

TOWN OF ALTON PLANNING BOARD

PUBLIC HEARING

Minutes

March 17, 2015

Approved 4/21/15

Members Present: Dave Collier, Chairman
Roger Sample, Clerk
Bill Curtin, Member
Scott Williams, Member
Peter Bolster, Member
Virgil MacDonald Selectmen’s Representative

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

I. CALL TO ORDER

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

II. APPROVAL OF AGENDA

There is one request for a continuance of Case P15-04, Thomas Revocable Family Trust. They have requested a continuance until the April 21st Planning Board Meeting.

Under New Business the Board needs to do their election of officers.

P. Bolster motioned to accept the Agenda as amended.

R. Sample seconded the motion with all in favor.

III. CONTINUED PUBLIC HEARINGS

Case #P14-22 Carol A. Dadura	Map 27 Lot 49	Design Review Major Site Plan 64 Main Street
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On behalf of Carol A. Dadura, Steven J. Smith & Associates, Inc. for Morning Rise Real Estate LLC is proposing to construct an Aroma Joe’s Drive-thru Coffee Facility. This property is currently occupied by a single family residential home. The site is served by on-site sewage disposal and municipal water. The property contains 26,217 sf (0.60 ac) of land area with 154.60 feet of frontage along Main Street/NH Rte 11. This property is located in the Residential Commercial (RC) Zone.

K. McWilliams stated that this application was continued from the February 17th meeting to allow the applicant time to prepare a waiver request for the off-street parking requirement. That requirement is 16 parking spaces. The applicant is proposing 9 spaces. S. Smith in a letter dated February 27th provided information relative to four (4) other sites. They are comparable to the Alton site that is proposed. The applicant is also proposing to have two (2) tables with four (4) seats each. They have noted that the applicant would agree to a condition to remove the outdoor seating in the event that those tables and seats create a parking problem. K. McWilliams stated that he felt the waiver request seemed reasonable. The DOT driveway permit approval arrived today and the Board has received a handout of this.

Steve Smith of Steve Smith & Associates spoke on behalf of the applicant. He submitted a waiver for the parking in a letter on February 27th. He spoke on regards to the comparison of the four (4) other Aroma Joe’s sites. Based on this information he felt that the number of parking spaces requested were sufficient for this Aroma Joe’s peak hours. The State asked the applicant to widen the entrance/exit and put an island in-between them.

D. Collier opened it up to the public.

R. Sanborn asked if she could assist an abutter in speaking to the Board.

The Board had no objections.

Betty Gannon of 58 Main Street which is next door to the north of the proposed site spoke regarding her concerns.

R. Sanborn stated that the abutter understands that she cannot have the Board deny it just because she doesn't like it. Her biggest concern is the dumpster and to make sure that it is concealed and sealed tightly and that there is fencing to deter the lighting because she is very close to this property. She is also concerned about the drainage and is requesting a curbing along the turn through on the applicant's side of the property. R. Sanborn stated that her concerns are reasonable because she is elderly and lives alone and is very close to the property.

S. Smith responded to the abutters requests. They have moved the dumpster forward.

V. MacDonald asked the applicant if they could put the dumpster on the other side of the property.

S. Smith stated that that dumpster was in the most reasonable spot. He also spoke about the fencing and plantings to shield the house. They will grade the site and will have an underground storm system and they also have a drainage swale.

K. McWilliams asked how far the dumpster is from the house.

S. Smith stated that the garage on the Gannon property will be about 80 feet from the dumpster.

P. Bolster asked how far from the property will the new facility be as opposed to where the residential building is now.

S. Smith stated the house is now 66 feet from the property line. The new building will be another 70 feet away since it will be located in the center of the lot.

S. Williams asked if the applicant could put the historical marker on the plans. S. Smith noted they would.

David Countway of Maxfield Realty representing Carol Dadura asked if the Board had any idea of the timeline for the final approval.

D. Collier stated that if the applicant meets the criteria and the Board feels it is acceptable it should go through.

K. McWilliams stated that after this meeting if the Board feels that the applicant is ready, they can go on the final application. Submittal time frame is two weeks for the April 21st meeting.

S. Smith stated that if the Board is satisfied and their waiver is accepted they will put the notes on the plans and their intent is to file for the next meeting.

B. Gannon stated that she feels that the location for Aroma Joe's is the wrong place because the traffic is unbearable and it takes away the small town feel. She restated her concerns.

The Board responded to her concerns again and showed her the new building on the plan.

B. Gannon asked if the residential building is going to be torn down.

S. Smith stated that the whole building will be torn down and the new building will be 70 feet further from the location it is in now.

D. Collier closed public hearing.

The Board agreed that the applicant could move on to the Final Site Plan application

B. Curtin motioned to accept the waiver of Section 5.07 B of the Site Plan Regulations for the parking at Aroma Joe's.

P. Bolster 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 stated that this application was continued from the January 20th meeting so the applicant would have time to prepare a stormwater management plan for lot 15-1. Scott Lawler with Norway Plains Assoc. submitted a letter dated February 27th along with a third sheet of the plan set. The applicant is proposing a rain garden as well as an infiltration basin.

R. Tetreault of Norway Plains spoke on behalf of the applicant. He prepared a feasibility stormwater management plan for a potential residential development on Lot 15-1. He did test pits for both lots. He also did a potential footprint for a 2500 sq ft house. The applicant had their professional engineer prepare a stormwater management report and plans to design two (2) low impact stormwater management features. The owner had a question on K. McWilliams comments on #6 regarding the owner's responsibility to inspect and maintain the rain garden and infiltration basin and provide reports of these efforts to the Planning Department. He did not like putting a burden on the property owner to provide the reports. There are footnotes on the plans that they need to be inspected periodically and prior to gaining a Certificate of Occupancy.

Bill Creteau, one of the owners, was asked to come before the Board to answer any questions they may have for him.

D. Collier opened it up to the public.

Mike Pinard, an abutter, spoke to let the applicant know that he appreciates their effort and he is agreeable with what they have proposed.

D. Collier closed the public hearing.

S. Williams motion to approve Case P15-02, Map 6 Lot 15, Chestnut Hill Road Pond LLC Minor Subdivision with the following conditions.

CONDITIONS PRECEDENT

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

1. A note shall be added to the plat prior to the plans being signed by the Planning Board Chair stating that Best Management Practices shall be utilized during any timber cutting on site.
2. All "To Be Set" (TBS) notes shall be removed and all monumentation shall be set prior to the plans being signed by the Planning Board Chair. This is to be completed prior to the plans being signed by the Planning Board Chair and certified as complete by the surveyor who stamps the plan.
3. The following note shall be revised on the plat prior to the plans being signed by the Planning Board Chair: This subdivision plan is subject to the Conditions of Approval itemized in the March 17, 2015 Notice of Decision on file at the Town of Alton Planning Department and recorded at the Belknap County Registry of Deeds.
4. Trees along the boundary of the 25' of wetland buffer setback for all wetlands greater than 10,000 square feet in size in the area within 200' of proposed development that will disturb the soil or involve removal of trees are to be flagged on the plat and accurately in the field on trees approximately every 25' with permanent markers identifying them as the wetland buffer. The wetland buffer disks are available for

purchase from the Alton Planning Department. Where trees have been previously removed or do not exist, the wetland buffer shall be flagged with metal fence posts displaying the wetland markers, which should be affixed to the posts with bolts. This is to be completed prior to the plans being signed by the Planning Board Chair and certified as complete by the surveyor who stamps the plan.

5. A note needs to be added to the survey plan indicating that if a house is proposed to be constructed over a fill area, then the applicant for the building permit will need to submit test borings demonstrating that adequate compaction has been done in the proposed construction location to support the proposed house.
6. A note needs to be added to the survey plan indicating that if a septic system is proposed to be constructed over a fill area adjacent to Route 28, then the applicant for the building permit will need to submit test borings demonstrating that the site is acceptable for the location of a septic system.
7. A note needs to be added to the survey plat to be recorded (first sheet in the plan set) referencing the requirement for the future lot owner of lot 15-1 to:
 - a. construct the storm water management features detailed on the storm water management plan (third sheet in the plan set) and
 - b. comply with the notes on said storm water management plan.
8. A note needs to be added to the storm water management plan indicating that the two proposed storm water management features shall be constructed prior to a certificate of occupancy being approved for a residence or other structure on the lot.
9. A note needs to be added to the storm water management plan indicating it is the lot owner's responsibility to inspect and maintain the rain garden and infiltration basin.
10. Note # 4 for the Infiltration Basin on the storm water management plan needs to provide a specific frequency of inspections and define the size of the major storm event that triggers an inspection.

SUBSEQUENT CONDITIONS

1. The applicant shall comply with all of the Town of Alton's Subdivision Regulations.
2. 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.
3. A subdivision plat 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.

Provided all listed conditions precedent 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.

IV. BELMONT'S APPLICATION REVIEW COMMITTEE

There was a discussion between the Board and K. McWilliams regarding the Application Review Committee formed in Belmont. K. McWilliams feels that it is not a necessary step since the Alton Regulations have a Design Review process. He also feels there are some issues in it that may not be legal. The majority of the Board agreed that it would not be used in the Town of Alton.

S. Williams proposed a survey by applicants to let the Planning Department know how they are doing based on a form used in Belmont. The Board agreed it was a good idea.

VI. OTHER BUSINESS

1. Old Business – None
2. New Business –
 - a. **B. Curtin made a motion to leave the officers as they are today.**
R. Sample seconded the motion with all in favor.
Dave Collier – Chair
Tom Hoopes – Vice Chair
Roger Sample – Clerk
 - b. K. McWilliams asked to set up a Worksession on April 7th, the first Tuesday in April to go over the revised draft of the Subdivision Regulations and the revised draft of the Construction Observation Manual. If the Board is okay with this date then he can set up a public hearing and consider adoption on May 5th. The Board was okay with the dates.
 - c. K. McWilliams asked for assignment of Zoning Amendment Committee members. S. Williams, T. Hoopes and B. Curtin agreed to be members of the Committee.
 - d. K. McWilliams handed out a report on Riggins Rules on how to conduct a public meeting and the updated Land Use Regulation Books are available when they leave.
3. Approval of Minutes:
 - a. Minutes of the February 17, 2015 Planning Board Meeting.
B. Curtin motioned to approved these minutes as presented,
R. Sample 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

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

The Public Hearing adjourned at 7:40 p.m.

Respectfully submitted,
Randy Sanborn, Recorder, Public Minutes-