

TOWN OF ALTON PLANNING BOARD
PUBLIC HEARING
Tuesday, March 21, 2023, at 6:00 P.M.
Alton Town Hall

MEMBERS PRESENT

Andrew Carter, Chair
Roger Sample, Vice Chair
William O’Neil, Clerk
Douglas Brown, Member
Thomas Hoopes, Member
Scott Williams, Member
Lee Hillsgrove, Member
Brock Mitchell, Board of Selectmen Representative – excused absence
Mark Manning, Alternate Member – excused absence
Thomas Diveny, Alternate Member – excused absence

OTHERS PRESENT

Jessica Call, Town Planner
Robin McClain, Planning Assistant
John Jeddrey, applicant
Brian Beland, Land Tech
Shaina Laurin, applicant
David Laurin, applicant
Steve Lawler, Norway Plains

CALL TO ORDER

Chair Carter called the meeting to order at 6:02PM.

Review of the Agenda

Ms. Call stated the representative for Case #P22-14 has requested another continuance to the May 21 meeting; under Other Business, there will not be a discussion regarding election results as it was continued to March 28; same for election of officers. The committee assignments are also continued.

Mr. Williams motioned to approve the agenda as amended. Mr. O’Neil seconded the motion. Motion passed unanimously.

1. Public Hearing Continued from December 20, 2022

Case #P22-14 Varney Engineering, LLC, Agent for Green Oak Realty Development, LLC, Owner	Map 5 Lot 72 NH Route 28/ 398 Suncook Valley Road	Excavation Permit Application Rural (RU) Zone
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Proposal: To continue the existing excavation pit operation.

42 **Mr. Hoopes motioned to continue the public hearing for #P22-14 to the May 21, 2023**
43 **meeting. Mr. O’Neil seconded the motion. Motion passed 6-0-1. Mr. Williams abstained.**
44

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

Case #P23-08 Land Tech, Agent for John Jeddrey Jr., Owner	Map 16 Lot 18-1 1517 Wolfeboro Hwy	Site Plan Review/Minor Rural (RU) Zone
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47 *Proposal: Site Plan for Contractor’s Yard*
48

49 The Board reviewed the application for completeness.
50

51 **Chair Carter motioned to accept the application as complete. Mr. Brown seconded the**
52 **motion. Motion passed unanimously.**
53

54 The Board reviewed the waiver request for the plan size and scale.
55

56 **Mr. Williams motioned to approve the waiver request for Section 3.1.F as waiver of the**
57 **requirement will still carry out the spirit of the ordinance and intent of the regulations. Mr.**
58 **O’Neil seconded the motion. Motion passed unanimously.**
59

60 Mr. Beland stated Mr. Jeddrey has operated a pit on this property since 1995; years ago the soils
61 were depleted but processing of materials continued on the property and has been in operation
62 for decades. Mr. Beland stated the property is located off of Route 28, but the view is screened
63 from the road. He explained the layout of the property and noted there are stockpiles of
64 processed materials throughout the property. The machinery on the property is moved daily;
65 there is a trailer used as office space as well as a portage. There are six parking spaces shown on
66 the plans but there is plenty of flat ground and spaces are not going to be delineated. The lot is 52
67 acres and the contractors’ yard is excavated land and composes 25 acres. All the drainage on the
68 property goes into a pond; it has been in operation for decades with no problems and the
69 proposal is only to continue the existing business operations. Mr. Beland stated a Special
70 Exception was received in 2018 but never followed through with the Site Plan which is what
71 they are doing now. He stated this is basically a “housekeeping” process, and the Town Planner
72 concurs.
73

74 Chair Carter agreed that the sight is well screened from Route 28.
75

76 No comments were made by the Board. It was noted that the business has been operating since
77 1983. A site specific permit was received from NH DES in 1995.
78

79 Chair Carter opened the hearing to input from the public. None was indicated.
80

81 It was confirmed the Zoning Board of Adjustment granted approval for the contractor yard in the
82 rural zone.
83

84 ***Site Plan Requirements Discussion:***

85 Non-sewered property: Chair Carter stated its like any other construction site and a properly
 86 maintained port-o-potty is an acceptable means for handling waste.

87
 88 Fire Protection: The Board agreed there are no buildings or structures that are a concern. The
 89 Fire Department can access the pond on the property and the Fire Department has no concerns.

90
 91 Traffic Impact: The Board agreed the business has been operating for decades with access to
 92 Route 28, with no problems. There is adequate, unstructured parking space.

93
 94 Site Landscaping: The Board agreed the site changes constantly so there is no need for
 95 landscaping.

96
 97 Lighting: The Board agreed the yard is not open during night hours so there is no reason to have
 98 lighting.

99
 100 Stormwater Management: The Board agreed the pond on the property is adequate for retention.

101
 102 Storage: The Board agreed there is no need for storage; there is adequate parking the yard will be
 103 closed during the winter.

104
 105 Utilities: The Board agreed the use of generators is adequate; there is a stationary fuel tank which
 106 supplies the equipment.

107
 108 Ms. Call stated she discussed with Mr. Beland about the thresholds for active and substantial
 109 development; they agreed it is an existing project, it has been there for a long time and she
 110 suggested the Board come up with the proper number of plans for the Chair to sign.

111
 112 **Mr. Williams motioned to approve the application as submitted for Case #P23-08 with all**
 113 **items of concern. Mr. O’Neil seconded the motion. Motion passed unanimously.**

114

<p>Case #P23-09 Norway Plains Associates, Inc., Agent for Shaina & Daniel Laurin, Owners</p>	<p>Map 8 Lot 28 Frank C Gilman Hwy/ NH Rte. 140</p>	<p>Final Subdivision/Minor Residential Rural (RR) Zone</p>
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115 *Proposal: To subdivide Map 8 Lot 28 into 2 (two) lots of record. The parent lot would consist*
 116 *of 7.546AC, and proposed Lot 28A would consist of 3.479AC.*

117
 118 The Board reviewed the application for completeness. Chair Carter noted the soils map, utilities
 119 plan and soil report are missing. Mr. Laurin noted waiver requests were submitted for those. Ms.
 120 Call noted the soils and utilities are noted on the topo plans.

121
 122 **Chair Carter motioned to accept the application for Case #P23-09 as complete. Mr.**
 123 **Williams seconded the motion. Motion passed unanimously.**

124

125 The Board reviewed the waiver requests. Chair Carter stated he doesn't see the reason for the
126 waiver request for Section VII.E.2.j, Driveway Profiles and Cross Sections.

127

128 Steve Lawler, Norway Plains, representative for the applicants, explained they are using the
129 existing trail and they don't plan to create any new driveways; they plan to upgrade the trail to
130 conform to the road requirements of the Fire Department. They have a State DOT driveway
131 permit. Mr. Hoopes noted there would be two driveways on the lot and suggested the proper
132 method would be to have dual access on the one drive as two driveways are not permitted on a
133 single lot even though there is a right of way on the second lot. The Board asked if there is any
134 shared agreement for the woods road as it goes beyond the subdivision road. Mr. Lawler stated
135 there is nothing in the deeds for the abutter or this lot so there is no right of way. Ms. Call stated
136 Mr. Hoopes's concern is valid however the Road Agent does not have any concern about two
137 driveways being on one lot. Mr. Lawler stated they are trying to avoid a wetlands impact. Mr.
138 Hoopes noted there are two driveway permits and two approved curb cuts from the State
139 although it is not permitted by the Town. It was noted the easiest option is to have a shared
140 driveway and it would avoid the wetlands. Mr. Lawler noted there is the correct amount of road
141 frontage for both lots but wanted to avoid a shared driveway as it's a hassle for homeowners; he
142 stated their proposal is to have them about 100 feet apart. Mr. Hoopes stated that while the State
143 may approve driveway permits and curb cuts, the number of cuts from the road are actually
144 under the purview of the Town. Chair Carter noted the Highway Department has no concerns.
145 Mr. Williams stated he agrees that a shared driveway can cause problems for homeowners. Mr.
146 Hoopes stated the recommendation by the Highway Department is not consistent with the
147 regulations. Mr. O'Neil suggested contacting the Road Agent to clarify the policy for the future.
148 Ms. Call noted the reasoning for the proposal is due to the wetlands; there is no other alternative.

149

150 The Board continued to discuss the waiver requests. Chair Carter stated he doesn't have an issue
151 with granting a waiver but due to the fact of converting a snowmobile trail to a driveway, there
152 need to be conditions that it is built to driveway standards and requirements. Mr. O'Neil noted
153 the memo from the Fire Department indicates the requirements for width, height and slope. Mr.
154 Williams stated he believes the 18 foot width is excessive and suggested there be a pull off for
155 the longer driveways. The Board agreed driveway details are needed and would be a subsequent
156 requirement; the waiver requirement would be a condition precedent to the Chair signing the
157 approval.

158

159 **Chair Carter motioned to deny the waivers and make the provision of providing driveway**
160 **cross section and profiles, a condition precedent to issuance of an approval. Mr. O'Neil**
161 **seconded the motion. Motion passed unanimously.**

162

163 The Board reviewed the waiver request for Section VII.E.2.k. Mr. Williams noted the DOT has
164 made the assessment and a permit was granted. The Board noted the Conservation Commission
165 still has the 25 foot setback markers placed for the wetlands.

166

167 **Mr. Williams motioned to approve the waiver request for the site distance. Mr. O'Neil**
168 **seconded the motion. Motion passed unanimously.**

169

170 Mr. Lawler presented maps and plans for review; he stated it's currently an 11 acre lot and the
171 proposal is to divide it to two lots; a State approved septic design has been received for the
172 larger, upper lot. The subdivision approval from the State has also been received.
173

174 Chair Carter opened the hearing to input from the public. None was indicated.
175

176 Chair Carter closed the public hearing at 6:43PM.
177

178 ***Findings of Fact***

- 179 • For the best use of the land, the proposal avoids going through the wetland with access
180 through dry land.
- 181 • No concerns were indicated by the Town departments.
- 182 • The Fire Department suggested a minimum width of 18 feet for the driveway.
- 183 • There are 25% slopes.
- 184 • The length of the driveway will be 700+ feet.
- 185 • The lot is not part of the Shoreline Overlay District.
- 186 • The lot shape conforms to the regulations.
- 187 • Utilities are available at Route 140.
- 188 • The requirements for monumentation are done.
- 189 • Filing of all deeds will be required.
- 190 • Substantial completion will require driveway cuts, stabilization and monuments placed.
- 191 • Wetland buffer markers will need to be placed.

192
193 **Chair Carter motioned to approve Case #P23-09, as discussed with conditions precedent
194 and subsequent. Mr. O'Neil seconded the motion. Motion passed unanimously.**
195

196 **Other Business:**

197 **1. Old Business:**

- 198 **a. *Memo from Jessica A. Call, Town Planner, regarding Tabling an application***
199 ***and Findings of Fact***

200 Ms. Call explained the State is now requiring boards to be very specific in decisions and to
201 comment on specific sections of regulations because those Findings of Fact need to be added to
202 the Notice of Decision.
203

204 Ms. Call explained there is no provision in State RSAs for “tabling” an application; she stated if
205 an applicant does not appear, the Board can still move forward with reviewing the application for
206 completeness, and then move forward with a continuation, noting there is a 30 day deadline for
207 the Board to address an application unless the continuance comes from the applicant.
208

- 209 **b. Discussion regarding election results of 2023 – tabled.**

210
211 **2. New Business:**

- 212 **a. Approval of Minutes:**

213

214 Meeting of February 21, 2023 – No edits were made. **Mr. Brown motioned to approve the**
215 **minutes as presented. Mr. O’Neil seconded the motion. Motion passed, 3-0-4.** Chair Carter,
216 Mr. Sample, Mr. Hillsgrove and Mr. Williams abstained.
217

218 Ms. Call stated she has some amendments to the approved minutes for the September 20, 2022,
219 October 18, 2022 meeting.
220

221 **Mr. Hoopes motioned to accept the amendment as presented by Ms. Call for the September**
222 **20, 2022 meeting minutes. Chair Carter seconded the motion. Motion passed, 6-0-1.** Mr.
223 Williams abstained.
224

225 **Mr. Hoopes motioned to accept the amendment as presented by Ms. Call for the October**
226 **18, 2022 meeting minutes. Chair Carter seconded the motion. Motion passed, 6-0-1.** Mr.
227 Williams abstained.
228

229 **b. Board to sign certification for 2023 Master Plan.**
230

231 The Board discussed making Master Plan Committee a permanent standing committee to meet
232 twice a year.
233

234 **Chair Carter motioned that the Master Plan Committee a become a permanent standing**
235 **committee to meet a minimum of twice a year, with the first meeting occurring within 30**
236 **days following town elections and a second meeting approximately six months following.**
237 **Mr. Williams seconded the motion. Motion passed 7-0-0.**
238

239 The Board reviewed the final invoice from Consultant, Tara Bamford, #2023-110, and final
240 accounting of expenses for the 2023 Master Plan update.
241

242 **3. Correspondence for the Board's review/discussion/action:** None.

243 **4. Correspondence for the Board's information:** None.
244

245 **Any Other Business to Come Before the Board**

246 Ms. Call stated if anyone is interested in attending, the NH Office of Planning & Development
247 will hold free virtual workshops for their annual Planning & Zoning Spring Conference, which
248 will be held on April 29th and May 6, 2023, from 9:00am to 12:00pm.
249

250 **Public Input on Non-Case Related Issues:** None.
251

252 **Mr. O’Neil motioned to adjourn. Mr. Williams seconded the motion. Motion passed 7-0-0.**
253

254 The meeting was adjourned at 7:17PM.
255

256 Respectfully Submitted,

257 *Jennifer Riel*

258 Jennifer Riel, Recording Secretary