor's Yard; Mr. Dube stated the only thing he stock piles on the property is sand and salt and stores it in a concrete bin with a Quonset net cover, storing about 20-yards maximum at a time depending on the weather. Mr. Carter stated Ms. Call had noted there was a conflict between the hours of operation on their ZBA narrative versus the Planning Board narrative; Mr. Lawler responded and stated there was a breakdown in communication between himself and Mr. Dube but when they submit the Final application it will be consistent with the hours listed on the ZBA narrative, 8am-5pm for the Contractor's Yard and the revised hours of operation for the Self-Storage Facility, 6am to 9pm.

Ms. Call complimented Mr. Dube on how nice it was to see that he and the abutter worked together to resolve the abutter's concerns regarding a buffer in the back of his property; she was impressed and stated that is how things should go ideally. Mr. Dube stated he enjoyed the conversation they had with them, he was pleased that they were able to come to an agreement.

Mr. Wilder interjected and discussed the note from Ms. Call's Planner Review regarding the Drainage Study and Report, there was a stormwater inspection Maintenance Manual; he stated it would be good to have future property owners be made aware that they were obligated to keep the stormwater system working. Ms. Call stated that a note should be added to the plan that addressed the stormwater Maintenance Manual; Mr. Lawler responded and stated they can add a note to the plan. He stated they have prepared the stormwater Maintenance Manual and they usually have the applicant sign it when they provide a copy so the property owner is aware of that responsibility. Mr. Williams asked if the plans were recorded and Ms. Call stated that Site Plans are not recorded which is why it is important to note it on the plans. Mr. Williams responded and stated it would be a good idea to consider recording Site Plans so this is documented. Mr. Wilder asked if there was a note added to the plan that stated the property was not located within the aquifer protection overlay district; the Board confirmed this was noted on the plan.

Mr. Carter asked about the details of the snowmobile trail; Mr. Dube stated you can walk out to the trail and see from where the trees will be planted that there will still be enough room on his property to carve out a few more trees, allowing the snow mobiles to go around that area without a problem.

Ms. Call reminded Mr. Lawler of the next step, which is to submit a Final Site Plan application; Mr. Lawler stated he is aware and will submit the application next Tuesday.

2. Completeness Review of Application and Public Hearing if Application is Accepted as Complete

Case #P21-35 Jones & Beach Engineers, Inc., Agent for Raymond Jr. & Eva Donita Dezenzo and Dean & Cathy Sedler, Owners	Map 80 Lots 7, 8, & 9 Big Barndoor Island	Lot Line Adjustment Lakeshore Residential (LR) Zone
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Proposal: To adjust lot lines for three (3) lots of record, with Map 80 Lot 7 adjusted from 37,900 SQ FT to 57,120 SQ FT, and Map 80 Lot 9 adjusted from 35,500 SQ FT to 55,460 SQ FT, eliminating Map 80 Lot 8.

The Chair read the case into the record.

Mr. Jones, Agent for Mr. & Mrs. Dezenzo and Mr. & Mrs. Sedler came to the table for discussion. The Board reviewed the waivers and stated they were reasonable.

Mr. Williams MOVED to grant the waivers to Sections VII, F.7., g, VII, F. 7. h. and VII, F. 7., i. as strict conformity with the regulations would pose an unnecessary hardship to the applicant and the waivers would not be contrary to the spirit and intent of the regulations.

Mr. MacDonald seconded the motion, and it PASSED unanimously.

Ms. Call questioned as to whether or not there was a mortgage on either property because the checklist was left blank. Mr. Jones stated the applicants have been working on getting a letter from the Bank, but it is a process, and he is confident they will receive the letter. He stated it would be helpful in obtaining a letter from town stating whether the application was conditionally approved. Mr. Williams asked for confirmation that the applicants were taking three lots and merging them into two lots; Mr. Jones stated that was correct, there are three separate lots so the lot line adjustment would increase the two remaining lots. Mr. Carter asked if two of the lots were owned by one owner; Mr. Jones stated that Dean Sedler owns two lots, and one of the lots would become smaller, which is most likely a concern for the Bank as they would need to rewrite the deeds. Ms. Call stated that part of completeness of the application is a letter from the Bank, she suggested the Board vote on this and make a motion to approve that portion to be a condition of approval.

Mr. Williams MOVED to push back the Bank letter as part of the conditional approval for application completeness.

Mr. MacDonald seconded the motion, and it PASSED unanimously.

Mr. Williams MOVED to approve the plan for Case#P21-35, lot mergers on Barndoor Island deemed complete as presented with Subsequent Conditions and Conditions Precedent.

Mr. Wilder seconded the motion, and it PASSED unanimously.

Mr. Jones addressed the Board and gave a brief overview of the application; he stated it consists of three separate lots and the two owners would like to split the lots to create two lots which will eliminate the center piece of property and increase the size of the remaining lots. Mr. Jones referred to the plan and indicated the two lots in green are owned by Dean Sedler, each is 2.9 acres; the lot in orange is owned by Ray Dezenzo, it is .8 acres which will be increased as a part of the lot line adjustment. They did conduct a complete boundary survey of the property and they have walked the entire site, they did not see any wetlands on the site. He stated one of the features of the land is the 50-foot ROW in the back, it is an access trail that goes around the island as a fire road; they also have a power line that feeds all the properties. After the lots are adjusted, they will meet the Lakeshore residential zoning, over 30,000 square feet in size and will both have

150 feet of Lake Frontage. He stated they are not planning any type of building or expansion of the homes as part of the lot line adjustment, this is strictly to conform the lots.

Mr. Carter asked for any comments from the Board; no comments from the Board.

After due hearing, Mr. Williams **MOVED** that the Alton Planning Board hereby approves Case #P21-35 for Raymond W. Jr. & Eva Donita Dezenzo and Dean S. & Cathy M. Sedler, for the above cited Lot Line Adjustment of Map 80 Lots 7, 8, & 9, with frontage on Big Barndoor Island, Alton, NH, with the following conditions:

CONDITIONS PRECEDENT

The following conditions precedent must be satisfied prior to the Planning Board Chair signing the plans:

1. Submission of revised plans in the number required by the Subdivision Regulations and *that include all of the Checklist corrections listed under PLAN REVIEW and OTHER COMMENTS in this Planner Review, any corrections as noted at this hearing, and any waivers granted by the Board.*
2. Addition of a note to the lot line adjustment plan prior to plan signing as follows:
"This subdivision plan is subject to the Conditions of Approval itemized in the January 18, 2022, Notice of Decision recorded in the Belknap County Registry of Deeds and on file at the Town of Alton Planning Department."
3. Submission of mortgage holder letters.

SUBSEQUENT CONDITIONS

The following subsequent conditions shall be met during construction and on an on-going basis:

1. The applicants shall comply with all of the Town of Alton's Subdivision Regulations.
2. Approval of the lot line adjustment by the Planning Board constitutes recognition that the lot configurations are in conformance with local land use regulations. To complete the lot line adjustment, deeds must be transferred and recorded and this is the applicant's responsibility.
3. 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.
4. A lot line adjustment which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications upon which the approval was based, or has materially violated any requirements or conditions of such approval.

Unless otherwise approved by the Board, the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions precedent that are required prior to signing and recording the subdivision plat. Failure to complete any conditions within the one (1) year timeframe shall invalidate the Board’s approval, unless an extension is approved by the Board under Section IX, A. 2. of the Town of Alton Subdivision Regulations.

Mr. MacDonald seconded the motion, and it PASSED unanimously.

Case #P22-01 Norway Plains Assoc., Inc., Agent for Alan E. & Patricia A. Wentworth and Michael Wentworth, Owners	Map 3 Lots 4-3 & 4-4 Hamwoods Road	Lot Line Adjustment Rural (RU) Zone
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Proposal: To adjust lot lines for two (2) lots of record, with Map 3 Lot 4-3 adjusted from 5.07 AC to 15.976 AC, and Map 3 Lot 4-4 adjusted from 29.61 AC to 18.706 AC.

The Chair read the case into the record.

Mr. Oles, Agent for Mr. & Mrs. Wentworth and Michael Wentworth, approached the table for discussion. Ms. Call stated she had additional information to provide before review of the waivers; she stated that initially when the application was submitted and she reviewed the abutter’s list, she noticed that Cynthia Balcius and Jill Royer’s names were not on the abutter’s list; she discussed it with Steve Oles and they came to the conclusion that the Tax Map that is currently on the Town’s website was not updated last year so it did not reflect the change that took place when they had a subdivision done. Ms. Call stated as a result of this, she reached out to Ms. Balcius and Ms. Royer and asked if they were okay with not receiving an abutter’s notice in a timely fashion, she provided the case information and discussed the matter and they both stated they did not have an issue with not being notified in time; they stated as long as their names are updated on the final plan, they were good with moving forward.

Mr. Carter read the requested waivers into the record for review; Section VII, F.7., g-Show all jurisdictional wetlands and the 25’ wetland buffers; Section VII, F.7., h- Show all areas with slopes in excess of 25%; Section VII, F.7., i- Show the minimum contiguous upland area for each lot excluding jurisdictional wetlands and areas with slopes in excess of 25%. Identify the minimum contiguous upland areas in acres and square feet for each lot. Mr. Carter asked the Board for any comments; Mr. Wilder stated they make the point that both lots are developed and they are just moving the lot line over, making the lots about the same size; if they were to come in later and try to subdivide the lots, then you would see all the items mentioned in the waivers.

Mr. Williams MOVED to grant the waivers to Sections VII, F.7., g, VII, F.7., h and VII, F. 7., i, as strict conformity with the regulations would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations.

Mr. MacDonald seconded the motion, and it PASSED unanimously.

Mr. Carter addressed the Board regarding completeness of the application.

Mr. MacDonald MOVED on Case#P22-01 for completeness with the understanding the abutters Cynthia Balcius and Jill Royer were notified and they will be listed on the final plan.
Mr. O'Neil seconded the motion, and it PASSED unanimously.

Mr. Oles stated the parents and their son plan to merge their lots, a lot line adjustment of 10.9 acres. Mr. Carter asked the Board for any comments or questions; the Board had no comments or questions.

Public input opened. No public input. Public input closed.

After due hearing, Mr. Williams MOVED that the Alton Planning Board hereby approves Case #P22-01 for Alan E. & Patricia A. Wentworth and Michael Wentworth, for the above cited Lot Line Adjustment of Map 3 Lots 4-3 and 4-4, with frontage on Hamwoods Road, Alton, NH, with the following conditions:

CONDITIONS PRECEDENT

The following conditions precedent must be satisfied prior to the Planning Board Chair signing the plans:

1. Submission of revised plans in the number required by the Subdivision Regulations and *that include all of the Checklist corrections listed under PLAN REVIEW and OTHER COMMENTS in this Planner Review, any corrections as noted at this hearing, and any waivers granted by the Board.*
2. Addition of a note to the lot line adjustment plan prior to plan signing as follows:
"This subdivision plan is subject to the Conditions of Approval itemized in the January 18, 2022, Notice of Decision recorded in the Belknap County Registry of Deeds and on file at the Town of Alton Planning Department."
3. Addition of a note to the lot line adjustment plan prior to plan signing by the Planning Board Chair as follows:
"This lot line adjustment plan contains a total of ___ sheets. (List number of sheets included with the plan). In combination, these plans constitute in their entirety the lot line adjustment plan as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department."
4. Bounds should be set on the final plat or a separate certification of bounds set will be required to be recorded at the Belknap County Registry of Deeds at the applicant's expense.
5. Add to the plan, the abutter's information for Tax Map 3 Lot 12.

SUBSEQUENT CONDITIONS

The following subsequent conditions shall be met during construction and on an on-going basis:

1. The applicants shall comply with all of the Town of Alton's Subdivision Regulations.

2. Approval of the lot line adjustment by the Planning Board constitutes recognition that the lot configurations are in conformance with local land use regulations. To complete the lot line adjustment, deeds must be transferred and recorded and this is the applicant's responsibility.
3. 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.
4. A lot line adjustment which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications upon which the approval was based, or has materially violated any requirements or conditions of such approval.

Unless otherwise approved by the Board, the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions precedent that are required prior to signing and recording the subdivision plat. Failure to complete any conditions within the one (1) year timeframe shall invalidate the Board's approval, unless an extension is approved by the Board under Section IX, A. 2. of the Town of Alton Subdivision Regulations.

Mr. MacDonald seconded the motion, and it passed unanimously.

Other Business:

1. Old Business:

- a. Review and update of Construction Observation Guidelines

Ms. Call stated that she had a few things to discuss. After the workshop that was held last year, there were a few things she was to follow up on and bring to the Board; she was to look into whether or not they should get rid of the option of having applicants submit a letter of credit as compared to submitting a bond. She stated it was discussed with Town Counsel, and he recommended that option to stay in place. The other comment was regarding the Town Engineer's expense list; her question to the Board was, should they specify websites or should they have a blanket guideline that states the Town Engineer should provide some formal presentation? Mr. Williams stated they should provide some type of methodology of how they arrived at the expense amounts presented for payment. Mr. Carter interjected and agreed with that suggestion and stated creating some type of wording to direct the Town Engineers on supporting backup as to how they arrived at their expense amounts.

Ms. Call continued with the next item regarding inconsistencies with the Subdivision Regulations that has to do with As-Built Plans and after speaking to Mike Vignale about this they noticed there were different guidelines under the Construction Observation that discusses As-Built Plans. She directed the Board to page 20, Section 7.1 of the Construction Observation Guidelines, and stated on the third line down the sentence that starts with "As-Built Plans" it states that "an As-Built shall be prepared by either a New Hampshire licensed professional surveyor or engineer" and when you look at the

Subdivision Regulations, it specifies that a land surveyor is supposed to certify the plan. Mr. Williams agreed with having a land surveyor certifying the plan because an engineer is not a land surveyor. Ms. Call responded and stated that the regulations need to be in unison for site plans, subdivisions and construction observations. Ms. Call stated the sentence should read, "As-Built Plans shall be prepared by a New Hampshire licensed professional surveyor"... Mr. Wilder stated if the engineer is hiring the land surveyor, then the plan should be stamped by a licensed surveyor to show that all the locations are accurate. The Board agreed with having the licensed surveyor stamp the plans and agreed with striking the word engineer from the language in the guidelines.

Ms. Call continued and pointed out that the Board has gone through most of the language in red during their previous workshops but they need to review the suggestions from the engineer, Dana Huff, which are incased in red word bubbles throughout the document. Mr. Carter suggested they start at the beginning of the document, page 1; Ms. Call stated under Municipal Authority (A), Mr. Huff questioned the industry standards and asked if there was also a standard of care component.

The discussion was placed on hold in order to provide complete copies of the document as some Board members were missing pages...

b. Follow up on Building/Space Needs discussion

Ms. Call provided the Board with an update and stated at the last meeting, the Board had recommended these needs to the Board of Selectmen; they in turn had a meeting with Drew Carter and Pat O'Brien from the CIP Committee present and the Selectmen recommended that the Fire Department and the Highway Department needs be reviewed first. They directed the CIP Committee to discuss whether or not they should create a sub-committee so they can strictly focus on discussing facilities as compared to including that conversation at a regular CIP Committee meeting. She agreed with the recommendation and stated it would be better to have a separate committee to address these needs. She stated there is a CIP Committee meeting scheduled for January 26, 2022, to discuss the recommendations from the Board of Selectmen. Mr. Carter interjected and asked if the Board needs to vote on the creation of the sub-committee and Ms. Call responded, no, and stated the Board of Selectmen are going to vote on the sub-committee.

c. Master Plan Update

i. Invoice #2021-194 from Tara Bamford, Master Plan Consultant

Mr. Wilder provided an update to the Board; he stated they are in the process of drafting documents for review by the consultant, Tara Bamford, and she is in turn providing guidance to the volunteer in charge of the different chapters for the Master Plan. He stated Ms. Bamford has been informed of the Warrant Article approval and the total cost would be about \$34,000 for her services. Mr. Wilder stated the next step is to get written material to her for review and assembly by September of 2022. They

need to have a public hearing sometime this summer on the drafted document to obtain public input.

- d. **Memo dated January 13, 2022, from Jessica A. Call, Town Planner, re: Letter dated January 10, 2022, from Belinda McLin**

Mr. Carter addressed the letter submitted by Ms. McLin dated January 10, 2022; he stated the Board has consulted with Town Counsel on the letter and they will adhere to the advice of counsel on addressing the letter. Mr. Williams stated he was confused by some of the comments from Police Chief Heath highlighted in the November 16, 2021, minutes from discussion of her case. Mr. Carter stated the highlighted items are identifying those sections and potential concerns, he did not make any statements.

- e. **Corrections to the Meeting Minutes from December 21, 2021 Planning Board Meeting**

Mr. Carter stated the first correction related to the vote on the Planning & Zoning Consultant; Ms. Call interjected and stated the Board needed to vote on the Planning & Zoning Warrant Article. She stated that Mr. Wilder motioned, Mr. Williams seconded, Mr. MacDonald opposed but there was no vote.

Mr. Wilder called for a vote **and it PASSED with Mr. MacDonald opposing.**

Ms. Call stated the second correction was a motion to approve a Warrant Article for the Lakes Region Planning Commission; Mr. Williams seconded the motion and there was a vote but not one particular member of the Board motioned on the Warrant Article.

Mr. Wilder MOVED to approve the Warrant Article for the Lakes Region Planning Commission.

- a. **Review and update of Construction Observation Guidelines (continued)-**

Mr. Carter reverted back to the discussion of the Construction Observation Guidelines and the suggestions from Mr. Huff. Mr. Carter addressed the suggestion of including a standard of care component; he stated he feels that accepted industry standards implies a standard of care; Mr. Williams stated he thought they used best management practices for industry standards, Ms. Call stated yes. Mr. Carter stated they will keep the accepted industry standards language.

Mr. Carter moved on to the next suggestion under Owner/Developer/Applicant where Mr. Huff suggested the language of "in conformance with" the approved plans, permits, ordinances and regulations... he stated the suggestion was better language but the remaining members did not agree and they decided on removing the word according instead.

Next suggestion at the top of page 2, making a reference to the Alton DPW; Mr. Carter stated it is not suggesting they rename their highway department but should they be included in the list of departments; Ms. Call agreed and stated they should add the

Department of Public Works; Mr. MacDonald interjected and stated where it states Town Planner, that should be replaced with Planning Department and the Board agreed.

Next suggestion on page 2 under Town Engineer, replacing “according to” with “in conformance with”... Mr. Carter recommended striking the words “according” instead and the Board agreed. Ms. Call stated she will change the language of “Town Planner” to Planning Department throughout the document.

Next suggestion on page 4, Section 2, #7, replacing the word Inspector with “Observer”... Mr. Carter stated he likes that suggestion and the Board agreed to replace Inspector with Observer throughout the document.

Next on page 4, Section 2, #9, suggestion to reference Security as defined in Section 2.36 under Construction Observations Escrow... Ms. Call stated it wouldn't hurt to make that reference but Mr. Williams stated it doesn't make sense to reference that word. The Board agreed to not accept that suggestion.

Next suggestion at the top of page 5, #12 Crushed Gravel, do they need a definition for crushed stone? Mr. Williams stated he feels they should follow the State definitions of crushed stone because the State has changed their road bed requirements that you can put 18 inches of ledge pack instead of having 12 inches of 4 inch minus a 6-inch minus sub grade 6 inches of fresh gravel, the State is now allowing you to use all ledge products all the way through because gravel is becoming so short and rock is integral. Mr. Carter interjected and stated they are trying to clarify the definition of crushed gravel; Mr. Williams responded and stated he is simply saying crushed gravel may not be the product used anymore. Mr. Carter responded and stated maybe not, but they should keep the definition in the guidelines; the question is should we add a crushed stone definition and should we add a definition for ledge pack as well. Mr. Williams stated the definition of crushed gravel and ledge pack are basically the same thing. Mr. Wilder interjected and stated it should be another definition under L in the guidelines instead of C, but he likes the idea of linking the definition to the State definition. Ms. Call interjected and stated they should add something like see NHDOT definition for crushed gravel/ledge pack. Mr. Carter interjected and stated ledge pack should be added separately; Mr. Williams stated they should put that right below that definition because the product would be used in the same manner. Mr. Carter and Mr. Wilder responded and stated they will all be listed alphabetical so it will be placed under L in the guidelines.

Mr. Carter stated the question is do they need a crushed stone definition and the Board stated yes it is needed. Mr. Carter stated the note Mr. Huff made stated that crushed gravel is 304.3 and crushed stone is 304.4, so do they need a definition for crushed stone. Ms. Call stated she will do research on this and bring that information to the next meeting.

Next suggestion on page 6, #44 Traffic Control, the suggestion from Mr. Huff was to add “as defined by the Manual on Traffic Control Devices (MUTCD) latest edition as published by the Federal Highway Administration (FHWA)”... Ms. Call pointed out they skipped #38 Silt Fence, suggestion to replace material with “synthetic fabric”... Mr. Carter read the suggestion to the Board, and they agreed to the suggestion. Mr. Carter reverted

back to #44 Traffic Control suggestion; Mr. MacDonald stated it is mandatory to have a police officer present for any type of traffic control, but if you add the language “by following Federal Highway Administration” that’s a lot of money coming out. Mr. Carter and the Board decided against the suggestion.

Next suggestion on page 8 under Section 3.1 Applicability, Mr. Huff suggested citing the definition of Major Site Plans Section 1.04 (B) 1 of the Site Plan Review Regulations...Mr. Carter read the suggestion to the Board; Mr. Williams asked if the Major Site Plan was already detailed in the checklist on the application which details what is required; Mr. Carter agreed and stated it is currently read they are requiring construction observations for all major site plans and if they start nitpicking, they could potentially miss something important; he stated the language should be left as is and the Board agreed.

Next suggestion on page 13 under Section 5.1 General Guidelines, Mr. Huff suggested adding /shop drawing after the word submittal... Mr. Carter read the suggestion to the Board; he stated in his opinion, a shop drawing is a submittal and the Board agreed not to add that language. The other suggestion on the same page was to remove the “&” symbol and replace it with the word “and”... the Board agreed to make that change.

Next suggestion on page 15 under Section 5.4 Construction Observations, Mr. Huff suggested changing the word Inspector to “Observer” for all construction observations... Mr. Carter read the suggestion to the Board; the Board agreed with making that change.

Next suggestion on page 16 under 6.2 Access to Work, Mr. Huff suggested adding “the Planning Board” after the word notify Occupational Safety and Health Administration... Mr. Carter read the suggestion to the Board; Mr. MacDonald stated he did not agree with adding that because OSHA handles safety issues. Ms. Call interjected and stated that the Town should know if there is an OSHA violation on a project; Mr. MacDonald responded and stated OSHA would shut down the project right away if there were any violations. Mr. Carter interjected and stated that more importantly, the wording on this definition states that “the Town Engineer and/or Construction Observer has the right to not only refuse to conduct observations” and if they are refusing to conduct an observation because of safety, the Planning Department should be made aware of this; Mr. Wilder agreed and stated they would call OSHA to address those issues. Mr. Carter responded and stated that if they did not want to conduct an observation due to safety, they should notify the Planning Department because they are there under the employ of the Planning Department. The Board agreed to accept Mr. Huff’s suggestion of adding the Planning Department.

Next suggestion on page 17 under 6.3 Construction Layout is the same suggestion to remove Inspector and replace with “Observer”...

Next suggestion on page 18 under 6.5 Testing, Mr. Huff suggested including approval of the Planning Board for the materials testing firm... Mr. Carter read the suggestion to the Board; Mr. Wilder stated he does not agree with the Planning Board approving materials testing firm; he stated it should be done by the firm. The Board agreed and did not accept the suggestion. Further down on page 17, Mr. Huff suggested to include /Leakage after the

word Pressure for a description under Pipes...Mr. Carter read the suggestion to the Board; the Board discussed and decided it was a reasonable change.

Next suggestion on page 19 under 6.7 Construction Observation Verification Form is the same suggestion to remove Inspector and replace with "Observer"...

Next suggestion on page 20 under 7.2 Final Site Walk is the same suggestion to remove Inspector and replace with "Observer"...

Lastly, on page 33 under A-6 Construction Observation Verification Form is the same suggestion to remove Inspector and replace with "Observer"...

Mr. MacDonald MOVED to push off the changes for the Construction Observation Guidelines to the March 2022 Planning Board Meeting.

Mr. Sample seconded the motion, and it PASSED with Mr. Wilder abstaining.

2. New Business:

- a. Approval of Minutes:** Planning Board Meeting minutes of December 21, 2021

Ms. Call stated there is a change to the minutes; Tom Hoopes was listed as member present at the meeting but he was not present. Mr. Carter stated he had a change on page 7, third paragraph down, it should read "12 square feet per sign"; Mr. Williams stated he noticed down further on the same page, last paragraph under means of egress it says 200 feet; Mr. Carter interjected and stated it should read "50 feet of travel distance and 200 lineal feet".

**Mr. MacDonald MOVED to approve the December 21, 2021, minutes as amended.
Mr. Williams seconded the motion, and it PASSED unanimously.**

3. Correspondence for the Board's review/discussion/action:

- a. Review applications for consideration, re: Citizen Members to sit on the Alternative Housing Committee**

Mr. MacDonald asked Ms. Call if she needed all eight applicants for the Committee. Ms. Call stated they did not determine a number of citizen members to sit, so she approached this in the same manner for the CIP Committee which is four citizen members. Currently, Paul Zuzgo sits as a citizen member on the Committee so she is not sure if the Board would like to review an additional three members or do they want more than four, it's up to the Board to decide. Ms. Call stated she included a spreadsheet that listed which applicants were year-round residents and those that were not year-round to give the Board a better idea of the pool of applicants. She stated all the applicants own property in Alton but some are not here year round. Mr. MacDonald stated Ms. Call should pick the members; Ms. Call stated that it was not up to her to pick but she would like to make a suggestion. She stated Susan Elithorpe was the motivating factor that stemmed the conversation about starting a committee, so if she were to pick, she would choose Ms. Elithorpe because if not for her, that conversation would not have taken place. Mr. Williams stated he agreed with Ms. Call because she approached the Planning Board to

discuss starting a committee. Mr. Carter interjected and stated he did not see that one of the applicants, Jamie/James Connelly owned property; Mr. Connelly was present and confirmed that he does own property in Alton. Mr. Williams stated in his opinion they should choose the applicants that are present at the meeting and keep Paul Zuzgo on as well.

**Mr. MacDonald MOVED to accept Susan Elithorpe, Benjamin Kane and Jamie/James Connelly for the Alternative Housing Committee.
Mr. Williams seconded the motion, and it PASSED unanimously.**

Ms. Call addressed the applicants and stated she will be in touch with them once she can narrow down dates as to when they would be able to meet. Mr. Williams stated he would like to get this going as early as possible. Ms. Call responded and stated she agreed and was waiting until after tonight's meeting to move forward.

- b. Discussion regarding Covenant Restricting Lot Sales for Ingalls Woods Subdivision, Alton, New Hampshire

Ms. Call noted that the memo was changed to Planner Review. Mr. Williams stated he was leaving his Board seat to sit before the Board as this is his subdivision. Mr. Carter stated for the record, Scott Williams has stepped away from the table.

Mr. Carter asked the Board if they had a chance to review the Planner Review regarding Ingalls Woods Subdivision. Mr. MacDonald stated the Town of Alton has been inconsistent with issuing building permits and he does not feel that is a justification to change direction now. Mr. MacDonald stated the Town has done this before, going back after the fact and he does not feel removing the permits after the work has already started is fair and should not happen. Mr. Williams stated he would like to add a statement; Mr. Carter interjected and stated it should wait until he opens this up for public input. Mr. Williams stated he is not part of the public, he is the owner of the LLC. Mr. Carter stated he wanted to make sure the Board had enough time to review the Planner Review and documents attached before moving forward. Mr. Carter asked the Board if they were ready to proceed; Mr. Sample stated he did not understand why this is before the Board when Step A has been overlooked. Mr. Carter responded and stated that it seems this is a confusing matter.

Mr. MacDonald asked Mr. Williams how many lots have been sold; Mr. Williams responded that Lots 3-8, 3-9 and 3-10 have been transferred. He stated he will be calling for a Certificate of Occupancy for Lot 3-9 on Thursday, January 20, 2022, because it is a completed home. Mr. MacDonald asked if the road has been paved and Mr. Williams confirmed it has been paved.

Mr. MacDonald asked Mr. Williams about the Town Engineer report as he does not see one has been submitted. Mr. Williams stated that the former Town Engineer, Kevin Leonard, P.E., was assigned by the Planning Board in his absence to perform construction observations and he does not want this engineer on his project, he refused to work with him. Mr. Williams stated he was not notified of the Board's decision to keep Kevin

Leonard on as the Town Engineer. Mr. Williams stated he would like one of the new approved Town Engineers assigned to his project; however, in his absence, he has had his own engineer record and he also hired SW Cole, LLC, as a private entity to conduct all compaction testing, road temperature, weigh slips and everything pertaining to the asphalt. He stated he has not turned in these reports because of Kevin Leonard's involvement and he will not work with him.

Mr. MacDonald asked if the Board can accept those reports; Ms. Call responded and asked if the Board allowed that with other subdivisions? Mr. Williams stated he could see the Town not using his engineer, but he hired SW Cole to assist. Ms. Call addressed Mr. Williams and stated it would have been prudent to speak to the Board; Mr. Williams stated he didn't because Kevin Leonard was involved; Ms. Call interjected and stated he could have approached the Board to request removal of Kevin Leonard as the assigned Town Engineer, instead of going through the process of the subdivision. Mr. Williams stated he didn't address it because he was away during this time and he never received an official notice that Kevin Leonard was assigned to his project. He stated he does not like the process because he knows roads that were built in Alton that never had the consulting engineer involved during the project and they went forward with selling houses. Mr. Carter interjected and stated the problem is there was a Town Engineer assigned to the project as I understand now you refused to call in to conduct any inspections. Mr. Williams responded and stated the engineer did conduct inspections, one was for the subgrade and the slope underneath it because it has to carry up through the whole lift of the road, and he was there, approved it and submitted a report. Mr. Carter stated the Board decided to keep Kevin Leonard on for the continuity of the project, but that inspection report seems to be the last one submitted. Mr. MacDonald interjected with a question about voting to keep Kevin Leonard on, why wouldn't Mr. Williams be notified of that decision. Ms. Call stated she would need to double check the correspondence in the file. Mr. MacDonald responded and stated that an applicant should be notified as to which Town Engineer would be assigned to the project. Mr. Williams stated he was only notified recently by a letter he received on Friday (1/14/22). Ms. Call stated she did speak to Mr. Williams in October of 2021 when he came to request a building permit, she stated she reminded him of the Covenants in place and that research would need to be done before following up with him. Mr. MacDonald interjected with a question regarding the AOT permit; Mr. Williams stated that he has a meeting tomorrow at 1pm regarding his AOT permit and hopefully it will be finalized as it is a lengthy and expensive process.

Mr. Carter interjected and reverted back to the discussion of notification to Mr. Williams regarding the Town Engineer, he stated since there was no change to the engineer assigned, notification would not have been necessary. Mr. Williams responded and stated if it has anything to do with his project, he must be properly notified. Mr. Carter responded and stated that it is clear Mr. Williams has an issue with Kevin Leonard, so he would like the Board to consider a few proposals regarding this matter; he stated there is a new Town Engineer for Alton and recommended that all records from SW Cole be transferred over to the new Town Engineer for review of the documentation and not take any further action at this time. Mr. MacDonald interjected and expressed his concern with double backing on ongoing projects because there could be a possibility that the Town made an error, however, they would still put a stop to the work. Mr. Carter

responded and stated the permits should have been flagged as soon as possible. Mr. Williams responded with a request to release the Covenants on those lots; Mr. Carter responded and stated the first step towards that would be a review of the documents by the new Town Engineer before moving forward. Mr. Wilder agreed because it would show that the Board is not favoring one applicant over another. Mr. Williams stated he understood but he also doesn't want to be singled out either. Mr. Carter stated the biggest issue is someone has been living in one of the houses for the past 14 months and he cannot justify penalizing those individuals; he reiterated that Mr. Williams will be obtaining a Certificate of Occupancy this week as someone is moving into another home. Mr. Williams stated 3-9 is this coming week, 3-10 is probably coming this April; Mr. Sample asked if that lot was sold, Mr. Williams stated all three lots have been sold. He stated lot 3-8 has been occupied for the past 14 months and he will have a Certificate of Occupancy for lot 3-9 this week and lot 3-10 has the Trusses going on. Mr. Hillsgrove stated he agreed with Mr. MacDonald and stated if someone has been given a building permit and has started the work, it would be ridiculous to step back and have another engineer review what a previous engineer has already reviewed and approved, it does not seem right. Mr. Hillsgrove stated he was not sure he could vote on this being he is an alternate; Mr. Carter stated yes, and appointed Mr. Hillsgrove as an alternate in place of Mr. Williams.

Mr. Carter interjected and stated there was a time when there was not a proper Town representative conducting observations during construction of the road, which is a requirement. Mr. Williams stated that Kevin Leonard was non-responsive during this process and he hired another company in the interim to conduct observations. Mr. Wilder asked if Mr. Williams notified Ms. Call of this issue at the time; Mr. Williams stated Ms. Call was fully aware of the issues he was having with Kevin Leonard during that time. Mr. Sample interjected to confirm that Ms. Call was aware of what Mr. Williams was doing as far as hiring SW Cole; he stated the road has been paved but he did not inform Ms. Call of the paved road; Ms. Call interjected and stated if she had been updated, there would not have been a need to address these issues at tonight's meeting. Mr. MacDonald stated he agreed with Mr. Carter's recommendation to transfer the documents to the new Town Engineer for review but does not feel they should order a stop on the construction. Mr. Carter agreed with Mr. MacDonald and stated stopping the construction does not make sense and he thinks this could probably be resolved by allowing the new Town Engineer to review the documents. Mr. Williams stated he believes he has all of the reports and he will email them to the Town Engineer. Ms. Call interjected to clarify Mr. MacDonald's motion regarding the documentation being transferred to the Town Engineer; she stated it would be the reports from SW Cole and reports from Mr. William's own engineer and Mr. Williams confirmed and stated he will forward those to Ms. Call to send them to the Town Engineer.

Mr. MacDonald MOVED to transfer the documentation from SW Cole to Ms. Call to forward to the current Town Engineer for review, allow the construction to continue, and continue this for the March 2022 meeting.
Mr. Hillsgrove seconded the motion, and it PASSED unanimously.

Mr. Williams stated he was rejoining the Board and Mr. Hillsgrove stated he would be stepping down as an alternate.

c. **Discussion on subdivision approval, re: John J. Jeddrey, Ridgewood Subdivision**

Ms. Call gave a brief update to the Board regarding a Bond being provided by Mr. Jeddrey for project completion in order to sell lots in Phase II as he currently has covenants in place restricting lot sales. She stated Mr. Jeddrey is before the Board to discuss the potential of providing security in place of releasing the covenants. Ms. Call stated she has been in contact with Mike Vignale, P.E., Town Engineer, and provided two Bond estimates.

Bond estimate #1 for \$319,068 does not include the two securities already in place for Phase I and Phase II for the site reclamation; if Mr. Jeddrey were to release those two securities, then they would be included in the \$319,068 amount for site reclamation and for road improvements.

Bond estimate #2 states if Mr. Jeddrey kept in place Phase I & Phase II site reclamation cash security, the Bond would be \$250,000. Ms. Call stated the Board and Mr. Jeddrey would have to discuss which would be the best option.

Mr. Jeddrey stated he is ready to produce a Bond in order to start selling his lots as he has 10 lots in Phase II. Ms. Call stated if Mr. Jeddrey put down a Bond, the Board would be able to vote on releasing those restrictions on lot sales. Mr. Jeddrey stated he has not had a chance to discuss these amounts with Mr. Vignale, but he will talk with him and come up with a figure to present to the Board.

The Board stated they will go with the figure that Mr. Vignale recommends. Mr. Jeddrey stated he would supplement the current amount, either cash or a letter of credit from the Bank.

**Mr. Williams MOVED to allow Mr. Jeddrey to discuss the amounts with Mike Vignale, P.E., to move forward and release the covenants for lot sales.
Mr. MacDonald seconded the motion, and it PASSED unanimously.**

d. **Review application for consideration from Belinda McLin, re: Planning Board Alternate**

Mr. MacDonald stated they already have two alternates, and asked if there is a need for more. Mr. Williams responded and stated, they have one person retiring and Bob Regan resigned, so they have two slots open. Ms. Call stated the Planning Board can have up to five alternates; Mr. MacDonald stated that was a lot to have. Ms. McLin interjected and stated it would be nice to have a woman on the Board.

Mr. Carter asked what experience Ms. McLin has regarding Planning Boards; she stated she does not have experience with previous Boards but she is interested in learning more about the process, it is important and she is eager to learn. Mr. Williams stated for

alternate members, the Board has a 90-day requirement, which means each alternate must attend three consecutive meetings prior to being appointed as an alternate.

Mr. Carter addressed the issue of the letter she submitted previously to the Board regarding the November 16, 2021, meeting. Ms. McLin stated the letter she submitted is separate and apart from her interest in becoming an alternate. He stated on the advice of Town Counsel, they are not to discuss this issue at a public forum; however, the Board can review her application and discuss it for consideration. Mr. Carter recommend tabling the discussion regarding her application as it may fall under a conflict of interest. In the interim she will need to attend three additional meetings before consideration.

4. Correspondence for the Board's information:

Any Other Business to Come Before the Board

Ms. Call stated she had one comment regarding Bob Regan; she spoke to him and he wanted her to relay his thanks for the card, he is very appreciative. Mr. MacDonald stated that he was thankful for the card that the Board sent to his wife.

Public Input on Non-Case Specific Planning Issues

No Public Input.

Adjournment:

Mr. Williams MOVED to adjourn.

Mr. MacDonald seconded the motion, and it PASSED unanimously.

Meeting adjourned at 8:31pm.

Minutes approved as presented: February 15, 2022

Respectively submitted by:

Trisha DeRoche
Planning Secretary