

**TOWN OF ALTON PLANNING BOARD
SPECIAL MEETING
MINUTES OF 2022
TUESDAY, MARCH 1, 2022**

APPROVED

Members Present:

Drew Carter, Chairman
Russ Wilder, Clerk
Roger Sample, Vice-Chair
Tom Hoopes, Member
Bill O’Neil, Alternate

Others Present:

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

Call to Order

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

Appointment of Alternates

Bill O’Neil was appointed as a full voting member for tonight’s meeting.

Approval of Agenda

Agenda Changes: Ms. Call stated that case#P22-03 for Norway Plains Associates, Inc., Agent for Keith Dube of Piperdube, LLC has been continued to the March 15, 2022 meeting at the request of the applicant.

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

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

Case #P22-02 Jones & Beach, Agent for Dave Fuller/Route 28 Boat Storage, LLC, Applicant; and John Matarozzo, Owner	Map 9 Lot 6 436 Suncook Valley Road	Final Major Site Plan Rural (RU) Zone
---	--	--

Proposal: To construct two (2) Boat Storage buildings, a small office building, and a gravel parking area.

The Chair read the case into the record.

Mr. Carter addressed the waiver request for Section 4.02 (F) 37. Landscaping Plan- he stated the storage building seems to be set far back and there is a natural buffer in place. Mr. Carter asked for comments from the Board; Mr. Wilder stated the plan shows that what they are going to develop is shielded by woods. Mr. Hoopes stated he does not have an issue with the waiver request because it is set back so far. Mr. Carter asked a question regarding the references to landscaping in the response letter to the Planning Department. Mr. Jones, Agent for Mr. Fuller and Mr. Matarozzo responded and stated that on page C2 of the plan, they have provided landscaping which shows trees planted around the parking lot. He stated as the waiver states, the site is surrounded by woods so they felt the landscaping was less important. Mr. Wilder interjected and asked if the road near Route 28 would remain as it is now; Mr. Jones replied it would remain as it is now. Mr. Wilder stated the request for the waiver makes sense.

**TOWN OF ALTON PLANNING BOARD
SPECIAL MEETING
MINUTES OF 2022
TUESDAY, MARCH 1, 2022**

APPROVED

Mr. Hoopes MOVED to approve the waiver requested for Section 4.02 (F) 37 Landscaping Plan 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. Wilder seconded the motion and it PASSED unanimously.

Ms. Call addressed her concerns in the Planner Review with Mr. Jones to clarify the issue related to the location of stump dumps; Mr. Jones stated they will grind the stumps. Mr. Jones stated he read the additional concerns in they have been addressed.

Mr. Wilder MOVED to approve the application as complete. **Mr. Sample seconded the motion and it PASSED unanimously.**

Mr. Jones gave a brief description of the plans, he stated they did address some outstanding items and not much else has changed with the plans. He stated there will be a small office out front with a paved entrance about 50 feet in and then it will revert to gravel for the rest of the parking lot. Mr. Jones stated the facility is strictly being used for boat storage so there will be activity in the spring and in the fall. He stated they did address the items from the Planner Review; they have a 30 gallon fire cistern shown on the plans, they added a generator for fire suppression and both buildings will have a sprinkler system. He stated the office is 20 x 20 and they have designed a leech field that will hook to the well with very little use. Mr. Jones addressed the hours of operation; he stated the Town allows 6:30am to 9:00pm for the construction of the site but they only need 7am to 7pm from Monday through Saturday for construction, same with the office hours. He stated the boats would not interfere with the school buses in the morning or afternoon; he offered to add the note of this on the plan that they will not haul boats until 8:45am and in the afternoon, they would haul boats at 3pm. He stated they will add the well radius to the plan as well as hours of operation and the stump dump. Mr. Jones stated the Storm Drain Analysis has been reviewed and approved; DOT has already signed off on the change of use, so they will work towards obtaining the permits. Mr. Jones addressed the requirement for the septic design approval and asked if they could not have that as a stipulation before construction starts. Mr. Jones would like to start construction on the storage building as soon as possible but will submit something to reflect a septic design on the plan. Ms. Call interjected to inform the Board they could take that condition out of Conditions Precedent and move it to Subsequent Conditions or remove the condition because the applicant will need to provide the information to the Building Department eventually. Mr. Carter stated he did not see anything that confirmed there would not be any maintenance conducted on the site; Mr. Jones stated they can certainly add a note on the plan to reflect that maintenance will not be conducted on site. Ms. Call interjected and asked the Board about their decision to move the condition for the septic design or remove it altogether; Mr. Carter stated he would like to move the septic design condition to Subsequent Conditions in the Planner Review.

Ms. Call broached the topic of recording the maintenance manual with Mr. Jones and stated she wanted to discuss this with the Board as there are several Major Site Plans scheduled for the next meeting and she would like the Board to remain consistent in their decisions moving forward; Ms. Call stated she wanted to propose that instead of recording the manual, the applicant make a note on the plan. The Board discussed whether or not this would suffice or if it should be referred to in the Deed. Mr. Carter stated the Board could request that the maintenance manual be recorded but they cannot require that it be recorded because it is not in the Site Plan Regulations; however, as a possible solution, if it is referenced in the plan and stated it is kept on file at the Planning Board, they can require that the site plan be recorded. Mr. Carter continued and stated from an operational point of view for the Board and the upcoming site plan cases, they can require

**TOWN OF ALTON PLANNING BOARD
SPECIAL MEETING
MINUTES OF 2022
TUESDAY, MARCH 1, 2022**

APPROVED

recording of the site plan. Mr. Sample asked if the maintenance manual plan was a requirement because he has not seen this in the past. Mr. Carter responded and stated if that is part of the approval process, then yes they should have a maintenance manual; however, the problem becomes enforcing it. Mr. Jones interjected and stated the AOT may also require that they add notes to the plan referencing the manual. Mr. Carter recommended to Mr. Jones to add to note #15 on page C2 that the manual is on file at the Alton Planning Department and then record C2; that would suffice.

Ms. Call interjected and stated she has a few more things regarding the construction observations and the storm water release; Mr. Wilder stated that this was a valid concern as there is a large amount of slope involved in that area. Mr. Carter suggested adding the slope stabilization and drainage construction to the conditions. Ms. Call stated she will keep Conditions Precedent #10 in place and asked if the Board would want a reconstruction meeting to take place to make sure everyone is on the same page; the Board agreed that a meeting should take place.

Ms. Call addressed the comments from the Fire Department; Mr. Jones stated they have read through the comments and they will put those notes on their Fire Cistern Design Plan.

Open Public Input.... Closed.

Mr. Carter next addressed Active and Substantial Development and read the criteria into the record. The Board discussed and agreed that they will allow 24 months for completion with the exception of clearing the trees and erosion control, it should be done before construction begins. Mr. Fuller interjected and stated they would like to clear the trees and then install the silk fence to avoid damage. Mr. Carter then addressed Substantial Completion of the improvements as shown on the site plan; The Board discussed and agreed on a Certificate of Occupancy.

After due hearing, Mr. Hoopes MOVED that the Alton Planning Board hereby approve Case#P22-02 for David Fuller of SADCO Site Development/Route 28 Boat Storage, LLC, for a Final Major Site Plan Review for Boat Storage within the subject parcel currently owned by John Matarozzo, Jr., on Map 9 Lot 6, 436 Suncook Valley Road, Alton, New Hampshire 03809, with the following conditions:

CONDITIONS PRECEDENT

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

1. Submission of revised plans in the number required by the Site Plan Review Regulations that include all of the checklist corrections, any corrections as noted at this hearing, any corrections that arise with the approval of an Alteration of Terrain Permit, and any waivers granted.
2. Addition of a note to the site plan prior to plan signing by the Planning Board Chair:
“This site plan contains a total of _____ sheets: (to be listed and dated by the applicant on the site plan itself). In combination, these plans constitute in their entirety the site plan as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department. Sheet C2 is recorded at the Belknap County Registry of Deeds.”

3. Addition of a note to the site plan prior to plan signing by the Planning Board Chair:
“This site plan is subject to the Conditions of Approval itemized in the March 1, 2022, Notice of Decision on file at the Town of Alton Planning Department.”
4. Addition of a note to the site plan prior to plan signing by the Planning Board Chair stating that:
“Best Management Practices shall be utilized during any timber cutting on site.”
5. Add to Note 15 on Sheet C2 of the Site Plan that the Maintenance Manual can be found in the Planning Department.
6. Sheet C2 of the Site Plan shall be recorded by the Planning Department at the Belknap County Registry of Deeds at the applicant’s expense.
7. Indicate the following on the plan:
 - hours of operation;
 - 75’ well radius; and,
 - soil types in accordance with NRCS.
8. Adhere to the requests of the Fire Department listed in their January 26, 2022, email.
9. Obtain an Alteration of Terrain Permit from NHDES, submit a copy of same to the Planning Department.
10. In accordance with the comments from the Conservation Commission, pay careful attention to erosion and erosion control at the back of the developed area due to steep slopes and proximity to the Merrymeeting Marsh.
11. Prior to work beginning onsite, a preconstruction meeting shall be held in accordance with the Construction Observations Guidelines. *(If required.)*

SUBSEQUENT CONDITIONS

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

1. All site improvements are to be completed as per the approved site plans.
2. The applicant shall adhere to the approved hours of operation.
3. No boat repair or boat maintenance shall be performed on site.
4. The applicant shall comply with all of the Town of Alton’s Site Plan Review Regulations to be in conformance with construction standards and specifications, and the Zoning Ordinance.
5. 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.

6. A site plan 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.
7. Once any and all conditions of approval have been met and the Chairman of the Planning Board or his designee signs a site plan, the applicant has twelve (12) months from the date of signing to start construction and, unless a different schedule is approved by the Board, must complete construction within twenty-four (24) months.
8. Site plan approvals that have not started construction within twelve (12) months shall automatically expire, at which time no building permits shall be issued, unless an extension has been formally requested and granted by the Board. Normally the Board shall not grant more than one extension per project, shall only grant an extension for reasonable cause, and shall normally not grant an extension for more than six months.
9. Obtain septic approval from NHDES, submit a copy of same to the Planning Department.
10. No site may be occupied or used until a Conditional or Permanent Certificate of Occupancy Permit has been issued by the Code Official in accordance with Section 1.22 of the Site Plan Review Regulations.

ACTIVE AND SUBSTANTIAL DEVELOPMENT OR BUILDING AND SUBSTANTIAL COMPLETION OF IMPROVEMENTS

1. Within 24 months after the date of approval, the following items must be completed in order to constitute "active and substantial development or building" pursuant to RSA 674:39, I, relative to the 5-year exemption to regulation/ordinance changes:
Install erosion control and sedimentation pond/clearing & grubbing _____
2. The following items must be completed in order to constitute "substantial completion of the improvements" pursuant to RSA 674:39, II, relative to final vesting:
Obtain a Certificate of Occupancy _____

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 that are required prior to signing the site plan. 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 per Section 1.14 of the Town of Alton Site Plan Review Regulations.

Mr. Wilder seconded the motion and it PASSED unanimously.

TOWN OF ALTON PLANNING BOARD
 SPECIAL MEETING
 MINUTES OF 2022
 TUESDAY, MARCH 1, 2022

APPROVED

(Continued to the March 15, 2022 meeting)

Case #P22-03 Norway Plains Associates., Inc., Agent for Keith Dube of Piperdube, LLC, Owner	Map 2 Lot 12 800 Suncook Valley Road	Final Major Site Plan Rural (RU) Zone
---	---	--

Proposal: To operate as a Contractor’s Yard for a landscaping business, and construct a Self-Storage Facility consisting of two (2) storage buildings.

Case #P22-04 Norway Plains Associates Inc., Agent for Jeffrey F. Hertel & Van E. Hertel, Sr., Owners	Map 15 Lot 9-3 Hogdon Road	Final Major Site Plan Residential Rural (RR) Zone
--	-------------------------------	--

Proposal: To construct a Self-Storage Facility consisting of two (2) storage buildings.

The Chair read the case into the record.

The Board reviewed the application for completeness.

Mr. Wilder MOVED to accept the application as complete. Mr. Hoopes seconded the motion and it PASSED unanimously.

Mr. Lawler and Mr. Hertel approached the table to discuss the case. Mr. Lawler stated the site plans have not changed much since the Design Review presentation with the exception some minor additions per the comments of the Planning Board. He stated they modified the lighting analysis to include the installation of the wall mounted lights at the right elevations and they added an additional pole mounted light on the utility pole on the Hertel’s property; they have insured the lights meet the 3000K for the color intensity. He stated they also added additional plants along the berm of the storm water pond which is the only area visible from Route 28. Mr. Lawler stated they added a note to the plan regarding the hours of operation per the Planner Review comments. Mr. Lawler stated he did notice the additional recommendations under Conditions Precedent and they will address those. Ms. Call referred to Conditions Precedent #5 and stated she would like to recommend that they record the site plan instead of the maintenance manual and add a note to the plan referencing that change. Mr. Lawler stated that he is aware that in other counties they do not allow you to record a site plan and asked if Belknap County allows recording of a site plan. Ms. Call responded and stated that to her knowledge, Belknap County does allow a site plan to be recorded. Mr. Lawler stated he has no issue with recording the site plan sheet that reflects the maintenance manual. Mr. Hoopes stated he has a question regarding the cutting, he asked if anything additional would be cut; Mr. Lawler stated there is no additional cutting planned. Mr. Carter inquired as to the height of the building; Mr. Lawler stated the eaves are 14 feet. Mr. Carter stated the highest point of the closest roof to Route 28 is about 30 feet higher than Route 28; Mr. Lawler stated that is correct. The Board finished reviewing the updates to the plan....Mr. Wilder stated the road is a Class VI road that the Town owns so as long as that road is built with the intention of being extended through, there should meet the Town Standard. Ms. Call interjected and stated that has already been addressed. Ms. Call addressed Mr. Hertel regarding the email she sent about the estimate and stated she will need a response from him before moving forward. Mr. Hertel stated he will respond to her email. Mr. Wilder interjected to address the spillway on the drainage plan that goes out, takes water from the site and puts it on State property which splits and goes both ways and asked if this was acceptable by the State.

**TOWN OF ALTON PLANNING BOARD
SPECIAL MEETING
MINUTES OF 2022
TUESDAY, MARCH 1, 2022**

APPROVED

Mr. Lawler responded and stated yes, as part of the DOT Driveway Permit Application for the Town, the drainage report was submitted to District 3, they reviewed it and had minor comments; they addressed those comments and made the adjustments.

Open for Public Input... Kathy Fairman who owns the property at 41 Miranichie Road approached the table to express certain concerns as her property is almost directly across the street from the proposed building. She stated she has concerns about the water flow and where the storm water will drain; she stated she is concerned the water will flow down onto her property. She would like to know where the storm water will be directed because she heard the water would be draining onto State property; she is concerned the water will run downhill onto her property and her neighbor's property. Ms. Fairman stated she also has concerns about the screening of the building and the lights. Mr. Carter stated they are all down lights so they will not be visible from Route 28, however, he will allow Mr. Lawler to address her concerns regarding the water. Mr. Lawler stated they were required as part of the Town Ordinance and Regulations to develop a Storm Water Management System to account for the change in the land use. He stated they are collecting the storm water and directing into a treatment system consisting of a sediment forbay which will pick up all the initial first flush of the silts and sands as it comes off the paved surfaces; it then flows into a pocket pond that is designed to have enough volume to account for all the water that will be coming in at once, it will release the water at a rate that is equal to or less than the rate it would normally come off the wooded surfaces. He stated the report they submitted to the Town includes all of these calculations and the Town Engineer reviewed the report and found that it is within the Town regulations. They also submitted the report to the DOT and they reviewed it and found it was in compliance with the State Storm Water Regulations for managing storm water. Mr. Lawler stated the water will flow from the Hertel's property into the State ROW, but their two cross culverts they picked up will not exceed what currently happens today. Ms. Fairman asked if there was an increase in the water flow at either location could they come to him to resolve the issue; Mr. Lawler stated yes. Mr. Hoopes addressed Ms. Fairman and stated the State says you cannot discharge water faster than it comes onto your property, so the system in place will retain the water and release it slowly into the culvert. Mr. Wilder interjected and stated it looks as though the water could flow either way; Mr. Lawler interjected and explained that the water leaving the pond flows down towards the Hogdon Road drainage which is South of Bowman Road; the smaller fifteen (15) inch culvert does not receive the water from the pond, it receives water coming off of the land. He stated all of the remaining water will flow to the eighteen (18) inch culvert which is to the South. Ms. Fairman asked about the screening of the storm water area and why it was visible from Route 28. Mr. Lawler responded and stated they have planted trees along the property on the berm to help soften up that area.

Ms. Sandy Hammond, a direct abutter, came to the table and asked what will be stored on the site. Mr. Lawler stated whatever the tenant wishes to store on the site with the exception of boats; boats will not be stored there. She stated she was under the impression boats would be stored on site; Mr. Lawler responded and stated there was a miscommunication between the Town and the applicant originally that boat storage would be allowed if covered, however, it was determined by the Town that any kind of boat storage was not allowed unless a Variance is granted from the Zoning Board. She also asked about the screening of the building from the road and recommended planting some evergreens to help with the screening.

Mr. Rally came to the table and asked about the water flow as well because there was a culvert in place when they first started working on the Class VI road to prevent the water from entering the area they were working and as a result the water was collecting on a culvert and getting trapped there. He stated it was an issue because it turned into a mosquito pit last year. Mr. Lawler stated they will take care of that issue.

Public Input Closed.

Active and Substantial Development was read into the record by Mr. Carter. He stated the Board needed to add conditions regarding erosion controls, clearing and grubbing and establishment of drainage controls. Mr. Sample interjected and asked for clarification regarding the time period of clearing a lot. Ms. Call stated that the issue of cutting was addressed at the Design Review stage and that the time limit (waiting 2 years) is no longer in place.

After due hearing, Mr. Hoopes **MOVED** that the Alton Planning Board approve Case #P22-04 for Jeffrey Hertel & Van E. Hertel, Sr., for a Final Major Site Plan Review for a Self-Storage Facility within the subject parcel located on Map 15 Lot 9-3, Hogdon Road, Alton, New Hampshire 03809, with the following conditions:

CONDITIONS PRECEDENT

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

1. Submission of revised plans in the number required by the Site Plan Review Regulations that include all of the checklist corrections, any corrections as noted at this hearing, any corrections that arise with the approval of an Alteration of Terrain Permit, and any waivers granted.
2. Addition of a note to the site plan prior to plan signing by the Planning Board Chair:
“This site plan contains a total of _____ sheets: (to be listed and dated by the applicant on the site plan itself). In combination, these plans constitute in their entirety the site plan as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department. Sheet C-1 is recorded at the Belknap County Registry of Deeds.”
3. Addition of a note to the site plan prior to plan signing by the Planning Board Chair:
“This site plan is subject to the Conditions of Approval itemized in the March 1, 2022, Notice of Decision on file at the Town of Alton Planning Department.”
4. Addition of a note to the site plan prior to plan signing by the Planning Board Chair stating that:
“Best Management Practices shall be utilized during any timber cutting on site.”
5. Addition of a note to the site plan prior to signing by the Planning Board Chair stating that:
“A Stormwater Inspection & Maintenance Manual is an integral part of this project. All owners/operators present and future shall follow the approved Manual and complete all inspections and reporting requirements. This Manual shall be on file with the Planning Department.”
6. Sheet C-1 of the Site Plan to be recorded by the Planning Department at the Belknap County Registry of Deeds at the applicant’s expense.

7. Respond to the inquiry of whether the applicant is in agreeance with the Task Order outlining the amount of construction observation funds indicated in the Town Engineer's estimate dated January 7, 2022, and then submit the required funds to the town to be placed in an escrow account; and the submission of a roadway construction bond in the amount indicated in the Town Engineer's estimate dated January 7, 2022.
8. Seal and signature of Adam Doiron, CWS, should be added to the final plan.
9. The wetland buffer line shall be permanently marked with "no-cut" markers.
10. Prior to work beginning onsite, a preconstruction meeting shall be held in accordance with the Construction Observation Guidelines. *(If required.)*

SUBSEQUENT CONDITIONS

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

1. All site improvements are to be completed as per the approved site plans.
2. The applicant shall adhere to the approved hours of operation, 24-hours a day, seven (7) days a week.
3. The applicant shall comply with all of the Town of Alton's Site Plan Review Regulations to be in conformance with construction standards and specifications, the Zoning Ordinance, EPA's Construction General Permit, and NHDOT's Driveway Permit Process.
4. 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.
5. A site plan 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.
6. Once any and all conditions of approval have been met and the Chairman of the Planning Board or his designee signs a site plan, the applicant has twelve (12) months from the date of signing to start construction and, unless a different schedule is approved by the Board, must complete construction within twenty-four (24) months.
7. Site plan approvals that have not started construction within twelve (12) months shall automatically expire, at which time no building permits shall be issued, unless an extension has been formally requested and granted by the Board. Normally the Board shall not grant more than one extension per project, shall only grant an extension for reasonable cause, and shall normally not grant an extension for more than six months.

8. No site may be occupied or used until a Conditional or Permanent Certificate of Occupancy Permit has been issued by the Code Official in accordance with Section 1.22 of the Site Plan Review Regulations.

ACTIVE AND SUBSTANTIAL DEVELOPMENT OR BUILDING AND SUBSTANTIAL COMPLETION OF IMPROVEMENTS

1. Within 24 months after the date of approval, the following items must be completed in order to constitute "active and substantial development or building" pursuant to RSA 674:39, I, relative to the 5-year exemption to regulation/ordinance changes:
Install erosion control and establish drainage/clearing & grubbing
2. The following items must be completed in order to constitute "substantial completion of the improvements" pursuant to RSA 674:39, II, relative to final vesting:
Obtain a Certificate of Occupancy

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 that are required prior to signing the site plan. 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 per Section 1.14 of the Town of Alton Site Plan Review Regulations.

Mr. Wilder seconded the motion and it PASSED unanimously.

Public Input on Non-Case Specific Planning Issues

None

Adjournment:

Drew Carter, Planning Board Chairman

Mr. O'Neil MOVED to adjourn the meeting. Mr. Wilder seconded the motion and it PASSED unanimously.

Meeting adjourned at 7:23pm.

Respectfully Submitted by:

Trisha DeRoche
Planning Secretary