

Approved by the Planning Board on 5/16/06

Call to Order: Called at 7:07 p.m.

Appointment of Alternates: Jim Bureau

Present Jim Bureau, Pam McLeod, Jeremy Dube-Chairman, Tom Hoopes, Cris Blackstone, Cynthia Balcius, Jeanne Crouse, Kathy Menici-Town Planner, and Carolyn Schaeffner-Recording Secretary.

Approval of Minutes: March 21, 2006 (no action taken).

Approval of Agenda:

P06-29 (Dotter) withdrawn for this meeting, P06-28, P06-21 (DeFillipo) withdrawn because of a butter notification error, P06-22 (Landry) withdrawn request at this time needing more time to incorporate the Board's comments to their subdivision plan, and P06-26 (Whitney Trust) withdrawn because of a butter notification. Amended order will be as follows: Case P06-15, Case P06-23, Case P06-24, Case P06-10, Case P06-02.

Motion by C. Blackstone to approve amended agenda as proposed by the Town Planner. Second by C. Balcius. No Discussion. Vote Unanimous.

Public Input:

None seen or heard. Public input closed.

Motion by C. Blackstone to amend the Agenda to hear Case P06-23 as the last case and all the others will stay in order. Second by T. Hoopes. No Discussion. Vote Unanimous.

Applications for Public Hearing:

Case#P06-15

Map 29, L 16

Minor Site Plan Review

Brad and Kim Smith

137 Main Street

This application per applicant request is continued from the March 21, 2006, meeting.

Present for this case: Arthur Hoover, Attorney at Law and Brad Smith, applicant.

James Bureau recused himself for this case.

K. Menici gave history of this application. This application is more a formality for a change of use of an existing commercial structure. This property has been in commercial use since 1989. The applicant is proposing retail candy shop. The subject parcel itself is non-conforming due to the size of the lot. Because this is a downtown property parking for that site has been provided on the street for as long as the property has been used for commercial purposes.

A general waiver from the site plan check list requirements is all that is needed.

Motion by T. Hoopes to grant the waivers from the site plan review checklist and accept the application for Case P06-15. Second by C. Balcius. No discussion. Vote Unanimous.

A. Hoover stated that this is a permitted use and absolutely no structural changes will be done on interior and exterior.

J. Dube asked for Board comments.

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General discussion was very favorable.

Open to the public – none seen or heard, public input closed.

Motion by C. Balcius to approve Case Z06-15. Second by J. Crouse. No Discussion. Vote Unanimous.

James Bureau resumed his place at the Board.

Case#P06-24

Map 15, Lots 56 and 60

**19-Lot Subdivision
Deer Run Drive**

Carl Norby and David Reynolds

Application submitted by Kerry Fox, of Fox Survey Company, on behalf of the property owners, Carl Norby and David Reynolds for a proposed 19-lot subdivision with a new interior road. The property is located on Old Wolfeboro Road and is within the Rural Zone.

C. Balcius is recusing herself for this case.

Present for this case: Randy Walker, attorney

K. Menici noted waivers: Section 7.2.15 locus, Section 9.15 Parcel size ratio, and Section 7.12 plat date. Suggested waiver be granted subject to the applicant's adding the information to the final plat, specifically there is no revision chart that is included as part of the block that includes the plat date and subdivision regulations do require that this be provided.

Of the 19 proposed lots one does not satisfy parcel size ratio. For Lot 10 the ratio is 4 to 1. This would require the Board to grant a waiver in order to accept the application.

T. Hoopes questioned the two plans with different dates.
The Board was informed to go by the April 14, 2006 plans.

J. Dube does not feel comfortable granting the waiver, it is against regulations, asked for other board comments.

P. McLeod agreed with Mr. Dube

J. Crouse inclined to agree with J. Dube, feels a simple solution is to merge lot 10 and 11 to make this a non-conforming lot and less impact to the wetlands.

J. Dube noted also the waiver request for the road length. Does not feel this is in the best interest of the town.

J. Bureau does not want to set a precedent by allowing these changes.

T. Hoopes agrees with all and noted making changes to Lot 9.

C. Blackstone agrees and first choice is to uphold the regulations.

Motion by J. Crouse to not accept the application for Case P06-24 at this time due to the length to width ratio of lot 10. Second by P. McLeod. No discussion. Vote unanimous.

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10 Minute break at 7:36 p.m.
Resumed at 7:52

Cynthia Balcius resumed her place on the Board.

**Case#P06-10
Sedlari Construction**

Map 10, Lot 16

**13-Lot Subdivision
Alton Mountain Road**

This application is continued from the March 21, 2006, meeting.

Present for this case: CMA Engineers-Eric Rider, Jim Bolduc-Granite State Engineering, and Vance Sedlari.

K. Menici presented history. Board conducted a site inspection on the property, March 29, 2006. Subsequent to the site inspection, the application and his agent have made modifications to the site plans based on the comments due to the site inspection. Changes more housekeeping than engineering changes. The first engineering review was also completed.

Presentation from Eric Rider with CMA Engineers. Informed they have conducted two reviews on the submitted application. They have reviewed plans with items noted: side slopes not meeting the recommended guidelines in the highway policies, test pits showed the soils were very wet (this was resolved with the plans were resubmitted.) First proposal was to be constructed in two phases. CMA recommended that construction level plans be prepared for the first phase of construction and then continue on for the second phase. After receiving this recommendation the application has decided not to phase the project and to construct the 2500 ft road at one time. Felt the plan met all ordinances with the exception of some minor issues. Plans resubmitted to CMA and they have been reviewed and the letter is before the Board. One item not discussed in the letter is regarding the road width. Applicant requested a 20 ft wide road with 2 foot gravel shoulders and the Road Agent stated that the highway regulations are being updated and that would be acceptable. The plans reflect this change.

K. Menici noted the Board would have to grant a waiver because the new residential road standards being proposed by the Town of Alton Road Agent have not been formally adopted but believes there is a letter in the file where the Road Agent, Ken Roberts, suggested that this is the type of road he would like to see approved for this subdivision.

C. Balcius inquired as to the current status of new road.

K. Menici noted the Selectmen are discussing this at length and this has not been formalized.

E. Rider noted another major item is the grading around detention ponds, recommended slopes be modified to 4 to 1. Applicant has responded to that by changing only 1 side to 4 to 1. CMA recommended at least two sides be modified.

J. Bolduc gave reasoning for excavation around detention ponds was to keep from removal of trees, existing stone walls and extra excavation to ground to make it 4 to 1. Felt it was better at 2 to 1 rather than scarring the area.

Several members expressed concern for safety factor as compared to appearance in this situation.

Both ponds CMA feels you can get two 4 to 1 slopes and especially for safety issues.

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C. Blackstone expressed concern for safety.

Discussion on set back for all the wetlands with no-cut buffer. Not shown anywhere.

Discussion on concern for the 70ft culvert and how this will be maintained.

J. Bolduc stated this is not unusual and is done frequently.

C. Balcius does not see a concern. There are many 70 ft culverts in Alton. J. Dube agreed

Open up to the public

Justine Gengras, Chairman of Conservation Commission

Concern that originally plans showed a 95ft culvert and wanted to be sure the plans had changed.

C. Balcius confirmed there were three and the longest was 70ft., 68ft., 51ft

Ms. Gengras expressed another concern why the culture resources were not evaluated. Noted this was asked during the site walk. Cultural historical resources evaluation.

J. Bolduc consulted with several archeologist stated they would perform as the State has done and reported. Justine Gengras stated there were three historical sites on his property. Noted one was clearly a well preserved cellar hole.

Need a letter from DHR and this should be noted on the plan.

One shown as a jurisdictional wetland because of the earthen floor.

J. Dube notes the lack of information on the plans.

Wally Kenniston asked question on ends of the roads, also suggested a staircase as another alternative way out of the ponds, also feels the historical artifacts questions is important.

Public input closed.

C. Balcius noted the Board has not dealt with the historical effort on the lots.

J. Dube still feels there are not items noted on plans with regard to the historical notations mentioned. For example, cellar holes located on the plans, Justine Gengras has offered to indicate where cellar holes are located. These will be required to have these on the final plat.

Question on the slope of the entrance. The engineer states this will be accepted

Motion by T. Hoopes to grant the waiver of the 2.47 % slope at station 24 plus 93 (the 2% is not met.) Second by C. Blackstone. No discussion. Vote Unanimous.

Motion by C. Balcius grant the waiver for the 20 ft wide road and 2 foot shoulders. Second by C. Blackstone.

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No discussion. Vote Unanimous.

Motion by T. Hoopes to approve Case of P06-10 with the following conditions:

1. Trees along the boundary of the 25-foot wetlands buffer to be flagged and shown on the plat and in the field on trees approximately every 25 feet with permanent markers identifying them as the wetlands buffer. All proposed signage to be reviewed and approved by the Planning Board.
2. A note be added to the plate stating erosion control will be in place prior to excavation or timber cutting.
3. The *Declaration of Covenants, Drainage Easement* and *Slope Easement* to be approved by Town Counsel.
4. Certification of Organization for the homeowner's association to be filed with the New Hampshire Secretary of State's office. Copy of certificate of proof of filing to be provided to the Planning Department.
5. Proof of registration with the NH Office of the Attorney General office to be provided to the Planning Department prior to the beginning of timber cutting and/or excavation.
6. The language and conditions of the proposed easement deed for the detention pond to be accepted by the Board of Selectmen. If the Selectmen do not accept the language and conditions of the proposed easement deed, an Administrative Review will be required.
7. The language and conditions of the proposed easement deed for the cistern to be accepted by the Board of Selectmen. If the Selectmen do not accept the language and conditions of the proposed easement deed, an Administrative Review will be required.
8. Security in the form of a letter of credit with self-calling features or cash to be submitted to and approved by the Town Attorney for the construction and inspection of the roads, with the amount yet to be determined.
9. Security in the form of a letter of credit with self-calling features or cash to be submitted to and approved by the Town Attorney for the construction and inspection of the roads, with the amount yet to be determined.
10. A note on the plat stating the total acreage of each current use category for each lot number.
11. An amount necessary for inspections to be placed in an escrow account, amount yet to be determined.
12. As-built plans for roads and final engineering inspections to be completed and all boundary points to be set and prior to the release of the security for the roads and associated drainage system.
13. All necessary state, local, and federal permits to be obtained prior to the beginning of excavation or timber cutting; copies to be provided to the Planning Department.
14. Homeowner's association agreement shall provide for maintenance of road drainage structures. Language to be reviewed and approved by Town Counsel.
15. All monumentation to be set on the plat.
16. All "to be set notes" to be removed from plat.
17. The following notes to be added to the plat:

This subdivision plan contains a total of 19 sheets, which in its entirety constitute the subdivision plan as approved by the Town of Alton Planning Board. Sheet number 2 is recorded at the Belknap County Registry of Deeds; the remaining sheets are on file at the Town of Alton Planning Department.

This subdivision plan is subject to the Conditions of Approval itemized in the April 18, 2006, Notice of Decision on file at the Town of Alton Planning Department.

18. All historical sites, stone walls and cellar holes and features to be noted on the plat.

Second by C. Balcius.

Discussion noted by C. Balcius regarding sediment erosion control on lots adjacent to Watson Brook and wanted to note that they definitely added notes in a schematic showing those additions.

Amended Motion by T. Hoopes to add an additional condition.

19. To have two sides of the drainage ponds to have increased ratio slopes on the down hill sides from 2 to 1 to 4 to 1.

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Second amended addition to motion of conditions C. Balcius. No discussion. Vote Unanimous

No Discussion on Motion for Conditions including amendment. Vote Unanimous.

Case#P06-02

Map 14, Lot 5-2

**3-Lot Subdivision
Jesus Valley Road**

Ronald J. O'Brien Jr.

This application is continued from the March 21, 2006, meeting.

Present for this case: Brian Bailey-Engineer and Ronald O'Brien applicant.

This application has been accepted.

K. Menici informed the Board the Planning Board performed a site inspection on March 29, 2006. One of the issues identified by the Board was on the wetlands delineation and evidence that areas had been flagged and weather had removed flags. Wetlands Bureau reflagged property. Areas of particular concern are now shown on the subdivision plan as wetlands areas.

T. Hoopes asked, in terms of gaining access to the back areas 5-2-2 and 5-2-1, how will they access the areas, by crossing wetlands or access the road?

B. Bailey informed there are no provisions at this time and referred the question to Mr. O'Brien.

T. Hoopes also asked, what is the amount of dry space on lot 5-1-2 on Jesus Valley Road side of the brook.

C. Balcius noted this was discussed on the site walk.

K. Menici added the Board determination on the site walk was there was adequate building area.

C. Balcius noted they discussed if the septic up front be would be approved by the Town of Alton.

B. Bailey noted this was looked at by the Code Officer who has looked at these plans and does not have an issue. One lot 5-2.1 in the septic area has enough room.

K. Menici confirmed this.

Open to the public.
None seen or heard.
Public closed.

Motion by T. Hoopes to approve Case P06-02 with the following conditions:

1. Trees along the boundary of the 25-foot of wetlands buffer to be flagged on the plat and in the field on trees approximately every 25 feet with permanent markers identify them as the wetlands buffer. All proposed signage to be reviewed and approved by the Planning Board.
2. A note be added to the plat stating erosion control will be in place prior to excavation or timber cutting.
3. A note on the plat stating the total acreage of each current use category for each lot number.

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4. All necessary state, local, and federal permits to be obtained prior to the beginning of excavation or timber cutting; copies to be provided to the Planning Department.
5. All monumentation to be set on the plat.
6. All "to be set notes" to be removed from the plat.
7. The following notes to be added to the plat.

This subdivision plan contains a total of 3 sheets, which in its entirety constitute the subdivision plan as approved by the Town of Alton Planning Board. Sheets numbered 1 and 2 are recorded at the Belknap County Registry of Deeds; the remaining sheets are on file at the Town of Alton Planning Department.

This subdivision plan is subject to the Conditions of Approval itemized in the April 18, 2006, Notice of Decision on file at the Town of Alton Planning Department.

Second by C. Blackstone. No discussion. Vote Unanimous.

Case#P06-23

Map 23, Lot 38

Design Review

John R. Boudreau, Trustee

Prospect Mountain Road

Application submitted by Donald Voltz, of Lindon Design Associates, on behalf of the property owner, John R. Boudreau, Trustee, Meadow Lands Realty Trust to review a site design for a 5-lot subdivision with a new interior road. The property is located on Prospect Mountain Road and is within the Rural Zone.

Present for this case: Don Voltz-Engineer, and John Boudreau, applicant.

Cynthia Balcius recused herself for this case.

D. Voltz notes there are no wetlands on this lot. The parcel is a little over 12 acres. Not very visible from the road with pine buffer (5 lots, 3 will be 2 acres and 2 southerly lots will be about 2.5 acres). As noted on sheet 2 the road is placed so there is an excess of 300 feet of sight distance either direction on Prospect Mountain Road and also at the peak of the road it slopes off both ways. Storm water run off, therefore, will go in two directions. Test pits done on each lot. Also have done two test pits on area where the deepest cut is on the road (test pits 7 and 8); went down to 11 feet and encountered no ledge. Road will be in a cut for 250 to 300 feet and after that will go along the grade of the field. On lot 1 shows a proposed driveway about where the end of the cut is, so the road will be back up at grade there. The rest of the driveways the road will be approximately at grade. Because of the new Zoning Ordinance requiring 200 feet of frontage on each road, they have taken the road line and stopped it short of Prospect Mountain Road on lot 5. There is only frontage on new road and detention basin in SW corner. Mr. Voltz had a questions on recording subdivision plan, cross sections, details for engineering, final updated drainage. Would like road to be 20 foot road with 2 foot shoulders. Suggest 25 MPH posted on road. In relation to this are Selectmen changing regulations? Detention basin is going to be 2 ft deep. Will there be a need for more than 2 to 1 slope? Question on Homeowners Association? Is this standard? Yes, and would be expedious to have these reviewed concurrently with the Planning Board's review of the application. No Mylars will be recorded until such documents are approved by Town Counsel. Mr. Voltz noted there is a subdivision being proposed to the west of property and that they are proposing a cistern. Question on cistern for every individual subdivision. Suggested to check with the Fire Chief and State of New Hampshire Fire Laws.

Utility easement question. NH Elect Coop would like to know where easements area going to take place.

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J. Dube question on lot 5 and it's concept with regard to the road frontage on a corner lot.

Mr. Voltz feels that moving the driveway to give the recommended sight distances makes the 12 acres un-sub dividable.

Discussion on lot 1. Frontage is about 400 feet but road cannot be pushed down that way due to sight distance and there would need to be a 30 foot cut to meet the road regulations for slope of the road.

Motion by J. Dube Motion to allow public input. T. Hoopes, C. Blackstone second. No discussion. Vote 5 for and 1 opposed (J. Crouse). Motion passes.

Aran Sisoian, abutter to property in question.

Expressed concern that existing road is 29 feet from his driveway. Does not want trees touched for privacy and would like existing trees to remain. The actual location of new road is very critical to him. They would like to know if the utility building will be removed and when this will be done. Expressed concern for the discarding of appliances on property and concern about their proper removal. Very concerned about beautification of property expressed need for answers because of his personal impact on his property.

Public input closed.

D. Voltz noted that on the west side of the road there will be substantial cutting for a detention pond.

Other Business:

1. Old Business: None
2. New Business: None
3. Correspondence: None
4. Any other business that may come before the Board.

Motion by T. Hoopes to continue after 10 p.m. Second by J. Bureau. No Discussion. Vote Unanimous.

T. Hoopes commented on input from Justine Gengras.

Discussion on proposing to contact the cemetery to mark cemetery on lot maps and document graves.

State requirement for a buffer around cemetery

This should be added to Subdivision regs.

Noted by J. Crouse to stay to the time limit.

J. Dube felt in this instance it was important to continue. Important for the applicants to get feedback from the abutters that are notified for the meeting. Feels it is helpful in the process for the applicant to hear what they have to say.

Motion by T. Hoopes to adjourn. Second by P. McLeod. No Discussion. Vote Unanimous

Adjournment

Jeremy Dube, Chairman

Respectfully submitted,

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Carolyn Schaeffner
Recording Secretary