

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2018  
MARCH 20, 2018**

**APPROVED**

**Members Present:**

Peter Bolster, Chairman  
Roger Sample, Vice-Chairman  
Russ Wilder, Clerk  
Scott Williams, Member  
Virgil MacDonald, Selectmen's Rep.

**Others Present:**

Nic Strong, Town Planner  
Jessica A. Call, Recording Secretary

**CALL TO ORDER**

Peter Bolster called the meeting to order at 6:00 p.m.

**APPROVAL OF AGENDA**

Peter Bolster asked if there were any changes to the agenda since it was posted; Nic Strong stated, no.

**Scott Williams moved to accept the March 20, 2018, agenda, as presented.  
Virgil MacDonald seconded the motion, and it PASSED unanimously.**

**Election of Planning Board Officers**

A vote was taken amongst Board members on who the new Officers of the Board would be:

**Scott Williams moved to nominate Roger Sample as Chairman.  
Virgil MacDonald seconded the motion, and it PASSED unanimously.**

**Peter Bolster moved to nominate Scott Williams as Vice-Chairman.  
Roger Sample seconded the motion, and it PASSED unanimously.**

**Scott Williams moved to nominate Russ Wilder as Clerk.  
Peter Bolster seconded the motion, and it PASSED unanimously.**

Peter Bolster stepped down as Chairman and Roger Sample assumed the Chairman role.

**Appointment**

- John Dever, III, Code Official, to discuss site plan requirements for the American Legion Post 72, 164 Wolfeboro Highway.

John Dever, III, came to the table to answer questions that the Board had in regards to the Legion. He stated that the Legion was working on submitting a Special Exception to the ZBA to apply to be a Commercial Function Facility. Over the years, the Legion had grown, their use had intensified, they were

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offering live music inside the building, and they were providing outside venues. John Dever, III, stated that there had been other businesses in town where their uses had intensified and they were asked to come in to the office to apply for particular uses.

Peter Bolster asked what the difference was between a restaurant, motel, or resort having outdoor/indoor functions for special events, would they need a special license, or would it be part of their normal license. John Dever, III, stated that it was not a license; they would operate under the approvals from the ZBA or Planning Board. He stated that there were ordinances that specifically addressed businesses like the Bayside Motel and others that their activities were considered accessory to their use.

John Dever, III, stated that the issue was that the level of activity had increased. He gave the example of a neighbor that was splitting their own wood for normal use, and then they increased their activity to processing 14 cords a day; there was a difference. There were a lot of issues that needed to be addressed like traffic, parking, and public safety while the increased activities were taking place. He stated that the Legion had to submit a site plan along with applying for a Commercial Function Facility through the ZBA.

Virgil MacDonald stated that the Legion's building had been a commercial function facility for 30 years. John Dever, III, stated that just because they were offering those types of events, did not mean that they did not need permission to do them. Virgil MacDonald stated that the Town had mentioned to the Legion that they were not supposed to be parking out back of the building on the hill, and now the Town was trying to say that the Legion had to come in for a Commercial Function Facility application.

John Dever, III, stated that he mentioned something to the Legion back in August of 2017 and met with their representatives in September, who told him that they had no problems with submitting an application; as of January 2018, he had not heard anything from them. Virgil MacDonald asked if the Code Official was going to bring in every other business in town to apply for a Commercial Function Facility use, because he did not think they had site plans. John Dever, III, stated that a lot of them did, and this type of issue was dealt with one at a time, when things were addressed to him. Peter Bolster noted that the Legion had agreed to go through the process of applying for a Commercial Function Facility through the ZBA and to submit a site plan to the Planning Board; John Dever, III, stated, that was correct. Peter Bolster asked if he was still having any issues with the Legion; John Dever, III, stated, no, that he resolved the issues with the Vice-Commander.

Scott Williams stated that the building was designed to accommodate 148 seats, which was for the full-service restaurant that used to be there. He thought that could be doubled. Virgil MacDonald thought the State gave them a capacity of 400 occupants. John Dever, III, stated that that occupancy limit was for the outside concert events only. John Dever, III, stated that the current occupancy rate was 216 people. Peter Bolster pointed out that there was not enough parking for 216 people. Scott Williams stated that the Site Plan Regulations stated how many parking spaces a restaurant required. John Dever, III, stated that it was not just based on the restaurant regulations; it also included a Commercial Function Facility.

Virgil MacDonald pointed out that the Legion was out of land and asked if the Planning Board was supposed to shut them down. Scott Williams stated, no, that the Board would work with them. John

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Dever, III, stated that he was not in the business of cutting people off, and that their abutter had been good about letting the overflow cars park in their lot.

Peter Bolster asked if it was possible to let them park out back on the hill, which was the area that was designed to mitigate the wetland situation. John Dever, III, stated that the wetlands permit they received required them to regrade and revegetate. If the Legion contacted DES to propose making that area into a parking lot, and DES agreed, they would amend their wetlands permit.

Russ Wilder asked what the next step was that the Legion had to take. John Dever, III, stated that first, the Legion should apply for a Special Exception to operate as a Commercial Function Facility, and the ZBA would look at whether the use was appropriate for the area. If the ZBA granted the Legion their Special Exception, they would then go to the Planning Board with a site plan application.

Peter Bolster stated that his biggest concern with safety was that there should be no parking along the side of Route 28 in the evening. Virgil MacDonald stated that the Town had stopped the Legion from parking on the area that they filled so people could park out back, and the Town forced them to park out on the road. Peter Bolster stated he was only looking for a way to avoid the parking on Route 28. John Dever, III, stated that he had three representatives on August 11, 2017, inform him that within 72 hours, that area was going to be loamed and seeded and they were not going to park on that area. To date that area had not been loamed or seeded.

Roger Sample noted that the parking alongside Route 28 was new. Virgil MacDonald stated that recently the carwash had been open when the Legion had an event for a funeral and they only expected 200 people and 800 people showed up. Peter Bolster stated that the parking on Route 28 had occurred on a few other nights throughout the month. Roger Sample was wondering where all the cars would park if they did not park on Route 28. Peter Bolster asked if it was legal to park along Route 28. Virgil MacDonald stated that the Legion checked with the State and the Alton Police Department and they were allowed to park on Route 28, as long as they did not park longer than 48 hours and were not parked out towards the white line.

John Dever, III, stated that the minutes from the last Planning Board meeting indicated that there were some comments made to Nic Strong about how this issue was being handled, who was in charge of it all, and that she kept changing the investigation. John Dever, III, stated that nothing had changed since August 2017. Virgil MacDonald stated that in the beginning it was about the parking. John Dever, III, stated that the parking was what started these changes. He further noted that the comments directed at Nic Strong were unfair, and that the decisions regarding this process had been made by him. Virgil MacDonald apologized to Nic Strong.

**Time Extension**

<p><b>Case # P10-20 Mark C. Sargent, LLS, of Richard D. Bartlett &amp; Assoc., LLC, Agent for Bahre Alton Properties</b></p>	<p><b>Map 26 Lot 10-1</b></p>	<p><b>Time Extension Residential Commercial (RC) East Side Drive</b></p>
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The Chairman read the public hearing notice.

Present was Mark C. Sargent, LLS, agent for Bahre Alton Properties.

Mark C. Sargent, LLS, stated that Bahre Alton Properties had been trying to get people to build on the two pad sites by Hannaford's, but nobody seemed interested right now. He stated that all their permits were up to date and they ran through to the end of 2020. Mark C. Sargent, LLS, asked the Board to consider extending the project for another year. If at the end of 2020 they had not moved forward with the project, all of their State permits would need to be renewed.

Roger Sample opened public input. No public input. Roger Sample closed public input.

**Scott Williams moved that after due hearing, the Alton Planning Board approved Case #P10-20 for Bahre Alton Properties for a time extension to the Final Major Site Plan Review, Map 26 Lot 10-1, for a one (1) year extension to March 20, 2019, before construction must commence.**

**All other conditions of approval of the September 7, 2010, and March 15, 2011, Notices of Decision shall remain in full force and effect.**

**Virgil MacDonald seconded the motion.**

**DISCUSSION:**

**Russ Wilder asked if they got a buyer for these sites, would they present a detailed plan to the Board. Mark C. Sargent, LLS, stated that he had already presented detailed plans, but there may be some minor modifications and would be back before they Board at some point with those changes.**

**Peter Bolster noted the comment Mark C. Sargent, LLS, made about getting re-approval from the State in 2020; when Peter Bolster sat on the State's committee, the State was approving plans rather quickly because of the downturn in the economy at that time. Now that the economy had improved, he thought that the State would still be generous at giving extensions.**

**Roger Sample asked the Board for a vote, and it PASSED unanimously.**

**Design Review**

<b>Case # P18-02 William S. Stack, P.E./Steven J. Smith, LLS, &amp; Assoc., Inc., Agent for Paul George, Applicant and ATD 317, LLC/Thomas Diorio, Owner</b>	<b>Map 38 Lot 21-1</b>	<b>Design Review/Major Site Plan Rural (RU) 317 Mount Major Hgwy/Route 11</b>
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The Chairman read the public hearing notice.

Present were William S. Stack, P.E., agent, Steven J. Smith, LLS, owner of Steven J. Smith, LLS, & Assoc., Inc., Paul George, applicant, and Mr. & Mrs. Diorio, owners, were in the audience.

**Russ Wilder moved to accept the Design Review/Major Site Plan application for Case #P18-02, as complete.  
Scott Williams seconded the motion, and it PASSED unanimously.**

William S. Stack, P.E., noted that the lot was previously the site of Precious Gardens greenhouse. The lot was in the Rural District and abutted to the North by boat storage and the South East by self-storage. There was 300 feet of frontage and the lot area was 3.59 acres.

William S. Stack, P.E., noted that Thomas Sokoloski from TES Environmental Consultants, LLC, was the environmental engineer on this project.

The driveway apron was paved and the site's surface was currently gravel, there were no rights-of-way or easements to others, the property was supported by a well, and an onsite sewage disposal system. The soils were predominantly Monadnock Beckett Skerry complex, which was a sandy loam, with the rear of the site having loamy fine sand. After performing mandatory soil mapping, they found that the types of soils differed somewhat from the soils mapping from the general web soil survey, which they found that the soils were actually better than the soils mapping dictated.

Peter Bolster asked if there was a residential unit currently on the property. William S. Stack, P.E., noted there was an existing shop and studio apartment. The proposal was to construct seven (7) self-storage unit buildings and associated infrastructure, which was allowed in the district. The applicant was also proposing to remove all current buildings and make the driveway a bit smaller. There was public water available to the site, but there was no plan to connect to it. For the asphalt, the idea was to use porous asphalt. A kiosk for check-in and registration would be located on building #3, which was the front area of the site, and the front of the site would be fenced-in and gated. The utility services would be underground from Route 11. The overall predevelopment peak rates of runoff and volumes would be reduced through the use of the porous pavement BMP. A new driveway permit from DOT was submitted with the application. The landscaping would be provided along the frontage of Mount Major Highway. Parking spaces were not required because there were no onsite employees or a need for parking other than for the rental unit access. The operation would run 24 hours a day, 7 days a week. The facility would not be staffed on a full time basis, but would be maintained during regular business hours between 7:00 A.M. and 5:00 P.M.

A component of the project that needed to be discussed was the minimum landscape greenspace. The project had 43% greenspace but did not include porous pavement in the calculation. Scott Williams stated that several years ago the Board voted to not allow porous pavement to be used in town, because it required the pavement to be vacuumed and was a maintenance issue on who was going to monitor the clean-up. He stated that the applicant could do groundwater recharge to overcome that problem. William S. Stack, P.E., asked if the town allowed it at all. Scott Williams thought that Nic Strong should look back in the minutes for that particular vote. William S. Stack, P.E., stated that this project involved a

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State AoT permit, and as part of their approval process, they required the applicant to have an operations and maintenance manual, which included the State as part of a the enforcement of the requirements. Steven J. Smith, LLS, talked about how the other towns he had worked for in the lakes region had this type of pavement and it was very effective. He noted that he had not seen anything in the Site Plan Regulations prohibiting this type of pavement. He shared that they had extensive meetings with UNH, and the State for their AoT permit, to come up with this design. Peter Bolster thought that the positive thing about porous pavement was that it reduced runoff, which ultimately reduced water pollution. He thought that the Board should look at making porous pavement an approved material for paving. Virgil MacDonald stated that there was a log that the Town needed to fill out every time they maintained any of the town's properties that had porous pavement. Steven J. Smith, LLS, stated that there was usually a maintenance schedule that went along with an approval, and it was up to the property owners to abide by that schedule. Roger Sample thought that the Board should look at revising their decision on not allowing porous pavement. William S. Stack, P.E., stated that they had a maintenance manual that they needed to fill out every time they vacuumed the pavement and it needed to be submitted to the State; he suggested also giving the Town a copy for their file. Peter Bolster stated that it would be obvious if they did not properly maintain the pavement, because there would be water pouring down the aisles between the storage buildings, and if that was happening, the Board would refer back to the maintenance manual and would see that the pavement was not being taken care of. Steven J. Smith, LLS, stated that they would properly maintain the pavement because they were proposing a storage facility and they would not want water pouring into the units.

Russ Wilder noted that on the planner review, a preliminary meeting with the Alton Fire Department determined that no specific fire protection was required for the type of buildings proposed. William S. Stack, P.E., stated that the Fire Department reviewed their concept plan that consisted of access points, the width of the pavement, only having electricity come into one building and a data cable which would service the building, gates would be installed to enter the property, and they were able to maneuver around the buildings with the fire trucks.

Russ Wilder asked William S. Stack., P.E., to provide a copy of a lease that they gave to their customers explaining what was allowed to be stored in the units. Paul George stated that it was clearly written in the lease that no hazardous materials were allowed, no gasoline, vehicles had to have under a certain amount of fuel in the gas tanks, and several other restrictions; he suggested bringing a copy of the lease to the next meeting for their final approval.

Paul George stated that the Fire Department required a Knox box to be installed. William S. Stack, P.E., stated that the Fire Department also wanted the units to be numbered. Paul George stated that there was no electrical panel because there was no electricity that would run to the units, only the LED lights outside of the units; therefore, customers would not be able to plug things in.

Russ Wilder referred to the questions about greenspace, porous pavement, and parking for employees on the planner review. William S. Stack, P.E., stated that it was indicated on the plan that greenspace was 43% with porous pavement included in the coverage. The lot coverage greenspace would be 75% if they used porous pavement as permeable. Russ Wilder noted that there was a 50 foot buffer from the stream, and asked how far the setback was from the edge of the wetlands, not the stream, and the pavement. Scott Williams thought it was 25 feet from the right-of-way. Scott Williams stated that pavement could go

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right up to the property line. Russ Wilder stated he was referring to the wetlands out back. William S. Stack, P.E., stated that the closest point was about 9 feet to the edge of the wetland, and from the closest building, it was about 38 feet.

Russ Wilder mentioned there were questions about the width of the aisles and would the design of the buildings accommodate a 30-foot box truck driving around them. William S. Stack, P.E., stated that implementing the design was part of DOT's review, and they required templates to be run around the entrance and the two sharp corners of the building when entering the property.

Peter Bolster had a question about the snow storage area. He noticed that the top corner of the plan showed snow storage and wondered if that was the only area. William S. Stack, P.E., noted that alongside the back edge of the property would also be snow storage. Russ Wilder mentioned snow falling from the roof onto the pavement. Paul George stated that they were proposing a one pitch roof, which was a quarter pitch and could handle a heavier snow load; therefore, the snow would stay up on the roof.

Paul George shared that all of the light fixtures were down lit LEDs. Roger Sample asked what the hours of operation were; Paul George stated 24 hours a day, 7 days a week. Russ Wilder asked if North Point Engineering was performing a drainage review. Nic Strong stated it was up to the applicant to decide whether they wanted to do that at the design review phase, or wait until the final application. Steven J. Smith, LLS, stated that they wanted to meet with the Town first just in case there were some things that changed. Russ Wilder asked if the abutters across the street had been notified, because of how bright the lights might be.

Peter Bolster asked for clarification on landscaping. William S. Stack, P.E., stated that trees would be planted along the front of the property at intervals of 19 feet apart, and in between each tree, there would be four (4) foot high sections of an architectural fence. Steven J. Smith, LLS, stated that the building height was roughly nine feet, which needed to be noted on the plan. Steven J. Smith, LLS, noted that for the parking areas, there were no regulations under the Town's landscaping section for commercial and industrial properties. He stated that there was no parking per se, so there was no landscaping needed to break up a parking area. Peter Bolster asked about the screening between the road and the property. Steven J. Smith, LLS, stated that the abutters to each side were storage buildings, one for boat storage and one for personal storage.

Russ Wilder thought that the applicant should not encroach on the wetland buffer to cut anything back. He thought they should leave it as natural as they could. Peter Bolster asked if there were trees in the buffer. William W. Stack, P.E., stated that there were, but it had been filled over the years. Scott Williams stated that most of that lot ended up in the highway when it was rebuilt. Russ Wilder thought that when they got to the design layout that they should show what was there currently, and how the buffer zone could be improved. Roger Sample, Scott Williams, Peter Bolster, and Russ Wilder thought the Board should do a site walk. Steven J. Smith, LLS, stated that when that lot was created, there was no wetland buffer required. Russ Wilder was concerned about water quality and the water runoff into the brook. He thought paving right up to the buffer was a concern. Nic Strong pointed out that until the Board took jurisdiction of a final application, the Board could not do a site walk. She also noted that she had not realized until then that the Board had accepted this application as complete, which was unnecessary because it was Design Review and had no deadline for Board action.

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Roger Sample open public input.

Thomas W. Varney, P.E., came to the table to speak for the applicant. There was a used car sales business across from Johnson’s Restaurant in New Durham that had porous pavement. They were located in an aquifer zone and the water table was only three (3) feet below the ground. The Town of New Durham required zoning board approval on an aquifer zone and when the environmental study was done, UNH found that when cars leaked gas, oil, anti-freeze, or brake dust onto the pavement, the asphalt would bind up those materials and they did not leak through to the ground underneath, therefore, stopping the pollution from entering the ground or abutting wetlands. Roger Sample asked if the materials were bound up, did that stop water from seeping through the porous conditions of the asphalt. Thomas W. Varney, P.E., stated that the ingredients of the asphalt bound up the chemicals. Roger Sample asked who determined that the pollution would not seep through the porous asphalt, but the water would. Thomas W. Varney, P.E., stated that it was a study performed by UNH. Roger Sample thought it did not make any sense.

Roger Sample closed public input.

Applicants would submit a final application.

<p><b>Case # P18-03 Thomas W. Varney, P.E., Varney Engineering, LLC, Agent for Keith &amp; Melissa Watson, Owners</b></p>	<p><b>Map 2 Lot 29-6</b></p>	<p><b>Design Review/Major Site Plan Rural (RU) 128 Hamwoods Road</b></p>
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The Chairman read the public hearing notice.

Present were Thomas W. Varney, P.E., agent, and Keith & Melissa Watson, owners.

Thomas W. Varney, P.E., stated that the applicants would like to change the use of their house to a group child daycare center. The applicants would move out of the house and into a different one. The center would be able to have approximately 25 infants, toddlers, pre-school, kindergarten, and school aged children, which would be dropped off in the A.M. and picked up in the P.M. There would be at least three (3) full-time and one (1) part-time employees. The building would be remodeled inside to accommodate childcare needs. The existing well and septic system were adequate for this change of use. The driveway would be increased and 8 parking spaces would be added. A stormwater management plan included a swale and an infiltration basin to control runoff. The landscaping would consist of shrubs that would be placed to screen the parking area. A sign would be placed at the entrance. The Watsons appeared before the Zoning Board of Adjustment on February 1, 2018, and were granted a Special Exception.

Scott Williams mentioned that the executive summary indicated “25 or so” children. Melissa Watson stated that she could not indicate a definitive number, because the number of children would vary depending upon their age range; therefore, the number of employees would vary. Keith Watson stated that 25 would be the maximum amount of children. Scott Williams asked the applicants to include a maximum amount on their summary.



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Peter Bolster noted that in the planner review, it was noted that a ten (10) foot wide driveway may not be wide enough for two-way traffic. Russ Wilder asked why they did not want to make the driveway wider because if someone was driving down Hamwoods Road and turned into the driveway and somebody was trying to come out, they had to stop on the street and everyone behind them would have to stop also. Scott Williams asked if there was a culvert at the edge of the street. Keith Watson stated there was a culvert across the road. Russ Wilder thought it would be easier for people to come in and out if it was wider. Keith Watson was not opposed to that suggestion. Peter Bolster pointed out that road was one of the most heavily traveled roads in town.

Russ Wilder noted that the existing septic system had the capacity for the proposed use, but it needed to be verified. Thomas W. Varney, P.E., stated that he was going to do a new design. Russ Wilder informed Thomas W. Varney, P.E., that a drainage report needed to be submitted for review by the Town Engineer. Russ Wilder noted that possible conditions of approval could include removal of the existing swimming pool in the back yard, construction of the infiltration basin with swales, the parking area, an as-built plan sign off, traffic impact, a maximum number of children per day, traffic flow, and how everyone would arrive and depart. Roger Sample thought widening the bottleneck and placing a stop sign at the end of the driveway would make the traffic flow smoother. He also thought having some traffic signs installed on the street would be helpful. Virgil MacDonald stated that the only way the applicant could request a sign would be if they went before the Board of Selectmen and with a recommendation from Ken Roberts, Highway Manager, they could ask for a sign to be erected. Melissa Watson shared that she would have a fence installed and the children would have a safe place to play.

Russ Wilder brought up landscaping issues. The regulations required 50% landscaping, and currently the plans showed five (5) arborvitae potted plant sized trees. Thomas W. Varney, P.E., stated it was a small piece of property and he did not do extensive landscaping, but he did indicate some shrubs behind the line.

Russ Wilder brought up lighting. The plans indicated a new exterior light proposed, but did not include details. Thomas W. Varney, P.E., stated that he detailed the lighting on the left-hand side of the plan on page 2, but was unsure of the wattage. The lights consisted of LEDs with 3000 kW brightness. Russ Wilder asked for the snow storage to be indicated in the drainage area.

There was a letter submitted to the Board dated March 10, 2018, from Kathy & Mike Currier, abutters, whom were in support of the application.

Roger Sample opened public input. No public input. Roger Sample closed public input.

Applicants would submit a final application.

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

<b>Case # P18-04 JOBAN, LLC/Dean Puzzo, Manager</b>	<b>Map 26 Lot 10</b>	<b>Minor Site Plan Review Residential Commercial (RC) 19 Homestead Place, Suite 5</b>
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The Chairman read the public hearing notice.

Present was Dean Puzzo, Manager for JOBEAN, LLC.

Nic Strong stated that before the Board commented on completeness, Dean Puzzo put in a waiver request, dated February 22, 2018, for his application to be a minor site plan versus a major site plan, and the Board needed to determine that first.

Peter Bolster asked what the changes were from the original approved site plan. Dean Puzzo stated that he was changing the corner of the building that faced the circle gas station, but everything else was staying the same as the prior approved plan. He also referred to the changes he made to the Urgent Care building and the Board back then allowed him to submit a minor site plan for that project. Russ Wilder stated that the Board already knew that the proposed building would be larger than originally anticipated, because Dean Puzzo appeared before the Board previously for a Conceptual Consultation.

Dean Puzzo stated that he had the two (2) engineers, who had worked on the project before, and Cindy Balcius, CWS, come and look at the existing wall. They determined that the easiest thing to do was to leave the wall that was currently there in place and put up an engineered, stamped wall in front of it. Scott Williams stated that they would have to take apart some of the existing wall in order to correctly tie in the new wall. Dean Puzzo stated now that he had a survey done with this new wall proposal, he had a setback line that he could work with. Peter Bolster asked if the 25-foot setback was from the State right-of-way; Dean Puzzo stated, yes. Scott Williams asked if there was only one leach field; Dean Puzzo stated, yes.

**Russ Wilder moved to grant the waiver for a Major Site Plan application submittal, and to allow it as a Minor Site Plan.**

**Virgil MacDonald seconded the motion.**

**DISCUSSION:**

**Peter Bolster wanted to confirm that the Board had not previously approved the placement of the 3,600-s.f. building, it was only in concept; Dean Puzzo stated, yes. Dean Puzzo was requesting the approval of the 3,600-s.f. building. Peter Bolster stated that they would be approving this building as a minor site plan waiver. Russ Wilder mentioned there had been many work-studies done on this piece of property, and he thought it would be okay to grant the waiver and accept the application as a minor site plan. Russ Wilder pointed out that there was a conceptual provided to the Board, and they knew what was going to be proposed.**

**Roger Sample asked for a vote, and the motion PASSED unanimously.**

Nic Strong stated that an outstanding abutter fee for \$6.00 was due and the executive summary was missing. Dean Puzzo submitted the \$6.00. He thought that he addressed everything in his cover letter and did not think he needed a separate executive summary. Roger Sample asked what was left to summarize. Nic Strong stated that according to the regulations, the executive summary had certain

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requirements. Dean Puzzo stated that there were things that he had to leave blank because he was not sure who was going to be using that building, like the floor plan and the hours of operation. Scott Williams asked if the letter of February 22, 2018, was supposed to be considered the applicant's executive summary. Russ Wilder pointed out the items that were missing, the description of the proposed business, area of square feet within the structure allocated to the proposed business, days and hours of operation, number of employees, customer business traffic, utility service, and fire protection. Dean Puzzo stated that he met with the Fire Department after his consultation with the Board, and they wanted him to keep the gravel drive clear around the building. Virgil MacDonald asked if there needed to be an additional handicapped parking space added. Scott Williams stated that was up to the Engineer to decipher. Roger Sample asked if the list of items that Dean Puzzo could not provide made the application incomplete. Nic Strong stated if the Board looked at the list of items needed for a completed application, the executive summary was a requirement. Dean Puzzo stated that the proposed building needed 12 spaces, but Roger Sample pointed out that he only had six spaces indicated on the plan. Dean Puzzo stated that it had to do with the number of spaces available throughout the whole parking lot. Roger Sample asked if all the spaces were tallied up, would there be enough room for parking; Dean Puzzo stated that he had 15 extra parking spaces.

**Russ Wilder moved to accept the Minor Site Plan Review application for Case #P18-04, as complete. Roger Sample added to accept the executive summary as originally provided. Virgil MacDonald seconded the motion, and it PASSED unanimously.**

Russ Wilder suggested going over the rest of the planner review for outstanding items. The site location map should be labeled not to scale or include a scale, the dimensions of the proposed structure, onsite parking areas, location of loading areas, storage areas, and landscaped areas were missing. Dean Puzzo thought that he had everything he was able to show, except to indicate if the building was one or two stories high. He mentioned the onsite parking areas, and they are what they are and they were not changing. Russ Wilder let Dean Puzzo know that there needed to be a statement that by adding the proposed building, it would leave adequate parking. Dean Puzzo stated it was indicated in the parking analysis. Nic Strong stated that particular item had to do with the size of the area, size of the parking spaces, and ordinarily on a set of plans for something like this, there would be a set of details with instructions of whatever was going to be built. Dean Puzzo stated that he did not note on the plan that the parking spaces were 9 feet wide and 20 feet long. Russ Wilder stated that the dimensions of the parking spaces should be on the plan. Dean Puzzo stated that the approval from 2010 allowed him to forego a lighting plan and a landscaping plan. Scott Williams stated that there would be people moving about the property at night and thought that he should submit a proper lighting plan. Dean Puzzo stated that the lot was already paved.

Nic Strong stated that there were usually plan sheets that showed parking, landscaping, and lighting. Dean Puzzo stated that he got pre approval before and he thought he did not have to provide a separate plan because the lighting already existed.

Peter Bolster asked if the shrubs that were proposed to be landscaping were enough according to the regulations, because he was not sure that the landscaping was adequate. Virgil MacDonald asked if the applicant needed a buffer between the property and Route 11. Peter Bolster was worried that the loading dock would be facing Route 11 and that it would look bad. Dean Puzzo stated that the loading area was

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near the utility garage, which was on the side of the building, and there was not going to be any vehicle access behind the building, except for fire access. Peter Bolster noted that some landscaping between the highway and the back of the building would improve the look of the area. Dean Puzzo stated that he would continue planting around the back of the building with the shrubs and trees that he was planting in front of the building. Russ Wilder mentioned that what the Board usually received for a plan set were multiple pages and he had hoped Dean Puzzo would resubmit a multi-page plan with his final application. Scott Williams informed Dean Puzzo that he needed to make sure that his proposed lighting was dark sky compliant, because when he received his prior approvals, at that time, the Town was not dark sky compliant. Russ Wilder stated again that Dean Puzzo needed to come back with a multi-page plan set in order for the Board to properly make their decision.

Nic Strong asked the Board if they wanted to have the Town Engineer review the wall plan, the Board stated, yes. Scott Williams noted that the Board had received a letter dated February 28, 2018, from John Dever, III, Code Official, which stated, "Due to the unknown nature of the fill previously used in the area of the proposed construction, compaction testing will have to be performed prior to the issuance of a Building Permit to insure proper support of the proposed slab foundation." Scott Williams thought that anybody that consulted about the compaction should be able to meet John Dever, III's, concern. Dean Puzzo asked what else he needed other than the stamped plan for the wall. Scott Williams stated that under the building there should be a series of compaction tests completed. Dean Puzzo stated that he would get that done, and he asked what else the Board needed. Scott Williams stated that an engineer would stamp the plan for the wall, another engineer would perform the compaction testing, and there needed to be an outline on the property where the fill was placed.

Nic Strong shared that John Dever, III, stated that the compaction testing should be done prior to the building being constructed. She then asked the Board if they wanted it done as part of the Site Plan Review. The Board just wanted to make sure it was done. Russ Wilder was satisfied with John Dever, III's, requirement. Nic Strong asked the Board if they wanted the Town Engineer to review the engineered wall plan; Russ Wilder and Scott Williams thought he should review it. Peter Bolster asked if the Board needed to do a site walk to look specifically where the building would be located. Russ Wilder and Scott Williams have been out to that location previously and there was not much to look at.

**Scott Williams moved to continue Case # 18-04 to the May 15, 2018, meeting.  
Russ Wilder seconded the motion, and it PASSED unanimously.**

**Conceptual Consultation**

<b>Case # P18-05 Christina Antonuccio, Applicant and Steven Borghi, Owner</b>	<b>Map 34 Lot 34</b>	<b>Conceptual Consultation Residential Commercial (RC) 5 Mount Major Highway</b>
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The Chairman read the public hearing notice.

Present were Christina Antonuccio, applicant, and Steven Borghi, owner.

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Christina Antonuccio explained to the Board that she would like to introduce food delivery for her pizza business, which Alton was currently lacking. She stated that there were some changes in her business plan since she had submitted her conceptual application. In order to get the building up to code, it would take up more of her finances than she originally projected. Although she still had intentions on getting the building up and running, what she had in mind for now was utilizing a few of the private parking spaces located on the property to open up a food trailer to sell her pizza. She mentioned that food trailers were subject to the same rigorous rules as restaurants when being inspected, and may be scrutinized even more.

Christina Antonuccio noted that after talking to Nic Strong, she was made aware that the regulations addressed traffic, and that could be a concern because it was a busy intersection. Russ Wilder confirmed that she was going to put aside remodeling the building for now, and instead have a food trailer. He asked where the food trailer would be parked. Christina Antonuccio stated the trailer would be parked in the parking spaces right in front of Jay's mini golf. Russ Wilder asked if the trailer would be parked parallel with the street; Christina Antonuccio stated, yes, it would take up three (3) spaces. Peter Bolster asked if that was public parking; Christina Antonuccio stated, no, it was private. Scott Williams thought that part of the area was DOT property. Steven Borghi stated that he would check on that. Roger Sample thought the first few spaces were for tenants. Steven Borghi stated that they talked to the tenants, who agreed to park a few spaces down.

Scott Williams asked if the applicants purchased the building. Steven Borghi stated that he was under a management contract agreement, with an option to purchase. He informed the Board that according to the Fire Department, since there were tenants living in the building and it had three (3) stories, a sprinkler system would have to be installed throughout the whole building, and that was a huge expense. The applicants wanted to see if their food delivery idea worked out as well as they thought it would before they poured money into the building.

Peter Bolster asked if this proposal for the food trailer should be in the hands of the Planning Board, or did it go to the Board of Selectmen to decide, or maybe even the State. Scott Williams thought it might fall under the DOT. Nic Strong needed to talk to John Dever, III, Code Official, and the DOT. Roger Sample thought by parking the trailer where it was proposed, that their customers would be standing in the street. Steven Borghi thought otherwise, but if it was an issue, they could purchase a side-loading trailer as well. Russ Wilder clarified that what the applicants were proposing to do now was to use three (3) parking spaces for the food trailer. He thought that the Board needed more information about what the jurisdictions were before they could go any further. The Board had never really seen a proposal such as this, and they needed to look into it more before they had any real input. Peter Bolster asked who owned the property that the trailer would be on and how wide was the State right-of-way. Randy Tetreault, LLS, was in the audience and came to the table to speak. He stated that he had performed the survey for that area for the town and there was a plan on file that indicated where the State's right-of-way was located, which he believed went down the middle of the houses in that area.

Russ Wilder stated that since what was proposed tonight was different than the application, the applicants needed to find out if what they were proposing was actually allowed. Scott Williams informed the applicants that they needed to get some authority by the property owner giving them permission to talk about their proposal. Steven Borghi stated that he was the owner by contract and he had given Christina

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Antonuccio permission to submit her proposal. Scott Williams thought that the deeded owner should be recognized.

Nic Strong asked the applicants if the food trailer would interact with the building, and where would they use the restroom. Steven Borghi stated that the trailer currently would not have anything to do with the building, and they would be using the public restrooms.

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

<b>Case # P18-06 Randolph R. Tetreault, LLS/Norway Plains Assoc., Inc., Agent for Thomas E. Fry, Owner</b>	<b>Map 21 Lot 38</b>	<b>Final Minor Subdivision Rural (RU) Rines Road</b>
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The Chairman read the public hearing notice.

Present was Randolph R. Tetreault, LLS, agent.

Randolph R. Tetreault, LLS, stated that the previous survey was done in 1995 by George Chrisenton, LLS, which was the survey that set up the conservation easement that went all the way out to Knight's Pond.

The Board wanted some clarification on the things that were missing so they could vote on whether the application was complete. Randolph R. Tetreault, LLS, stated that the utilities plan map was not needed because utilities were not being run out to the property, but he had added the septic system and well to the plan, which was not an actual septic system, it was a proposed area. He did not have a proposed building site or a driveway location because the owner just wanted to sell off a portion of his property and it was not specifically being sold to be developed. The 20-foot wide, 33-foot long right-of-way was added to Rines Road on the plan, which had been recently upgraded by the Town. The contiguous upland area was added to the plan in note #10, which was to prove that 75% of the 2-acre lot excluded wetlands and no slopes were above a 25% grade. As far as the wetland buffer went, Randolph R. Tetreault, LLS, realized that after surveying the wetland area, he realized that he did not need to request a waiver for that because the wetland was smaller than 10,000 s.f. Scott Williams asked if he had dug a test pit; Randolph R. Tetreault, LLS, stated, yes. He fixed some minor abutter typos. He addressed the fact that the reason why he put Judith E. Fry, Trustee, in the way he did was because that was what both the Town and the Deed listed her as, but did not list a Trust. The driveway site had not been defined yet because there were no current plans to build on that property yet, but he thought he had a prospective spot. Since the applicants were in Florida right now, he wanted to wait until they came back to confirm the location. As far as designing the driveway, it was a flat spot and a curb cut was already paved. Roger Sample asked why he did not want to just go ahead and have the driveway approved because it was already cut, and what the Board was looking for was sight view. Randolph R. Tetreault, LLS, asked the Board if a letter from Ken Roberts, Road Agent, was acceptable regarding possible location of driveway. The Board agreed a letter was acceptable. Roger Sample stated that the State Subdivision Approval could be a condition of approval.

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Nic Strong stated that when she first saw the plan, the septic location and well were not shown, the detail that was required for the soils report was not submitted, and the driveway details were not there. She stated that after discussion amongst Board members, they allowed Randolph R. Tetreault, LLS, to just note the test pit and soils information on the plan, the driveway proposal would be submitted in a letter format as a condition of approval, and the project narrative had some details missing, but the Board did have it. She noted that the State's Subdivision approval would be a condition of approval, and at this point, the application appeared to be complete.

**Scott Williams moved to accept the Final Minor Subdivision application for Case #P18-06, as complete.**

**Russ Wilder seconded the motion, and it PASSED unanimously.**

Randolph R. Tetreault, LLS, stated that the area being subdivided was a 15-acre area that was excluded from a conservation area. He stated that the second page of the plan had the topography of the property and it included the test pit location, the well, and the driveway. He stated that he did not discuss the length and width of the property, but he did add all the distances together and let Nic Strong know what the ratio was. The piece of property was only about 500 feet deep. He noted that in the regulations, the ratio requirements went from 1-5 acres then to 6-10 acres, and he asked what ratio would you go by if a piece of property was between 5 and 6 acres. Randolph R. Tetreault, LLS, stated that the waiver for the boundary survey on the remainder of the property was not necessary, because there was a survey of the property boundary already recorded back in 1995.

**Scott Williams moved to grant the waiver requests listed in the waiver letter received on February 26, 2018, which were for Section VII.D.1.b.2. Boundary survey, Section VII.D.1.c.6. Survey of remaining property, Section VII.D.1.g. Contiguous upland, Section VII.D.1.i. Open spaces, and Section VII.D.1.j. Jurisdictional wetlands.**

**Virgil MacDonald seconded the motion, and it PASSED unanimously.**

Peter Bolster questioned the comment in the planner review about how the Board should grant the waivers. Nic Strong stated that language had always been in her planner reviews, but no one had been using it. Scott Williams stated that the Board used to state the waiver regulation sections to be included into the motion.

Roger Sample opened public input. No public input. Roger Sample closed public input.

**Scott Williams moved that after due hearing, the Alton Planning Board hereby approves the above cited application for Thomas E. Fry 1992 Trust, Thomas E. Fry, Trustee, for a Final Minor Subdivision for a two lot subdivision of Map 21 Lot 38, with the following conditions:**

**CONDITIONS PRECEDENT**

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

1. **Submission of revised plans in the number required by the Subdivision Regulations and that include all of the checklist corrections, any corrections as noted at this hearing and any waivers granted by the Board.**
2. **Addition of a note to the subdivision prior to plan signing by the Planning Board Chair: This subdivision plan contains a total of \_\_\_ sheets: [to be listed and dated by the applicant on the subdivision plan itself]. In combination, these plans constitute in their entirety the subdivision as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department.**
3. **Addition of a note to the subdivision plan prior to plan signing by the Planning Board Chair: This subdivision plan is subject to the Conditions of Approval itemized in the March 20, 2018, Notice of Decision on file at the Town of Alton Planning Department.**
4. **Monuments shall 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. **Submission of a letter from the Town of Alton Road Agent that the lot will be able to support a legal driveway.**
6. **Submission of State Subdivision Approval and the addition of the details of the approval to the plan.**

**SUBSEQUENT CONDITIONS**

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

1. **All subdivision improvements are to be completed as per the approved subdivision plat.**
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 subdivision 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.**



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5. **Once any and all conditions of approval have been met and the Chairman of the Planning Board or his designee signs a subdivision 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 thirty-six (36) months 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.**

**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 per Section XI, C. 2. of the Town of Alton Subdivision Regulations.**

**Peter Bolster seconded the motion, and it PASSED unanimously.**

<p><b>Case # P18-07 Randolph R. Tetreault, LLS/Norway Plains Assoc., Inc., Agent for Susanna C. &amp; Clinton J. Brown</b></p>	<p><b>Map 5 Lot 12</b></p>	<p><b>Final Minor Subdivision Rural (RU) Stockbridge Corner Road</b></p>
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The Chairman read the public hearing notice.

Present was Randolph R. Tetreault, LLS, agent.

Roger Sample pointed out that the same items were missing in this application as they were in the application for Case #18-06. Randolph R. Tetreault, LLS, stated that he did not submit a soils report, but the test pit and the soil type were indicated on the plan. The utilities plan was not submitted either because everything was existing, like the driveway, utilities were already connected to the existing house, and the septic system was already installed. The applicant just wanted to subdivide five (5) acres of his property so he could either sell that piece of land, or sell the remaining land along with his house.

**Scott Williams moved to accept the Final Minor Subdivision application for Case #P18-07, as complete.**

**Peter Bolster seconded the motion, and it PASSED unanimously.**

Randolph R. Tetreault, LLS, stated that he did not think contiguous upland was needed because there was already a house located on the property. Mr. Volt of Linden Design performed the original survey for a previous subdivision, which the Board approved back in 2003 or 2004. A waiver was submitted for a topography plan for the whole lot, but he did perform some topography within a 2-acre area to show that the property was buildable. There was a gravel road, which was a 50-foot deeded right-of-way to the

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abutter on the back lot. The deed indicated that there could only be one single-family residence and they would have to share the driveway.

**Scott Williams moved to grant the waiver requests listed in the waiver letter received on February 26, 2018, which were for Section VII.D.1.g. Contiguous upland and Section VII.D.1.n. Slopes in excess of 25%.**

**Virgil MacDonald seconded the motion, and it PASSED unanimously.**

Randolph R. Tetreault, LLS, noted that this parcel also had an odd acre amount and had the same issue as the last case on what ratio would you use if you were in between 5 and 6 acres.

Roger Sample opened public input. No public input. Roger Sample closed public input.

**Scott Williams moved that after due hearing, the Alton Planning Board hereby approves the above cited application for Susanna C. and Clinton J. Brown for a Final Minor Subdivision for a two lot subdivision of Map 5 Lot 12, with the following conditions:**

**CONDITIONS PRECEDENT**

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

- 1. Submission of revised plans in the number required by the Subdivision Regulations and that include all of the checklist corrections, any corrections as noted at this hearing and any waivers granted by the Board.**
- 2. Addition of a note to the subdivision prior to plan signing by the Planning Board Chair: This subdivision plan contains a total of \_\_\_ sheets: [to be listed and dated by the applicant on the subdivision plan itself]. In combination, these plans constitute in their entirety the subdivision as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department.**
- 3. Addition of a note to the subdivision plan prior to plan signing by the Planning Board Chair: This subdivision plan is subject to the Conditions of Approval itemized in the March 20, 2018, Notice of Decision on file at the Town of Alton Planning Department.**

**SUBSEQUENT CONDITIONS**

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

- 1. All subdivision improvements are to be completed as per the approved subdivision plat.**
- 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 subdivision 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.**
5. **Once any and all conditions of approval have been met and the Chairman of the Planning Board or his designee signs a subdivision 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 thirty-six (36) months 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.**

**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 per Section XI, C. 2. of the Town of Alton Subdivision Regulations.**

**Virgil MacDonald seconded the motion, and it PASSED unanimously.**

**Other Business:**

1. **Old Business:**
2. **New Business:**
3. **Approval of Minutes:** February 20, 2018, Planning Board Meeting

**Russ Wilder moved to approve the minutes of February 20, 2018, as presented.  
Peter Bolster seconded the motion, and it PASSED with Scott Williams abstaining.**

4. **Correspondence for the Board's review/discussion/action:**
5. **Correspondence for the Board's information:**

**6. Any Other Business that may come before the Board:**

Nic Strong mentioned to the Board that the planner reviews were available on the Friday before the next Planning Board meeting, and the packets were available to be picked up on that same day. She talked about how some of the issues brought up tonight would have been cut down during the applicant's presentations if the Board reviewed the planner reviews ahead of time. She encouraged them to make sure they picked up their packets before the meeting so they would have enough time to review all of the materials needed for each case. She also brought up the comment that Peter Bolster made about the granting of waivers, and that had to do with a 2014 court case that determined that towns could not arbitrarily grant waivers to subdivision regulations because planning boards were doing that. Planning boards were just granting waivers because they liked the plans and there was no consideration of why a board would go against their regulations; therefore, a State law was enacted for planning boards to grant waivers with specific language.

**Public Input on Non-Case Specific Local Planning Issues**

Roger Sample asked about the design review process and how many meetings applicants had to attend before getting an approval from the Board. Nic Strong stated that normally someone would come in for a design review hearing and then submit a final application after that, but if the Board needed additional information, it could run into three or four meetings.

**ADJOURNMENT**

**At 9:11 p.m., Scott Williams moved to adjourn.  
Peter Bolster seconded the motion, and it PASSED unanimously.**

The meeting adjourned at 9:11 p.m.

Respectfully submitted,

Jessica A. Call  
Recording Secretary

Minutes approved as presented: April 17, 2018