

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2018  
APRIL 17, 2018**

**APPROVED**

**Members Present:**

Roger Sample, Chairman  
Scott Williams, Vice-Chairman  
Peter Bolster, Member  
Tom Hoopes, Member  
Andrew Levasseur, Member  
Virgil MacDonald, Selectmen's Rep.

**Others Present:**

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

**CALL TO ORDER**

Roger Sample called the meeting to order at 6:00 p.m.

**APPROVAL OF AGENDA**

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

**Virgil MacDonald moved to accept the April 17, 2018, agenda, as presented.  
Scott Williams seconded the motion, and it PASSED unanimously.**

**Continued from January 16, 2018**

<b>Case # P17-24 Thomas W. Varney, P.E., Agent for Green Oak Realty Development, LLC/Keith Babb, Owner</b>	<b>Map 5 Lot 72</b>	<b>Excavation Permit Application Rural (RU) Suncook Valley Road</b>
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The Chairman read the public hearing notice.

Nic Strong stated that Thomas W. Varney, P.E., proposed a continuance, but it was to a date uncertain. She stated that it needed to be continued to a date certain so abutters did not have to be re-noticed. Scott Williams asked Nic Strong if she had heard back from the applicant. Tom Hoopes read Thomas W. Varney, P.E.'s letter dated April 16, 2018, which stated that the Zoning Board Special Exception would take a couple of months to complete. Nic Strong stated she had emailed Thomas W. Varney, P.E., letting him know that he needed a date certain, and when he emailed her back, he stated that he would have to resubmit a new application once they could move forward. She emailed him back and asked Thomas W. Varney, P.E., to request a withdrawal, but she did not hear back from him as of this meeting. She noted that the only formal request that was presented to the Board was to continue the hearing to a date uncertain, which could not happen, but the Board could come up with a date certain. Roger Sample thought it should be continued to three (3) months out and if they were not ready then, they could request a withdrawal. Scott Williams thought it should be continued to two (2) months out.

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**Scott Williams moved to continue Case # P17-24 to the June 19, 2018, meeting.  
Tom Hoopes seconded the motion, and it PASSED unanimously.**

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

<b>Case # P18-08 Ronald C. Remick, Jr., LLS, of White Mountain Survey &amp; Engineering, Inc., Agent for Harry A. Sleeper, II and Gerald J. &amp; Ellen P. Kennedy, Owners</b>	<b>Map 65 Lots 57 &amp; 58</b>	<b>Lot Line Adjustment Lakeshore Residential (LR) Alpine Way and Central Street</b>
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The Chairman read the public hearing notice.

Present was Ronald C. Remick, Jr., LLS, agent.

**Scott Williams moved to accept the Lot Line Adjustment application for Case #P18-08, as complete.**

**Andrew Levasseur seconded the motion, and it PASSED unanimously.**

Scott Williams noted that on the plan it indicated that there was a pile of rocks used for monumentation, and he wondered how big the pile of rocks were. Ronald C. Remick, Jr., LLS, stated that he set an aluminum disc cap with a piece of rebar below it, and because it was in a high traffic area where it got plowed, he felt that if he set a concrete or granite bound, it could get knocked off with the plow truck. If the cap was knocked off, at least the rebar could be found with a metal detector. He also placed a pile of stones around the rebar to try to protect it somewhat.

Ronald C. Remick, Jr., LLS, stated that the reason he put in the other waivers was that this lot line adjustment only included 600 s.f. areas. This adjustment would make the smaller lot bigger so the residents could park their cars on their own property. Tom Hoopes asked if there were steep slopes on the property. Ronald C. Remick, Jr., LLS, stated that the two (2) areas were flat.

**Tom Hoopes moved to grant the waivers requested in a letter dated March 23, 2018, for Section VII, 7.g., showing jurisdictional wetlands and the 25 foot wetland buffers; 7.h., showing slopes in excess of 25%; 7.i., showing the minimum contiguous upland area excluding jurisdictional wetlands and areas with slopes in excess of 25%; and also a waiver requested in a letter dated April 10, 2018, to Section VIII M.2., requesting a waiver to be allowed to use a disc set at grade in a pile of stones instead of granite or concrete bounds at the front lot corner.**

**Scott Williams seconded the motion, and it PASSED unanimously.**

Ronald C. Remick, Jr., LLS, stated that this proposal was for an equal swap of land. The lot with the existing house that had no driveway was .034 acres and the other the lot was 2.08 acres.

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

Tom Hoopes moved that after due hearing, the Alton Planning Board approved Case #P18-08 for Harry A. Sleeper, II, and Gerald J. & Ellen P. Kennedy, for the above cited Lot Line Adjustment of Map 65 Lots 57 & 58, with frontage on Central Street and Alpine Way, with the following conditions:

**CONDITIONS PRECEDENT**

The following conditions precedent must be satisfied prior to the Planning Board Chair signing the 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.**
2. **Addition of a note to the lot line adjustment plan prior to plan signing by the Planning Board Chair stating that Best Management Practices shall be utilized during any timber cutting on site.**
3. **Addition of a note to the lot line adjustment plan prior to plan signing "This subdivision plan is subject to the Conditions of Approval itemized in the April 17, 2018, Notice of Decision recorded in the Belknap County Registry of Deeds and 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. **The applicants shall comply with all of the Town of Alton's Subdivision Regulations.**
2. **Approval of the lot line adjustment by the Planning Board constitutes recognition that the lot configurations are in conformance with local land use regulations. To complete the lot line adjustment, deeds must be transferred and recorded and this is the applicant's responsibility.**
3. **The approval is based upon the plans, specifications and testimony submitted to the Planning Board. Any alterations, additions, or changes to the plans are not authorized and require additional Planning Board approval.**
4. **A lot line adjustment which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications upon which the approval was based, or has materially violated any requirements or conditions of such approval.**

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**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 under Section IX, A. 2. of the Town of Alton Subdivision Regulations.**

**Andrew Levasseur seconded the motion, and it PASSED unanimously.**

<p><b>Case # P18-09 William S. Stack, P.E., of Steven J. Smith &amp; Assoc., Inc., Agent for Paul George, Applicant and ATD 317, LLC/Thomas Diorio, Owner</b></p>	<p><b>Map 38 Lot 21-1</b></p>	<p><b>Final Major Site Plan Rural (RU) 317 Mount Major Hgwy/Route 11</b></p>
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The Chairman read the public hearing notice.

Present were Steven J. Smith, P.E., and William S. Stack, P.E., Agents, and Paul George, Applicant.

**Scott Williams moved to accept the Final Major Site Plan application for Case #P18-09, as complete.**

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

William S. Stack, P.E., stated this was a proposal for Alton Self-Storage, and was before the Board at the last meeting for a Design Review. He briefly gave the Board an overview of what was being proposed. He shared that the frontage along Mount Major Highway was 300’. The access to the site was a paved road just beyond the right-of-way. The site currently had a gravel surface and provided parking areas. There were no rights-of-way or easements to others located on the property. The current residence was supported by a well and a septic system. The AoT process required that the soils on the property were favorable to infiltrate stormwater, which they were. The proposal was to construct seven (7) self-storage buildings and the associated infrastructure to support the use. In regards to the comments from the Design Review, buildings 5 and 6 had been reduced in size and moved away from the wetland setback by 20’. Virgil MacDonald asked if that was due to the snow storage. William S. Stack, P.E., stated it was due to the tightness of the 25’ wetlands setback, which was not indicated on the prior plan. A water supply was located on the front corner of the building, but would not be used. The proposed development included the removal of all of the previous buildings. The site improvements included a narrower driveway entrance, which had received a new driveway permit from NH DOT, and porous pavement around the buildings, which would provide stormwater treatment for the site. A kiosk check-in and registration area would be located on building #3. The front area of the site would be fenced along the front and gates installed to allow for access. The utility service would run from a utility pole at the street to building #3, which would provide power, telephone line, monitoring of the site, and power for the lights. The drainage study relative to the new site development had been prepared and submitted to support the proposed improvements and to provide stormwater detention treatment. An AoT permit was submitted and approved on April 16, 2018. The overall predevelopment volumes would be reduced with the use of the porous pavement BMP as compared to the current runoff. The DOT reviewed the proposed

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improvements and a driveway permit was issued. As far as landscaping went, the applicant added some additional screening along the frontage with the fence, and added seven (7) evergreen trees on the northwesterly side and nine (9) evergreen trees on the southeasterly side. No parking spaces were required and there were no on-site employees. The facility would operate 24 hours a day, 7 days a week, and would not have any staff on a full time basis, but the facility would be maintained during regular business hours from 7:00 am to 5:00 pm.

William S. Stack, P.E., stated that since the Design Review meeting last month, they had revised the plans, and the revisions were indicated in yellow. The property was located in an aquifer overlay district. The proposed development using porous pavement as stormwater collection and treatment provided adequate areas of pervious surfaces and open areas on the lot to accommodate groundwater infiltration techniques, both natural and mechanical that were needed to infiltrate the maximum amount of stormwater runoff from the site. William S. Stack, P.E., noted this was feasible and demonstrated through the stormwater management plan developed by a licensed P.E., consistent with NH DES Stormwater Manuals 1-3, December 2008, as amended. There was no disposal of any on-site waste anticipated, no plans for a leach field, no on-site residential buildings, and there was no disposal of hazardous materials anticipated.

William S. Stack, P.E., noted that that at the Design Review meeting, the wetlands setback was mentioned, and since that meeting, the setbacks were moved back 20', and the edge of the pavement was pulled back from the edge of the wetland, and would now be outside of the wetland setback. The landscape coverage requirements had a suggested minimum of 50%: 43 % landscape coverage was provided, but if porous pavement were considered landscape, it would be 75%. He thought that the proposed site with porous pavement offered the best stormwater infiltration BMP available for that site. He mentioned the drainage report review by the town engineer, but knew it was not ready at this time. Fire protection was added in note #18. The note stated that the buildings shall be numbered individually per the Alton Fire Department. There was no on-site septic system proposed, which was indicated in note #13. The current septic system would be removed off-site.

William S. Stack, P.E., shared that the lighting plan was revised and they were going to install a different light fixture because of a comment made at Design Review regarding using warm lighting. He stated that he also provided an updated architectural plan for the changes in relation to the maximum height of buildings. The hours of operation, in regards to the lighting, were noted because they requested to have the lights on all night. The drainage was not in place yet, however, since the State approved their AoT permit, the complete drainage study was included with that application, and they felt confident that if there were any changes, they would be minor. He mentioned that he agreed with the conditions precedent #'s 1-7 and the subsequent conditions #'s 1-8 that were laid out in the Planner Review.

Peter Bolster noticed a 10' building setback on the north side of the property. He asked if it was a standard measurement. Scott Williams stated it was 10' on lots created prior to March 11, 2003, and 20' after that date. Steven J. Smith, P.E., stated it was the same as the wetland buffer; the lot was created prior to the adoption of a wetland buffer, which was why they amended the plan to show the 25' wetland buffer. Peter Bolster mentioned the vinyl fence along the front of the property, but there was no vegetation in front of the fence. William S. Stack, P.E., stated that arborvitaes would be planted within the gaps of the fence sections. Tom Hoopes thought that arborvitaes would not be appropriate because

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they would not grow tall enough, and that planting a standard cedar tree would be better. Peter Bolster thought that the fence and tree buffer would make the site attractive. Virgil MacDonald stated that moving back the setbacks appeared to take care of the water runoff into the wetland area.

Steven J. Smith, P.E., stated that when someone used porous pavement, it was part of the AoT permit to do routine maintenance, and the records had to be kept on-site and be made available to be inspected by the State at any point in time. Peter Bolster stated that it would affect the marketability of the self-storage business if the pavement were not maintained properly.

Roger Sample opened public input.

Keith Chamberlain, Alton, NH, came to the table. He stated that he had not heard anything at this hearing about parking spaces and the American Disabilities Act (ADA). He read the regulations that affect self-storage facilities that went into effect on March 15, 2010, which would require about 10% of the units to be handicapped accessible. Paul George mentioned that one of the ADA requirements was to install the handles lower on the doors for a percentage of the units. He stated that there were no steps to get into the units, there was only an inch and a half lip going into the unit, and people could park right in front of their own unit. Tom Hoopes noted that each aisle was a parking space. Keith Chamberlain thought that he would need a handicapped space for the office. Paul George mentioned that every facility he had built that had an office on-site, he made sure that there was at least one or two parking spaces designated for handicapped people. He further noted that there was no office proposed with this facility.

Peter Bolster asked how many units were being proposed. Paul George was not exactly sure, but mentioned approximately 220 units, depending upon the demand from his customers. Peter Bolster stated that the number of units should be included on the final plan. Paul George shared that when he rented a unit, if the customer wanted a larger unit, they would take out the partition between the adjoining units to make a larger one. He stated that there was at least one building with eleven (11) 30' x 10' units.

Tom Hoopes asked if people could store their antique cars there. Paul George stated that renters could store them in a 10' x 20' unit, or if they were small sports cars, people could rent a 10' x 15'. He stated that there were a few contractors, but they would not work out of the unit, they would only store their equipment there. Keith Chamberlain thought that if people were parking cars with gasoline in the tanks and they happened to leak, the gasoline would go through the porous surface and into the soil below. Steven J. Smith, P.E., stated that there was a study done where gas and oil were absorbed into the porous pavement and were bound up before reaching the underlying soil. Virgil MacDonald thought that at the last meeting, it was stated that there was not going to be any gasoline, hazardous materials, oil, fuel, and gas tanks. Paul George stated that the gasoline would only be inside the vehicles. He stated that the Board had asked for a sample lease and he had submitted one to them. Peter Bolster asked if the floor of the units would be porous or slab; Paul George stated concrete slabs. Keith Chamberlain noted the comment from the last meeting that Scott Williams mentioned, which was that the Town had voted on not allowing porous pavement due to maintenance oversight. Scott Williams stated it was not the Town of Alton, but the Planning Board that had that discussion, and apparently, he was mistaken because Nic Strong could not find any vote that had taken place when she read previous minutes. Scott Williams thought that when the Board discussed the use of porous pavement in the past, the Board decided on not allowing it because it would involve the Building Inspector to have to go out and inspect the site, which

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was not funded. Keith Chamberlain thought the applicant stated that he was going to have a company from Gilford come and vacuum the pavement twice a year. Steven J. Smith, P.E., stated that the AoT permit required documentation of the maintenance and a log had to be kept onsite. Keith Chamberlain thought that there was more to do to the porous pavement than vacuuming; there was an observation well that could be installed so if there was a certain lack of drawdown after a rainstorm, you could tell what was going on beneath the surface. Steven J. Smith, P.E., stated that DES liked the porous pavement because it was going to do a better job treating the stormwater and there would be less impact with contaminants. Keith Chamberlain stated that he did some research and found that Pervious Pavement Tahoe BMP 4.1-A stated, pervious asphalt was no longer considered a pervious pavement in the Lake Tahoe region due to repeated failure of pilot project testing. He stated that Lake Tahoe and Lake Winnepesaukee were not identical, but they were similar. He thought that the soils and the cramming in of all the proposed buildings in as much of the square footage as possible, it could possibly invite problems with pine needles, leaves, snow, and ice, which might make the porous pavement fill up with ice and snow, then if it rained, all of the debris would wash into the stream. Scott Williams stated that the Board did not have the expertise or engineering background of porous pavement, but if the DES permit was approved, then they knew what they were doing.

Keith Chamberlain stated that he used to own a 17,000-s.f. storage facility in Alton. He stated that the snow storage areas that were on the original plan were not covered well enough and he thought that Paul George would have to truck the snow off the site because there might be a problem with the Fire Department not having access to the back of the buildings with their fire trucks. He also mentioned that if Paul George had to remove the snow off the roofs of the buildings, he would have nowhere to put that snow. Paul George stated that he managed several self-storage facilities and he had moved snow if he needed to, and they were much larger than 17,000 s.f. Keith Chamberlain stated he was not sure where Paul George was referring to and mentioned that if it was South of Alton, that region had a completely different weather pattern. Keith Chamberlain thought that the proposal was too large for the small sized lot and did not approve that Paul George was setting up a self-storage facility right next door to another self-storage facility.

Peter Bolster stated that the Board had approved several businesses in the past that did not take off, but that had nothing to do with the Board. The self-storage facility use was allowed and Paul George had every right to build if he wanted to.

Andrew Kierstead, who was the abutter on both sides of Lot 21-1, came to the table. He asked if Paul George was required to install a Knox box, and if he knew what went in it. William S. Stack, P.E., thought that a Knox box housed a master key to open the gate. Andrew Kierstead asked if the facility was going to have a gated entrance. Paul George stated he was going to have a gate on both sides. He stated that he was working with the Fire Department to have them do the "Yelp" system, which was a device that would open the gate once the siren on an emergency vehicle was turned on. He stated he had that system in place at one of his other locations. Scott Williams stated that the Fire Department was not currently set up with that type of equipment. Paul George stated that he hoped they would get that type of equipment, and if he had to invest some money to help them along the way, he would.

Andrew Kierstead talked about the Northwestern side of the property, which was the border between Paul George's lot and his lot with the boat storage, and noted that there was a line of pine trees that straddled

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the property line. He was wondering if any of those trees would be taken down and re-vegetated. William S. Stack, P.E., stated it would depend upon how close they were to the property line. He asked Andrew Kierstead if they were on his property. Andrew Kierstead stated that some of them were, but some were on Paul George's property. Tom Hoopes asked Andrew Kierstead if he preferred that Paul George keep them. Andrew Kierstead stated, absolutely. Scott Williams stated that Andrew Kierstead was required to plant many trees when he received his approval. William S. Stack, P.E., stated for the most part, the trees were far enough away from what they were planning on doing, so they probably would not. Peter Bolster asked if the existing trees were indicated on the plan. William S. Stack, P.E., stated that they did not map out each individual tree. Paul George stated that he would leave as many trees in place as he could. Andrew Kierstead stated that when he was preparing his site, he had to move all of the trees from the center of the property out to the perimeter. Peter Bolster was concerned because if the existing trees were not shown on the plan, and if trees started to disappear, no one would know they were missing if they were not located on a plan. He thought it would not take too much effort to indicate on the plan which trees were presently there along the property line for future reference. Roger Sample stated that if Paul George wanted to, he could take down any of the trees up to the property line. He thought that it was difficult now to indicate which trees would end up coming down.

Andrew Kierstead asked about stormwater runoff, and thought that the intent was to keep all the water onsite on the pavement. Steven J. Smith, P.E., stated that the porous pavement would actually reduce the runoff. Andrew Kierstead stated that the plan indicated a 1-5% grade between buildings to allow the water to runoff. Paul George stated that the water would not run off the pavement, it was going to run through it. Andrew Kierstead stated that if Paul George had a 1-5% grade, was there a different calculation, because if there was a flat surface, the water would sit until it permeated into the asphalt down below, and if there was a grade, where would be a different calculation. Steven J. Smith, P.E., stated it depended upon how the materials were built under the pavement. He stated that if there was a fire truck that dumped water on the pavement from a fire hose, even at a 5% grade, the water would not run very far because it would disappear, but underneath had to be treated properly to handle that. Andrew Kierstead was not familiar with the porosity of the pavement and gave the example of pouring water over a sponge compared to pouring water over a piece of wood; therefore, he was concerned about the absorption rate. Scott Williams stated that Paul George was not allowed to discharge any more water post-development than there was pre-development. If water from Paul George's lot was dumping water onto Andrew Kierstead's lot, then Andrew Kierstead needed to report that to the Planning Board. William S. Stack, P.E., explained that around the outside edge of the porous pavement there would be a two (2) foot shoulder that consisted of coarse gravel. Tom Hoopes asked if they could contact Nic Strong when they were scheduled to pour, because he would like to see how this system worked.

Andrew Kierstead asked about the snow removal areas. He questioned the comment about the buildings storing snow and asked if that was what they were proposing. Paul George stated, yes. The buildings were designed for this geographic area and were built to hold the snow load. Scott Williams stated that Paul George needed to have a 100-pound ground snow load, which was a lot of weight. Paul George stated that the worst design in New England for a self-storage facility was a pitched roof, because all the snow would fall off and turn to cement right in front of the units' doors. Andrew Kierstead mentioned that maybe his own buildings were not designed correctly because all the snow on his buildings would start to peel off over the edge of the roof and he would have to go around and clean all that off. Paul George stated that if Andrew Kierstead ever had a customer sue him because they severed their spine



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from the snow falling off a roof and landing on them, he probably would not build another roof like the one he had now. That happened to Paul George, so he stopped building pitched roofs. Andrew Kierstead was concerned about Paul George moving snow off the pavement to the back of the building, it was almost on the pitch near the stream; therefore, the snow would melt into the stream. Steven J. Smith, P.E., stated that they had worked with DES on that situation and they had tailored the design for snow storage, which was why they changed the setbacks. Andrew Kierstead thought he would run into trouble with the snow and he might have to remove some snow from the site. Paul George stated that he probably would run into some problems with snow accumulating on the ground, but at least he did not have the additional snow falling from the roofs.

Roger Sample closed public input.

Tom Hoopes asked what the Board was waiting for from the Town Engineer. Nic Strong stated the review of the drainage study.

Steven J. Smith, P.E., asked if they could get a conditional approval, since the Town Engineer did not have the review done as of this meeting. Peter Bolster asked Paul George about his business name, because the name of the business, Alton Self-Storage, sounded very similar to another storage facility in town. Paul George stated that he would change the name to Alton Bay Self-Storage, no problem.

Roger Sample mentioned that the Board did not want to do a site walk, and Paul George agreed to change the name of his business and his sign. Paul George stated that his sign company was working with the Town to make sure that the sign would comply with the size regulations.

Nic Strong stated that the Board had to discuss the Active and Substantial Development or Building and Substantial Completion of Improvements. It was protection for the applicant and the Town against changes to the regulations that might cause the plan to be changed at some point. Scott Williams stated that when an applicant built a percentage of a project, they were “vested” and would not be subject to any changes in regulations. Paul George stated that he was not phasing the project; he was building the whole thing. Nic Strong stated that if the Board did not specify anything that met the thresholds, then Paul George would automatically be granted the five (5) year exemption from regulation changes. If the Board did specify things, he would have 24 months to begin construction and then within five years get to another point in order to be vested forever. If the Board did not specify anything, and the project was not completed within that five (5) year period, Paul George could be subject to any regulation changes. Scott Williams thought 50% of the construction completed within 24 months should be the first threshold. The second threshold would be 100% completion of construction.

Tom Hoopes asked how the Board was going to handle the outcome of the review of the drainage report from the Town Engineer, if the Board was going to give a conditional approval. Nic Strong stated that the report could potentially raise some questions or concerns with the design, and it might have some changes. Ordinarily, the report would be given to the Board, and the applicant would be sent the questions, concerns, or changes and they would have the opportunity to complete the changes before Board approval. Nic Strong stated that she was concerned that if the applicant just agreed to make the changes that the Town Engineer came up with, how would the Board hold a hearing if they had a concern that they did not want to make one of the changes. They would have to come back to the Board for a

hearing and would have to pay for the abutter fees all over again. Steven J. Smith, P.E., stated that they would come back to the Board if they felt that they did not need to do something. He was looking for approval, subject to them meeting the possible issues in the review from the Town Engineer. If there were proposed changes, the applicant would be willing to change them, and if they disagreed with something, they would call Nic Strong to appear before the Board.

**Tom Hoopes moved that after due hearing, the Alton Planning Board hereby approves Case #P18-09 for ATD 317, LLC, owner and Paul George, applicant, for a Final Major Site Plan Review to re-develop Map 38 Lot 21-1, 317 Mount Major Highway, to include seven self-storage unit buildings with the use of porous pavement, 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 and that include all of the checklist corrections, any corrections as noted at this hearing and any corrections that arise from the Drainage Study and Report review by Kevin Leonard, P.E., Northpoint Engineering, LLC.**
- 2. 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.**
- 3. Addition of a note to the site plan prior to plan signing by the Planning Board Chair: This site plan contains a total of X 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.**
- 4. 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 April 17, 2018, Notice of Decision on file at the Town of Alton Planning Department.**
- 5. Receipt of approval from Kevin Leonard, PE, Northpoint Engineering, LLC, of the Drainage Study and Report prior to plan signing by the Planning Board Chair.**
- 6. Receipt of an estimate from Kevin Leonard, PE, Northpoint Engineering, LLC, for construction observations of the installation of the porous pavement and drainage infrastructure and subsequent deposit of the funds in an escrow account for that purpose.**
- 7. Prior to construction of the site improvements, a preconstruction meeting shall be held in accordance with the Construction Observation Guidelines.**

**SUBSEQUENT CONDITIONS**

The following conditions subsequent 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 hours of operation for the self-storage facility are 24 hours a day, 7 days a week. The facility will not be staffed on a full time basis, but will be maintained during regulation business hours between 7 am and 5 pm.
3. The applicant shall comply with all of the Town of Alton's Site Plan Review Regulations.
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.

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**

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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: 50% of the construction.**
  
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: 100% of the construction.**

**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.**

**Scott Williams seconded the motion, and it PASSED unanimously.**

<p><b>Case # P18-10 Bradford Jones, Jones &amp; Beach Engineers, Agent for Rand Hill Realty, LLC, c/o Amanda &amp; Gary Connelly, Owners</b></p>	<p><b>Map 51 Lot 9-1</b></p>	<p><b>Final Minor Subdivision Lakeshore Residential (LR) 119 Route 11D</b></p>
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The Chairman read the public hearing notice.

Present were Bradford Jones, Jones & Beach Engineers, Agent, and Amanda & Gary Connelly, Owners.

Nic Strong shared with the Board that since the Planner Review was prepared, the missing abutters were taken care of, the notice fee was paid, the driveway details were completed, the project narrative was submitted, and the details of the soil report were on the plan.

**Scott Williams moved to accept the Final Minor Subdivision application for Case #P18-10, as complete.  
Virgil MacDonald seconded the motion, and it PASSED unanimously.**

Bradford Jones stated that the proposed subdivision sat on a 6.6-acre piece of property on the west side of Route 11D. He stated that he went out with the survey crew and performed a boundary survey, he located all of the wetlands, checked out the topographical features, and he located the existing home on the property. He shared that the plan reflected the as-built condition of the property.

Bradford Jones stated that there were two (2) property pins that were in existence, which were used to create a new lot line to subdivide the property into two (2) lots. The new lot would be 3.75 acres and the existing lot would end up at 2.32 acres. There were no steep slopes on the property, it had very limited wetlands at the rear of the property, and the land gently sloped back up hill, which made it a nice dry

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piece of land. He stated that he talked to the Road Agent, Ken Roberts, and staked out the driveway even though there was an existing driveway. Once the driveway was constructed, it would be cut back a little bit to get a 13% driveway, and maybe even a bit further. There was significant sight distance on either side, so there should not be any issues at all. He completed the checklist of things that Nic Strong pointed out were missing. The applicant received State Subdivision Approval that day.

Tom Hoopes asked if there was an existing driveway for the house; Scott Williams stated, yes. Peter Bolster stated that there was also a driveway right-of-way on the neighbor's property. Bradford Jones stated that there was an existing right-of-way to access the property. Roger Sample asked why the existing dwelling had a right-of-way on the neighbor's property. Scott Williams stated that when Teddy MacPhee built on that property, that was how it was set up. Virgil MacDonald stated that the driveway had always been split between the two buildings on that lot and the adjoining lot. Bradford Jones stated that he would be leaving the existing right-of-way because it was deeded. Roger Sample thought that only half of the driveway was on the applicant's property. Gary Connelly stated that the driveway went up to the back of their neighbor's barn, and it was going to stay that way just in case the neighbor needed to do any maintenance on their property. Peter Bolster asked if there was any existing agreement for maintenance to the driveway. Gary Connelly stated that it slowly was taken over by him and he had paved it in the past, but there was no official maintenance document. Peter Bolster stated that the only problem he saw with that was that currently the Connelly's worked well with the neighbor, but come 50 years from now, if different people lived on that property and they did not like each other, it could be a problem.

Roger Sample opened public input.

Sue Stevens came to the table. She stated that she heard about some items that were taken care of on a list and she wanted to know if the Board could review that list of items. She was concerned because she thought some things were already decided. Roger Sample stated that the Board had to decide on some things because at first they had to deem the application complete before they could move forward with the case. Sue Stevens mentioned that the driveway was approved and she was concerned about that. Scott Williams stated that the driveway was already in existence. Sue Stevens mentioned something about them obtaining a driveway permit. Bradford Jones stated that the existing driveway was always there, but the applicants did obtain a driveway permit. Sue Stevens asked what the permit was for because she noticed a "Y" shape that led up to her property and she wanted to know what was happening with that. Bradford Jones stated that was an existing path, and when they surveyed the property, they had to locate any trails on the plan. He showed Sue Stevens the plan and where the proposed driveway would be. Sue Stevens asked where the house would be built. Gary Connelly stated that they had not gotten that far yet. Sue Stevens stated that where the house was located would depend upon what they did with their driveway. She stated that she was not concerned with the house at all; she was concerned about her privacy because she had not heard about the trail before tonight's meeting. She wanted to know if the existing house was for sale. Amanda Connelly stated that it would be going on the market. Sue Stevens asked if once they were done building the new house on the new lot, were they going to sell it or live in it. Amanda Connelly stated that both she and Gary Connelly did not have any plans at this point in time. Scott Williams stated that the issue really did not have anything to do with the Board or the application. Tom Hoopes stated that the issue before the Board was whether they could subdivide the property, and where someone wanted to build a house was up to the owners and nobody else; Scott Williams stated that

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as long as it met the setbacks they had the right to build. Sue Stevens thought there was a question about setbacks. Scott Williams stated that the setback was 20' from the property line. Sue Stevens asked if neighbors would be called back again, or if this was her only chance to speak. Scott Williams stated that was her only chance; Sue Stevens stated that was why she was here talking to everybody. Sue Stevens stated that she would be interested in buying some land behind her house because she was worried about her property value, privacy, and noise. Roger Sample stated that the issue of Sue Stevens purchasing some of the Connelly's land needed to be taken up outside of the meeting and neither she nor the Board had any control over the Connelly's building a house. Sue Stevens shared that if she said it was ok for the applicants to subdivide and the applicants wanted to build condominiums, then she would not have any say on that. Scott Williams stated that the applicants would have to come back to the Board if they were considering condominiums, but they would not have to if they were just building a house. Scott Williams stated that she had the right to go to the Connelly's and ask them if she could purchase some of their property as long as the residual lot still met the criteria of a buildable lot. Tom Hoopes stated that this was a meeting for a subdivision and the Board had no control over what happened after that. Amanda Connelly stated that what was happening today was a request for a two-lot subdivision and one of the requirements was to have a driveway permit in place so in the future they could access the property. She stated that anything Bradford Jones drew on the plan was currently in place. Sue Stevens stated that she talked to someone about the plan and they referred to the "Y" shape as a logging road. Virgil MacDonald stated that back when Teddy MacPhee owned the property, Paul Whitehouse cut down the trees in that area and that was where the landing was for the logging trucks. Scott Williams stated that the applicants needed to show a 4,000 s.f. area to possibly install a septic system, they needed to show a position for a well, and they needed to show frontage, which they did all of those. Sue Stevens wanted to know that if abutters had no say with the approval process, then why were abutters notified. Tom Hoopes stated that abutters had the right to know what was going on and if something improper was being proposed. For example, if an abutter had someone's will that stated the lot belonged to someone else, that's where the abutter would speak up and say that the applicant was trying to subdivide something that did not belong to them.

Roger Sample closed public input.

Nic Strong stated that the Board had to discuss the Active and Substantial Development or Building and Substantial Completion of Improvements. Scott Williams asked if pinning the property line could be a threshold; Nic Strong stated it could be. Scott Williams asked Bradford Jones when he thought he would get the pins done. Bradford Jones stated that he was using the existing monuments, so that was already done. Nic Strong stated that the Board did not have to specify anything, but it was protection for everyone against potential changes. Scott Williams thought that the first threshold should be that they install the driveway 20' into the property within two (2) years.

**Peter Bolster moved that after due hearing, the Alton Planning Board hereby approves the above cited application for Rand Hill Realty, LLC, for a Final Minor Subdivision for a two lot subdivision of Map 51 Lot 9-1, 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 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 April 17, 2018, Notice of Decision on file at the Town of Alton Planning Department.**
4. **Addition of a note to the subdivision plan prior to plan signing by the Planning Board Chair stating that Best Management Practices shall be utilized during any timber cutting on site.**

**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.**

**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: installation of the driveway to Lot 9-1-1 in accordance with the approved driveway permit**
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: installation of the driveway to Lot 9-1-1 in accordance with the approved driveway permit**

**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: None**
2. **New Business: None**
3. **Approval of Minutes: March 20, 2018, Planning Board Meeting**

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

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



5. **Correspondence for the Board's information: None**
6. **Any Other Business that may come before the Board:**
  - a. Tom Hoopes thought that Nic Strong should talk about the announcement for the meetings for April 19<sup>th</sup> and the 30<sup>th</sup>. Nic Strong stated that she sent out emails about the meetings. Tom Hoopes thought that she should make sure that the members read their emails because some of them do not always read their emails.
  - b. Roger Sample stated that he would be before the Board next month. He stated that his application had not been submitted yet. He shared that he bought a piece of land, he already got a driveway permit, and his driveway would be installed by the time he appeared before the Board at their next meeting. Virgil MacDonald asked if Roger Sample was going to have the building built by then too. Roger Sample stated that he had many people waiting to move in and he was already delayed a month, and he may already have a permit to build a barn. Virgil MacDonald asked if it was a barn with running water and bathrooms. Roger Sample stated it was just a barn and may modify it later on, but he wanted the Board to know that he had done work on an unapproved project. Scott Williams stated that what was not allowed was excessive tree cutting before the application was submitted for a site plan. Roger Sample disagreed and thought he could cut any tree down that he wanted to before he submitted his application. Scott Williams stated that it stated in the Board regulations that he could not cut down trees before the approval. If an applicant was bringing in a site plan application, they were not allowed to cut trees 2 years prior to the submittal of the application. Roger Sample stated that if you logged your land, you would have to wait two (2) years before submitting a site plan; Scott Williams stated, yes. Peter Bolster noted that if Roger Sample were building a barn for personal use, he would not have to go before the Board; he would go to the Building Inspector.

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

**ADJOURNMENT**

**At 7:52 p.m., Scott Williams moved to adjourn.  
Virgil MacDonald seconded the motion, and it PASSED unanimously.**

The meeting adjourned at 7:52 p.m.

Respectfully submitted,

Jessica A. Call  
Recording Secretary

Minutes approved as presented: May 15, 2018