

TOWN OF ALTON PLANNING BOARD
PUBLIC HEARING
Minutes
January 20, 2015
Approved as amended February 17, 2015

Members Present: Dave Collier, Chairman
Roger Sample, Clerk
Bill Curtin, Member
Scott Williams, Member
Marc DeCoff Selectmen's Representative

Others Present: Ken McWilliams, Town Planner
Randy Sanborn, Secretary
Peter Julia, Municipal Engineer
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 is one request for a continuance of Case P14-22, Carol Dadura for Aroma Joe's coffee facility. They have requested a continuance until the February 17th Planning Board Meeting.

S. Williams motioned to accept the Agenda as amended.

M. DeCoff seconded the motion with all in favor.

III. CONTINUED PUBLIC HEARINGS

Case #P14-23 Richard A. Maynard	Map 41 Lots 33 & 59	Design Review Major Subdivision Trask Side Road
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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. This is a continuance from November Planning Board Meeting. There was a Site Walk on December 13th. New information has been submitted by Mr. Maynard. The Progress Plans dated December 29, 2014 has been presented to the Board. There was a memo on Trip Traffic Generations dated January 5th and a memo on Road Grades and a memo on Lake Front Access dated January 5, 2015. P. Julius is present. He was on the site walk and has drafted two letters of review of the road design information.

R. Maynard spoke on behalf of this application. He has realigned the road on the plans. There is now a T intersection with stop signs at either end of Forest Road. There are 25 lots plus his 9 proposed lots included in the trip generation. There are 22 homes in the Sawmill Association only 6 are year-round, the rest are seasonal. When he did the trip generation he went by every lot having a seasonal home on it. That would be three trips per house. The total is around 200 trips per day. He has given the Board 3 drawings of the profile, Alternates A, B and C. He prefers Alternate A. He explained the differences between the Alternates. One of the issues regarding the roads is his request for 16 feet width on the roads. The majority of the departments have requested 18 foot width on the roads so he is showing 18 feet on the plans. He is asking the Board to make a decision on how wide they would require the road to be. The next issue is the small section of road that connects Echo Point Road to his property. He would also like the Board to decide whether to keep it open or close it off. The third issue is regarding road slopes. He would like to use a 10% slope for a paved road. He would also like to know what the Board would be requiring for road slopes. The next issue is design speed. The Ordinance calls for 30 mph but he would like to see 25 mph so he needs the Board to decide on the speed required. The last issue is k-values. He would like the landings of the curve to be 20 feet instead of 50 feet and would like the Board to decide

which would be required. The 10 foot strip of land to the water, he has no plans and would only be available to 2 properties, the Cavallo lot and one of his nine lots.

P. Julia, Project Manager for Keach-Nordstrom Associates, Inc. and assigned Municipal Review Engineer for this project spoke regarding his review letters on this application. He explained the comments in the review letters in regards to the issues Mr. Maynard brought up to the Board. He specified that one of the most important questions is how will the land be used in the future and what controls would govern that and will the road be public or private. If the Board is going to allow further land development off a public road then the road should be built to public standards is his recommendation.

S. Williams asked if Mr. Maynard was planning on improving the overpass because it drops off right on the edge of the travel way.

M. Maynard stated that it will get minimal traffic. He stated that there was no reason for people to come off Echo Point Road to go beyond and coming to that intersection. He has no plan yet but if the Board wants guardrails, that is not a problem.

S. Williams felt the road way width should be 20, with 2 foot shoulders and it should be built to Town standards.

R. Maynard stated that he feels 16 feet is okay and 18 feet is acceptable.

K. McWilliams stated that he feels that making Sawmill Brook Road a public road with both ends being private would be an awkward situation. He asked the Board if they would make a decision on the width of the road.

There was a discussion among the Board members to decide the width of the road.

K. McWilliams stated that the Fire Department suggested where Forest Road intersects with Sawmill Brook Road that the turning radius be wider so they can make that turn onto the narrower road. The Police Department suggested that there be a turnaround at the intersection.

S. Williams made a motion to make Sawmill Brook Road at a width of 16 with 2 foot shoulders and keep the gate open.

M. DeCoff seconded the motion with all in favor.

S. Williams asked what everyone's input on Forest Road is which will feel the brunt of the entire neighborhood.

D. Collier began to state that if it is going to go a private road.

D. Collier stopped the discussion to open to public discussion. He stated they would revisit the Forest Road if it was necessary.

B. Curtin suggested the Board discuss their feelings on the Forest Road width but not to vote on it just yet. He suggested that if Forest Road is going to stay a private road that something should be put in the deed stating that it will stay private then he didn't have a problem with the width of the road being 18 feet with 2 foot shoulders but if it is going to be a public road then it should go 20 feet with 2 foot shoulders.

M. DeCoff agreed with B. Curtin.

R. Sample asked if the Town could deal with the width in the ordinances and say they don't accept anything fewer than 20 feet.

S. Williams stated that that is the standard of 20 feet with 2 foot shoulders but Mr. Maynard is asking to waiver from that to 18 because the private road standards are less than that.

S. Williams stated that he could live with the 18 feet but he agrees with B. Curtin that it should state on the deeds that Forest Brook Road would not be a Town road.

D. Collier stated that slopes, speed and k values will be decided either private or public.

S. Williams stated that the Board is agreeing on an 18 feet with 2 foot shoulders.

D. Collier opened it up to public discussion.

Rich Anderson from 24 Sand Peep Lane spoke regarding the road width. He felt the 16 feet on Sawmill Brook Road was too small. Regarding the traffic studies and counts he feels that the Board should take into account the there may be more year round homes in the future. He feels that the Forest Road grade would be unsafe for driveways. He also had a comment regarding the drainage issue and how it is going to be handled.

K. McWilliams stated that P. Julia would be reviewing the drainage issues and working with the applicant to make sure it is done correctly.

Peter Cooperdock, a soil scientist working for the abutters spoke regarding the drainage concerns.

Jonathan Gardner speaking on behalf of his parents Leonard and Jill Gardner who are abutters on two properties stated that the roads should be done right to town specs whether it is private or public.

Bob Morris from Rocky Lane off of Sawmill Brook Road asked about guarantees that the driveway for lot 9 would be off of Forest Road instead of off of Sawmill Brook Road. He felt that if the driveway was off of Sawmill Brook Road then the road should be enlarged up to the end of Mr. Maynard's property. He also asked about the maintenance of the road and who would be in charge of it.

R. Maynard asked for the articles of the Association and cannot respond until he sees the articles. When he receives them he can work out how the road will be maintained.

D. Collier suggested that they needed to discuss this outside this meeting.

John Parento spoke regarding who the road would be maintained by.

D. Collier closed the public hearing at this time.

S. Williams asked if the Board is in agreement on Sawmill being 16 feet with 2 foot shoulders and paved.

The Board agreed. They accepted his previous motion.

S. Williams specified that the Board is in agreement of Forest Road being 18 feet with 2 foot shoulders at what percent grade.

The Board agreed on a 10% grade.

S. Williams suggested the Board look at the side slopes because he doesn't feel that 2 to 1 will work. It is a financial issue.

R. Maynard stated that the regulations allow 3 to 1. He doesn't want to do 4 to 1. He is trying to minimize impact.

The Board agreed on 3 to 1.

The Board agreed on 25 mph for speed limits.

D. Collier asked P. Julia about the k values.

P. Julia stated that Mr. Maynard will provide substantiated data in his final application and the numbers would be considered at that time.

P. Julia requested a lot development plan be submitted with the drainage study.

K. McWilliams stated that the next step will be the Final Subdivision application.

D. Collier called for a five minute recess.

Case #P14-24 Fernhill Corporation	Map 2 Lots 26-1 & 26-4	Design Review Major Subdivision Hollywood Beach Road
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On behalf of Fernhill Corporation, Kevin M. Ashe, LLS of White Mountain Survey & Engineering, Inc. is proposing to merge the two subject parcels and then submit the resultant 7.45 acre lot to the condominium form of ownership, in accordance with NH RSA Chapter 356-B. There is no intent to any change or increase in use of the property, but simply the creation of four condominium units, each consisting of a small area of land surrounding and including one of the four existing cottages. This property is located in the Rural (RU) Zone.

K. McWilliams stated that this application was continued from the December 16th meeting at which time the Board accepted the application as complete. A Site Walk was done on Saturday, January 10th. Revisions that Town Counsel had requested to the Homeowners Association documents have been done. They will need to do a Voluntary Lot Merger with their subdivision application. They need to adjust the set back of the side rear property lines in the Rural Zone as being 20 feet.

Jim Rines from White Mountain Survey and Engineering spoke on behalf of this application. They feel they are ready to proceed to a final application. He stated that the only extra development would be the installation of the leach fields. The properties will be maintained as seasonal. J. Rines noted the final plans will show the parking spaces allocated to each unit.

D. Collier opened it to the public. There was none at this time.

The Board agreed that they were ready to move to the final.

IV. COMPLETENESS REVIEW OF APPLICATIONS AND PUBLIC HEARING IF THE APPLICATIONS ARE ACCEPTED AS COMPLETE.

Case #P14-25 Linda V. Lucht Rev. Trust & Second Frog Realty Trust	Map 21 Lots 29-1 & 29-2	Lot Line Adjustment Plan Four Seasons Drive
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On behalf of Linda V. Lucht Rev. Trust & Second Frog Realty Trust, Ames Associates is proposing a lot line adjustment between two lakefront lots. The proposal is to transfer a small parcel (30± square feet) with approximately five feet of shore frontage from Lot 29-2 to Lot 29-1. This property is located in the Lakeshore Residential (LR) Zone.

K. McWilliams gave an overview of the application. They are requesting some waivers. He recommends approval of the waivers and accept the application as complete.

B. Curtin motion to accept the application as complete with the following waivers: 7.2.24, 7.2.26, 7.2.27 and 7.2.33.

S. Williams seconded the motion with all in favor.

Daniel Ellis with Ames Associates spoke on behalf of this application. The two lots created in 1972 and a new dock was constructed on the same year on lot 1 with three slips. At that time both lots 1 & 2 were in common ownership. DES records show that the entire frontage of both lots was used to justify constructing the three slip dock on lot 1. DES will not grant approval for a normal dock on lot 2. They have approved a one slip dock. The adjustment will give lot 1 150 feet of shore frontage to accommodate three slips and be completely independent of lot 2 and frees up lot 2 to get a conventional dock approved. Because the adjustment would create a new lot, a variance was needed and was approved by the Zoning Board of Adjustment on January 8, 2015.

D. Collier opened it to the public. There was none at this time.

S. Williams motioned to approve Case P14-25, Map 21 Lots 29-1 and 29-2 for a Lot Line Adjustment with the following conditions:

B. Curtin seconded the motion with all in favor.

CONDITIONS PRECEDENT

Conditions Precedent: The following conditions must be satisfied prior to signing the plans.

1. The following note shall be added to the plat prior to plan signing: This Boundary Line Adjustment Plan is subject to the Conditions of Approval itemized in the January 20, 2015 Notice of Decision on file at the Town of Alton Planning Department.
2. The applicants need to submit signed deeds to record with the Lot Line Adjustment Plan within 60 days of approval of the lot line adjustment by the Planning Board. The following deeds are required:
 - a. a deed transferring 30 sq. ft. (Parcel A) from Map 21 Lot 29-2 (Second Frog Realty Trust) to Map 21 Lot 29-1 (Linda V. Lucht Rev. Trust); and
 - b. a deed from Second Frog Realty Trust to Second Frog Realty Trust for the remaining 30,720 sq. ft. in Tax Map 21 Lot 29-2 to avoid confusion in the property title in the future

SUBSEQUENT CONDITIONS

1. As a result of the lot line adjustment, the house with the attached deck on Map 21 Lot 29-2 becomes a non-conforming structure. Any expansion, alterations, additions, repairs or replacement of this deck and house must comply with the non-conforming structure provisions of the Zoning Ordinance as specified in Section 320 B, as amended.
2. The applicant shall comply with all of the Town of Alton’s Subdivision Regulations.
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.

Provided all listed precedent conditions are satisfied, this approval will remain valid for implementation 365 days from date of original approval, unless extended by the authority of the Planning Board after petition by the applicant.

B. Curtin seconded the motion with all in favor.

Case #P15-02	Map 6 Lot 15	Minor Subdivision
Chestnut Hill Road Pond LLC		Route 28 – Suncook Valley Road

On behalf of Chestnut Hill road Pond LLC, Randolph Tetreault is proposing a 2-lot Minor Subdivision to subdivide the existing lot of record Map 6, Lot 15, a 12.05 ac lot with frontage on Route 28 (Suncook Valley Road), into a total of two lots. One of the proposed lots is to contain 5.22 acres with 392.89 ft of frontage on Route 28 and the second lot is to contain 6.83 acres with 200 ft of frontage on Route 28. This property is located in the Rural (RU) Zone.

K. McWilliams gave an overview of the application. There are no waivers requested and he recommends the Board accept the application as complete.

B. Curtin made a motion to accept the application for Case P15-02 as complete.

S. Williams seconded the motion with all in favor.

Randy Tetreault of Norway Plains spoke on behalf of this application. He stated that he knew he needed to determine that the fill area is stable enough to build a house on. He showed that there were several building areas other than the fill area.

D. Collier opened it up to the public.

Rich Lane, an abutter across the road, spoke regarding the drainage. His concern was opening up the lower lot would cause more drainage.

Mike Pinard, an abutter below the subdivision, spoke regarding the drainage off the wetlands. His concern is any disturbance in the subdivision should not generate any more water flowing off the property.

D. Collier closed public input.

R. Tetreault stated that the existing drainage problems that are there now will not go away. The applicant is proposing a single family home on the eastern lot and that is the difference in the drainage. He stated that what they can do is a residential site plan and dictate where the house will be built and show that there will be no addition to the drainage on the plan.

The Board agreed that is acceptable.

B. Curtin made a motion to continue Case P15-02 to the February 17, 2015 meeting.

S. Williams seconded the motion with all in favor.

Case #P15-03 Alton Bay Campmeeting Association	Map 34 Lot 33	Amended Final Major Site Plan 5 Broadway Blvd.
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On behalf of Alton Bay Campmeeting Assoc., Bradley Smith is proposing to amend a Major Site Plan. The intent of the amendment is to remove unit 14 from the earlier approval/plan set so it can be rebuilt now as opposed to being part of the approved development. This property is located in the Residential (R) Zone.

The Board questioned if R. Sample needed to recuse himself. The Board was okay with him remaining on the Board and the applicant stated that it was okay with him.

K. McWilliams gave an overview of the application.

B. Curtin noticed that there was more than one #14 unit.

K. McWilliams stated there were several waivers requested. All of the information was provided with the 2010 Site Plan. For the minor modification the applicant did not feel it necessary to do them all. He is supporting the waivers and recommends that the Board accept the application as complete.

S. Williams motioned to accept the application for Case P15-03, Alton Bay Campmeeting Association, Map 34, Lot 33 with waivers Section 3.01(E), (F) 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20 & (G)1

B. Curtin seconded the motion with all in favor.

Joe Wichert, surveyor, spoke on behalf of this application. He explained what he believed is the reason for having more than one #14 unit. He gave a history of the previous site plan. The only change to the previous plans is that one unit will be eliminated.

Brad Smith spoke regarding the position that the unit needs to be rebuilt.

K. McWilliams stated that there is a map in the Board's packets that shows the building is to be moved slightly to have the 20 foot separation between buildings.

D. Collier opened it up to the public. There was none at this time.

B. Curtin motioned After due hearing, the Alton Planning Board hereby approves the above cited application for Alton Bay Campmeeting Association to remove Unit 14 from the earlier approval/plan set and to allow a unit to be

rebuilt that was originally to be removed with the end result that there will be no increase in the number of units. This approval is given with the following conditions:

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

1. The unit to be rebuilt must be moved or razed within ninety (90) days.
2. The unit to be rebuilt must be rebuilt following the applicable conditions of the Planning Board major site plan approval on September 14, 2010 including:
 - a. The residential unit to be rebuilt shall:
 - i. Have two designated parking spaces.
 - ii. Not exceed 35 feet in height, as measured by Alton Zoning Ordinance, Section 328.
 - iii. Have windows horizontally offset from windows on abutting structures.
 - iv. Be sided with cement board siding.
 - b. No combustible materials will be installed within the 10 foot side yard setback.
 - c. Twenty (20) foot building separations measured from the drip line shall be maintained between structures.
3. The conditions precedent and the subsequent conditions specified in the Notice of Decision dated September 14, 2014 for the final major site plan approval shall all remain in effect.
4. The new structure shall have provisions made for connection to all future utility (septic, water, electric, etc.) improvements during construction. Those connections shall be made within 30 days of the specific utility becoming available. Connection to existing utilities is required as a matter of course.
5. Any construction performed shall meet the requirements of the NH State Building and Fire Codes, with amendments, in place at the time.
6. An "As Built" plan, performed by a NH License Land Surveyor, showing the physical location of the new structure and utility connections, shall be provided prior to the issuance of a Certificate of Occupancy.
7. The applicant shall comply with all of the Town of Alton's Site Plan Regulations.
8. 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.
9. A site plan which has been filed and 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.

S. Williams seconded the motion with all in favor.

V. VOLUNTARY LOT MERGER

Case #P15-01 Charles M. Eagles	Map 71 Lots 75 & 76	Voluntary Lot Merger Stephanie Drive
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Charles M. Eagles is requesting a voluntary lot merger of pre-existing lots to merge two lots: Map 71 Lot 75 (12,500 sq. ft. or 0.29 acres) and Map 71 Lot 76 (12,500 sq. ft. or 0.29 acres) for a total merged lot of 25,000 sq. ft. or 0.57 acres. These properties are located in the Rural (RU) Zone.

K. McWilliams gave an overview of the application. The applicant has submitted the lot merger form and signed it and has given the deeds of the properties. He recommends the Board accept the application as complete and approve it.

B. Curtin made a motion to accept the application as complete.

S. Williams seconded the motion with all in favor.

D. Collier opened it to the public. There was none at this time.

B. Curtin motioned that Case P15-01, Map 71 Lots 75 and 76, Stephanie Drive, the Alton Planning Board hereby approves the above cited Voluntary Lot Merger application for Charles M. Eagles.

S. Williams seconded the motion with all in favor.

VI. OTHER BUSINESS

1. Old Business – None

2. New Business –

- a. Peter Bolster has presented a letter requesting to be appointed to fill Ray Howard's vacant position until the March 2015 elections.

D. Collier read the letter into the records:

Dear Mr. Collier,

I would like to present my name to fill the vacancy on the Alton Planning Board. My pertinent qualifications for this position are as follows:

- 16 year resident of Alton
- 6 year member of the Alton Select Board (planning Board Alternate)
- Two term NH State Representative, serving on the planning related Recreation, resources and development Committee
- chairman of the Parks committee of East Franklin Twp. (PA) overseeing the development of a new Town recreation Park
- Chairman of Pearson Rd. Community Center fund raising and development Committee
- Charter member and president of the Alton Rotary Club
- For 8 years, pastor of the Alton Community Church

I would like to serve on the Planning board to help in the ordered development of the Town's infrastructure and healthy economic base, while preserving the town's exceptional scenic and conservation resources which make this place a unique and wonderful place to live.

Peter S. Bolster

S. Williams motioned to appoint Peter Bolster to the Planning Board until March 2015.

B. Curtin seconded the motion with all in favor.

- b. K. McWilliams asked to schedule a Work session on the Construction Observation Manual of February 3, 2015. The Board agreed on the date.
- c. S. Williams will not be available for the February 17th meeting.

3. Approval of Minutes:

- a. Minutes of the October 8, 2014 joint meeting of the Planning Board and the Zoning Amendment Committee
- b. Minutes of the November 12, 2014 joint meeting of the Planning Board and the Zoning Amendment Committee;

The Board decided to table the October 8th and the November 12th minutes.

- c. Minutes of December 16, 2014 regular Planning Board meeting.
- d. Minutes of December 17, 2014 Public Hearing on Zoning Amendments
- e. Minutes of January 10, 2015 Fernhill Site Walk.

**B. Curtin motioned to approved these minutes as presented,
S. Williams seconded the motion with all in favor.**

4. Correspondence – None
5. Any Other Business that may come before the Board. – None

VII. PUBLIC INPUT ON NON-CASE SPECIFIC LOCAL PLANNING ISSUES:

There was none at this time.

VIII. Adjournment

B. Curtin made a motion to adjourn. The motion was seconded by S. Williams and passed without opposition.

The Public Hearing adjourned at 9:00 p.m.

Respectfully submitted,
Randy Sanborn, Recorder, Public Minutes-