

Members Present: Chairman, Thomas Hoopes; Vice-Chairman Cynthia Balcius; Thomas Varney; Ex-Officio, Alan Sherwood; Bruce Holmes; Jeanne Crouse and Jeremy Dube.

Alternates: Donn Brock and Bonnie Dunbar

Member(s) absent:

Others Present: Town Planner, Kathy Menici; Secretary, Stephanie Verdile and others as identified below.

Call to Order: Chairman, T. Hoopes called the meeting to order at 7:00 p.m.

Appointment of Alternates: T. Hoopes called for a motion to re-appoint B. Dunbar as an Alternate member.

Motion made by A. Sherwood to re-appoint B. Dunbar as an Alternate Member expiring March 2008 seconded by C. Balcius, motion carried with all in favor.

Approval of Agenda: T. Hoopes spoke about the amended order of the agenda.

K. Menici explained the changes to the agenda and on the first evening, Tuesday, May 17, the Board would hear the following cases: P05-30, P05-37, P05-33, P05-34, P05-32, P05-35, P05-13, P05-16, P05-22 and P05-23. The remaining cases will be heard on the second evening, Wednesday, May 18. C. Balcius asked if the applicants have been notified of the changes and K. Menici said the applicants and/or their agents whose cases will be heard on the second evening have been notified by phone of the change. In addition, the following changes to the order of the agenda have been requested by applicants or their agents or a recommended by staff.

Motion made by C. Balcius, seconded by J. Dube to approve the agenda as amended and discussed by T. Hoopes, motion carried with all in favor.

Public Input: T. Hoopes opened up the hearing for general Public Input.

Jerry Slagel- 819 Stockbridge Corner Rd. He asked if there was going to be a presentation for the Finnegan case. T. Hoopes spoke about the Board voting on deciding the engineering and environmental review for the application and the funds needed to perform the review. J. Slagel is an abutter and he has concerns about the amount of homes being built and he has not been able to see the plans because of the hours he works. T. Hoopes explained it is only a 3-lot subdivision at this time because of the IGMO.

K. Menici reminded the Board that the discussion for Public Input is supposed to be of general concern and she said the abutter concerns could take place during the discussion of the public hearing for the case. T. Hoopes called for any more public input, there being none, he closed that portion of the meeting.

Applications for Public Hearing:

C. Balcius recused herself from Case#PO5-23 and T. Hoopes appointed Alternate D. Brock, to take C. Balcius' place on the Board.

K. Menici read into the record the purpose of the next case.

Case#PO5-23 Map 6, Lot 36 & 37

Benjamin Finnegan

3-Lot Subdivision

Stockbridge Corner Rd.

Application submitted by Don Voltz, Lindon Design Associates on behalf of Benjamin Finnegan for a 3-lot subdivision. The proposed subdivision is located on Stockbridge Corner Rd and in the Rural Zone. The application was accepted at the April 19, 2005 meeting.

K. Menici gave an update to the Board. She said after the April meeting the Board selected Irene

Garvey, Abenaqui Environmental, to review and comment on the project on behalf of the Town. Ms. Garvey has submitted an estimate and a written description of her understanding of the scope of work for this review, including the wetlands and overall hydrology of the site to determine the impact of development on the site. The Board needs to vote to approve or disapprove her estimate for the review or to modify the scope of work, if necessary.

Discussion about the purpose of the motion and T. Hoopes explained that the Board has to authorize I. Garvey to begin her review and to have the applicant submit money into escrow to pay for the review. T. Hoopes said ultimately they want to make sure the Planning Board's Engineering Sub-Review Committee has the right to approve the engineering proposals instead of the whole Board so they do not take up a month of time. A. Sherwood said he thought they already had that authority. T. Hoopes said in the past they did but they never actually voted at meeting.

Motion made by A. Sherwood, seconded by D. Brock to approve the scope of work submitted by I. Garvey and the associated fee for the engineering and environmental review to begin on Case#PO5-23, Finnegan.

Discussion on the motion: T. Varney asked about I. Garvey's comments and asked why she was not at the meeting to present the case. T. Hoopes explained the Board has to authorize I. Garvey to perform the review and the Board has to authorize and approve the funds to be submitted by the applicant in order to pay for the review. K. Menici spoke about the April Planning Board meeting when the members discussed what they wanted for the environmental review. She said she went back to the April 19, 2005 minutes to verify the discussion about the need for the environmental review and developed a scope of work based on the Board's comments for the review. She said the Board could make amendments if they want. T. Varney agreed on the reason for the motion.

T. Hoopes called for the vote and the motion carried with all in favor.

T. Hoopes offered his copy of the Finnegan plan to the abutter to review for his information. A. Sherwood also spoke to the abutter and said at the June meeting there would be a more general discussion on the application and that he could participate at that time.

Motion made by A. Sherwood to continue Case#PO5-23 to June 21, 2005 at 7pm, seconded by J. Dube, motion carried with all in favor.

K. Menici read into the record the purpose of the next case.

**Case#PO5-30 Map 12, Lot 53-2
Frances & Melville Guttormsen**

**Compliance Hearing
162 Old Wolfeboro Rd**

Applicants are requesting a compliance hearing for clarification on subdivision approval for Case#PO4-32. The property is located on Old Wolfeboro Rd and is in the Rural Zone.

Frances & Melville Guttormsen were present to represent the application.

K. Menici gave her report to the Board by saying the applicants are coming before the Board to request that the Conditions of Approval for the 2-lot subdivision at the June 2004 Planning Board meeting. She spoke about the driveway for the newly created lot was located on Old Wolfeboro Rd and it runs the entire length of the property. She said the buildable portion of the lot is in the rear of the newly created lot. She said the Guttormsen's are asking the Board modify the conditions of approval for the subdivision to allow temporary use of an existing 50' access easement that crosses both lots that were created by the subdivision. They would like to use the easement through M/L 12/57 during the construction of the home for M/L 12/53-4. Upon completion of the construction of the residence, the applicants would like to continue to use the access easement as a temporary driveway to the dwelling while the driveway off of Old

Wolfeboro Rd. is constructed.

T. Hoopes spoke about the Building Inspector's comments that stated the driveway should be completed at the time of the occupancy permit. He said based on that condition he does not see a problem with the request. The rest of the Board agreed.

T. Hoopes said the motion should be for the Guttormsen's to be allowed temporary use of the existing access easement.

Motion made by J. Crouse, seconded by D. Brock to approve the request for Case#PO5-30 allowing access to the existing easement pending construction of the permanent driveway to the rear lot (Lot 2) and that that the final driveway be completed before a Certificate of Occupancy be issued, motion carried with all in favor.

K. Menici read into the record the purpose of the next case.

**Case#PO5-37 Map 1, Lot 16-2
Ronald Fitzpatrick**

**Conceptual Review
Lockes Corner Rd**

Applicants are requesting a Conceptual Review for design and scoping input for a 2-Lot subdivision located on Lockes Corner Rd. The property is located in the Rural Zone.

K. Menici said the applicant seeks input from the Board regarding the scope of survey that will be required for the proposed subdivision as well as design input.

David Collier, from Richard Bartlett & Associates and Ronald Fitzpatrick, property owner, were in attendance to represent the application.

R. Fitzpatrick, said that they own Lot 15 & Lot 16-2 and they want to subdivide the Lot 16-2 and they want to take out 12 acres for a lot and leave a ROW with about 200' of frontage on Lockes Corner Rd. and that would give the new 12 acre lot about 700' of frontage. He spoke about the Lot merger that he had submitted to merger the 2 existing lots together and then create the subdivision. T. Hoopes asked where lot 15 is located from the plans the applicant had submitted. R. Fitzpatrick said it is located in the back of Lot 16-2. K. Menici showed the board the lots in question.

R. Fitzpatrick said what is formally lot 16-2, is about 18.5 acres and they want to take 12 acres out of 16-2 and then it will be a new lot 16-2 with smaller acreage and they want to merge the remainder of that lot 16-2 into the existing lot 15.

T. Hoopes asked and about the frontage being in one town and if they combine the remainder of lot 16-2 into lot 15 than they have created frontage in both Barnstead and Alton. He is asking about notifying the abutters in the Barnstead section. R. Fitzpatrick said no not because the frontage for the lot 15 ends of the Town line for Alton. K. Menici said it is a different lot once you get into Barnstead. R. Fitzpatrick said it is within one deed. K. Menici said the Barnstead section of the lot has frontage on Rand Rd in Barnstead and the applicants want to create 200' frontage on Lot 16-2, which allows them to comply with the Alton frontage requirements.

T. Hoopes said it is still one lot even though it is in two towns.

D. Collier said that for the subdivision at this time, it is for the Alton piece and notification for them would be just for Alton and when the lots are annexed he doesn't see they could notify the abutters in Barnstead if it is needed.

K. Menici said they would have that answer for the applicants when they come in for a subdivision. She said they are really looking for input about surveying and they do not want to have survey the entire lot 15 if they do not have to.

T. Hoopes said Lot 16-2 is within the Town of Alton and for a subdivision they need to see both lots that will stand alone. He said the Board needs to see the standard requirements for those two proposed lots and he wants to see if there will be any wetland impacts even in the merger. He said it may not

make sense for the merger to have the lots surveyed but it may not be needed, however; he wants to know if it will affect the future subdivision and thinks it may be necessary for when they want to access the rest of the property.

A. Sherwood said what is now lot 16-2 for the subdivision should be surveyed and the wetlands delineated however, for the merger he doesn't see the need to do that. He also asked about the layout and the 200' strip and if that was for the future development of lot 15 and if the applicant wants the strip 200' wide or 250' wide. He said because in the future if he subdivides they would need a 50' strip for the future road. R. Fitzpatrick said he did not think he would do that and it is strictly for access to the back piece. He thanked A. Sherwood for the advice.

The Board discussed the shape of the proposed lot and if it would meet the zoning and subdivision requirements. T. They discussed the lot becoming a bowling alley lot with 200' of frontage and 1500' long.

Discussion about the conditions and topography and any unique features on the lot that would impact future roads. R. Fitzpatrick said there is a logging road from the Barnstead side and it provides access to the cul-de-sac. R. Fitzpatrick said they would look into the issue of the Barnstead frontage. D. Collier said they are doing a wetlands study.

They discussed the Merger and K. Menici said they could write a letter to continue the merger until June 21, 2005 meeting and work on the subdivision and act upon the merger and the subdivision together.

They thanked the Board for their time

T. Hopes announced that C. Balcus returned to her seat on the Board and D. Brock returned as an Alternate position.

K. Menici spoke about the Board acting upon the four cases at once and during the vote the Board will utilize the specific case number for the vote and vote separately.

K. Menici read into the record the purpose of the next four Livingston Cases into the record. She referred to the summary she had written for the Board members for the four cases and the order in which they should be heard.

Case#PO5-33 Map 56, Lots 39 & 41

Boundary Line Adjustment

David Livingston

Woodlands Rd

Application submitted by DMC Surveyors on behalf of the property owner David Livingston for a Boundary Line Adjustment. The properties are located on Woodlands Road and are in the; Lakeshore Residential Zone, the Town of Alton's Shoreland Protection Overlay District and the NHDES Shoreland Protection District.

Case#PO5-34 Map 56, Lots 38 & 40

Boundary Line Adjustment

David Livingston

Woodlands Rd

Application submitted by DMC Surveyors on behalf of the property owner David Livingston for a Boundary Line Adjustment. The properties are located on Woodlands Road and are in the; Lakeshore Residential Zone, the Town of Alton's Shoreland Protection Overlay District and the NHDES Shoreland Protection District.

Case#PO5-32 Map 56, Lots 38&39

Voluntary Lot Merger

David Livingston

Woodlands Rd

VLM-K. Menici explained to the Board that the applicant proposes the Voluntary Lot Merger in anticipation of approval for a 2-lot subdivision. If the subdivision is not approved, the property owner does not want to merge the lots. She said that prior to this meeting, there have not been previous applications. She referred to the written summary of the applications heard at this meeting is included in Planning Board packet that she prepared.

**Case#PO5-35
David Livingston**

Map 56, Lot 38 & 39

**2-Lot Subdivision
Woodlands Rd**

Application submitted by DMC Surveyors on behalf of the property owner David Livingston for a 2-lot subdivision. The properties are located on Woodlands Road and are in the; Lakeshore Residential Zone, the Town of Alton's Shoreland Protection Overlay District and the NHDES Shoreland Protection District.

Dean Clark, DMC Surveyors; Regina Nadeau, attorney and the Livingston's were all present on behalf of the application.

D. Clark explained the BLA's, the Lot merger and the subdivision. He said the existing conditions have 4 lots and after the applications are approved there will still be 4 lots but with different configurations.

He spoke about the BLA#1, PO5-33 and BLA#2, PO5-34 being the first cases to be heard and than the VLM of the newly adjusted lots and than the subdivision application. He spoke about the comments from the Planner's report for #PO5- 33 and said all comments would be addressed. He said the soils information is on the subdivision plan and referenced within note 6 and the monumentation will be set after approval. He said the building setback lines have been corrected and added to the subdivision plan and the floodplain data is on the subdivision plan and will be added to the final plan. He said the reference to the setback requirements is being corrected and will be added for the revised plans.

D. Clark said he went out on site this morning to check a question about a culvert located on Lot 41 by the lot line and he said they were told that the Town of Alton was there and dug out the culvert. He said I. Garvey was on site and delineated the narrow area of wetlands and they will add that and a wetland delineation note to the plan. He said he was on site today and spoke about the culvert that the Town of Alton dug out.

D. Clark spoke about Case#PO5-34 the second BLA for the back lot. He said they are adding 1.08 acres to existing lot 40. He said all of the Planner's comments would be added to the final plan and make sure all sheets have the same information; i. e. building setback lines to be added to the plat, Soils to be added to the plat, floodplain data to be added to the plat and references to setbacks for the zone to be corrected to read 10' for side and rear setbacks.

D. Clark spoke about Case#PO5-32, Livingston Voluntary Lot Merger and that would come after the BLA's and it is adding lot 1 & 2 back together and he said that if the subdivision is not approved than they will not ask that the VLM move forward. He said R. Nadeau would like to comment on the VLM.

D. Clark spoke about Case#PO5-35, 2-lot subdivision. He said the existing house will have the septic system in one lot 2.42 acres total after the subdivision and the other lot will be 6.38 acres. He said I. Garvey has flagged the wetlands the site and they will be adding all the wetland information. They also have the soils types and the floodplain data and wetlands certification on the final plans.

A. Sherwood spoke about the procedural issue of the Board not having accepted the applications as complete.

T. Hoopes said the Board has met with the Town of Alton Attorney J. Sessler about the legality of merging the lots across the street and the Town Attorney wants to review the plan and provide a decision for the Board. A. Sherwood said J. Sessler is uncertain that what the applicant's are proposing is a legal way to create a lot. He said the lakeside piece of Woodlands Rd does not meet current zoning requirements of 30,000 on it is own. R. Nadeau said that is why they are trying to add the back land to it. A. Sherwood spoke about the first BLA in relation to the subdivision and said that the applicant could have possibly met the requirements. He said that J. Sessler was doubtful that the

applicants are creating a legal lot.

R. Nadeau asked the Board if she could speak to Attorney Sessler about the legality of the BLA and merger situation. She spoke about two previous cases of case law with similar situations and she said if the road is town owned, owning the underlying fee and not just having an easement, then that is bifurcated. She said if the Town only has an easement and does not own the road then in fact the parcels are adjoining. She requested the Board give her permission to speak to Attorney Sessler regarding this issue.

T. Hoopes agreed to that and he spoke about the existing lots 1 & 2 with an existing house and septic field across the road. He said that seems to be compatible and he said the same proposal is for the subdivision for proposed lot 2 but, the Board does not know the legality of that situation and they want to wait for Attorney Sessler's opinion.

R. Nadeau said all the shorefront lots can stand alone and meet the setbacks and have buildable areas. She said under current town zoning, the back lands would be preserved because two dwelling units are not allowed on one lot.

A. Sherwood said except for the middle shorefront lot because if it is not combined then it cannot meet current zoning and cannot stand alone as one lot. A. Sherwood also spoke about the center waterfront lot (after the subdivision) and the issue of setbacks to the septic tank with the new middle lot and he has concerns about the well and septic requirements being able to meet the Town of Alton's setback requirements for well and septic to the lake. He has concerns the well and septic areas and required setback distances will not meet the Town of Alton's requirements.

D. Clark said they have dug test pits for the well recently. A. Sherwood said the Board does not want to create lots that will require waivers.

R. Nadeau said they have time to amend to the plan before the next meeting.

C. Balcius asked about a culvert on existing lot 1 (on final subdivision plan) with the house on it and if it was draining out of the wetland and she asked if the wetland was drained completely.

D. Clark said yes there is a culvert there and it is draining out of the wetland and when they did the septic system design for that lot, it was shown on the plan as the wetland being filled in 1988 but never completely. He said it goes across the road and it is used for empty drainage purposes with no water flow. C. Balcius asked about other drainage lines listed on the plan and their purpose. D. Clark said there is another culvert that goes under the road and there is no water flow from that culvert. C. Balcius clarified that there are 2 culverts with no water flow from them and D. Clark said yes.

T. Hoopes spoke about the well radii of lot 1 and it is cutting into a newly formed lot and if the well radii from lot 1 has to be moved to the backside of the lot. He does not want to create a lot with nonconforming issues.

R. Nadeau spoke about state law, Env. WS100808 stating that; owners of abutting lots may agree to overlap their respective protective well radii for their mutual benefit. She said in order for the well radii to be accorded full recognition any such agreement shall be evidenced by cross easements, which shall be duly executed and recorded.

The Board discussed the well radii in the future of the subdivision being on another lot and whether or not to accept that law and A. Sherwood said he is not aware that the Town has any requirement that is more stringent than the state RSA. They also discussed other situations where the encroachment of the well and septic radii into abutting properties caused problems for the owners and restrictions instituted on the land due to the encroachment.

R. Nadeau said in their case, they can do the cross easements and it would not be an issue because the applicant owns all the land.

C. Balcius spoke about the future when a different owner buys the land. She would like to see the

lots able to stand alone and have the well radii within their own lots for a new subdivision and not have the cross easement issue.

R. Nadeau said the cross easements have to be recorded and they will probably be referenced on the plan and any title search will show the cross easements.

T. Hoopes asked about the distance of the extended boundary line to the boathouse. He said the NHDES requires a 20' setback from the boundary line. D. Clark said the corner of the boathouse is about 10' into the setback. He said both owners can agree to have that encroachment.

R. Nadeau cited RSA 482-A and C. Balcius said that RSA is for a new applications only and she has concerns about creating a problem and not trying to solve it. She said the Board cannot approve a lot if it is against NHDES regulations.

R. Nadeau cited a setback encroachment case where the NHDES told them to move the property line and get permission from the neighbor. She said in this case they would have a setback and it would have to be recorded.

D. Clark said they can tilt the boundary line in order to have it comply with setbacks.

T. Hoopes spoke about a future owner may want to build a boathouse and the applicants should prepare for the setback requirements for that boathouse.

C. Balcius spoke about other legal issues with the wetlands permits. She said wetland permits state there should be no further impact to wetlands for lot development under current wetland rules and the applicants are coming back with a subdivision application with impacts to the wetlands. She said that language applies to the permit approved for the existing lot of record (lot 1) and now they want to subdivide and make a new lot and by doing that, they are allowing the house that currently has the boathouse to add another shoreline structure because after the BLA and subdivision the existing boathouse will be on the new lot. She said there are legal issues surrounding this application.

R. Nadeau said their permits date back to the early 1980's and she said there were no such restrictions but she asked the Board if they would accept a letter from the NHDES saying the proposal would not be in violation of the rules, as long as they got written consent and changed the line. T. Hoopes said as long as the Town Attorney approves the letter.

C. Balcius does not want to create a nonconforming situation and would feel better with the NHDES being made aware of the situation.

The Board discussed the Conservation Commission report on the subdivision.

R. Nadeau said based on Conservation Commissioner's report, they sent I. Garvey, the wetland scientist, back to the property. Based on the site inspection, there is a drain coming out of the ground from where the garage is under construction. She said that may have resulted in some fill within a wetlands pocket. She said they have authorized their agent to submit an "After the Fact Permit". C. Balcius asked which lot it is and what were the circumstances around causing it to be filled. D. Clark said it is in the area of the new driveway and where the construction is currently going on. They filled in beyond where they should have. R. Nadeau said in order to address the Conservation Commission's concerns, they will fill out the permit and have evidence they have submitted the permit. C. Balcius wants evidence that they will be in compliance.

R. Nadeau spoke about the other Conservation Commission's concerns about the barge on the shorefront of the property and she said the property owner did hire a commercial barge to take away the blasted ledge from the foundation construction. She suggested they would put a note on the plan stating the restriction of commercial uses on the property.

T. Hoopes said that use is not allowed in that zone anyway.

R. Nadeau spoke about the wetlands policy of the 15' "offset" from the wetlands that was placed on the plan and she asked the Board for an update on their policy for the wetlands setback.

T. Hoopes spoke about the re-write process continuing and that the Board is asking applicants to comply with a no-cut buffer and the recommended distances. He said 25' is desirable and the Board wants the applicant to think about more than 15'.

R. Nadeau clarified with the Board issues they want to see on the plans and clarification on their concerns as follows:

1. Well radii- whether or not the Board will accept a cross easement or not. She wants to look at if there is no local regulation would the state law prevail and discuss the issue with J. Sessler.
2. She will talk to J. Sessler about the bifurcation of the parcels by the road
3. Letter from NHDES about the setback from the boathouse
4. Documentation that they are in compliance for the wetlands violation and proof they submitted an "After the Fact" permit.
5. Delineation of additional wetlands found on site to be shown on revised plans
6. Applicants will show how they can fit a well and septic onto the middle lot. A. Sherwood said they should add to the revised plans how they can meet the Town of Alton setback requirements for well and septic.

C. Balcius asked D. Clark about being able to pump to the leach field without having a wetland impact and D. Clark said yes.

Motion made by A. Sherwood, seconded by C. Balcius, to continue the discussion on the acceptance of Cases#PO5-33, PO5- 34, PO5-35 and Case# PO5-32 to the June 21, 2005 meeting at 7pm, motion carried with all in favor.

K. Menici read into the record the purpose of the next case.

**Case#PO5-16 Map 10, Lot 16, 16-3, & 16-4
Sedlari Construction**

**3-Lot Subdivision
Alton Mountain Road**

Application submitted by Granite State Engineering on behalf of the property owner Sedlari Construction for a 3-Lot Subdivision. The property is located within the Rural Zone. The application was accepted at the March 15, 2005 meeting and continued from the April 19, 2005 meeting.

Jim Bolduc, Granite State Engineering and Vance Sedlar, Sedlari Construction, property owner were present on behalf of the application. J. Bolduc updated the Board on the NH approval for the subdivision and he has added that approval number to the revised plans. He spoke about the two site visits and the wetland area that was not delineated has been added to the revised existing conditions plan and the subdivision plan. He spoke about the cistern location on lot 3 and that lot is not part of the subdivision plan now but they added it to the conceptual subdivision after K. Menici asked. He also spoke about the phasing of the subdivision and he has submitted those plans to show the construction of the road. He said they have 3 lots to work with now, the 2 lots they are asking for approval tonight and the BLA new lot (16-2) that was approved in March 2005 now they have 3 new lots with frontage along Alton Mountain Rd. He said the second phase would put in the cul-de-sac lots access proposed lots in the back of the property. He spoke about lot 3 in the corner, which would be in the second phase for the cistern location. He said that would be the second phase of the project. They would come back to the Board for another phase to complete the larger part of the subdivision later and that would depend on market status and interest rates they would complete the rest of the roadway and the remainder lots. He believes that they have addressed all the concerns from the Board and the site walks and they are looking for approval tonight of the 3lot subdivision for the 2 lots on Alton Mountain Rd and the remainder lot.

K. Menici said that Phase 1 would be completed in 2005 and it will include the one lot that was subject to the BLA and the 2 building lots that would be created through this 3-lot subdivision. She said Phase 2 would occur in 2006 and Phase 3 in 2007. T. Hoopes asked about Phase I including lots 1 & 2. K. Menici said it is lot 1 & 2 and including lot 16-2 that was created and approved from the BLA in March. She said that 16-2 is an existing lot.

J. Crouse asked about phasing and isn't it premature to discuss phasing of the conceptual plans and the process in relation to the Master Plan re-write and the rest of the subdivision plan may not happen as they have drawn it.

J. Bolduc said they understand that and it was not his original intention to submit a conceptual phasing plan it was because staff requested. He said his original application and none of the regulations require a phasing plan. He said they were asked how they were going to proceed with the subdivision under current regulations. C. Balcius clarified that the applicant is presenting a scenario and it is not guaranteed to be approved as presented.

K. Menici said one of the requirements of the zoning ordinance and the subdivision checklist is that the applicant describes in conceptual terms what the future development is and that is why the staff asked the question.

J. Crouse asked V. Sedlar if he wants to phase the project and he said he would want to phase the project.

C. Balcius wants it clear for the record that the applicants understand that the conceptual plans submitted for the subdivision in no way indicate approval of the plan as depicted.

J. Bolduc said they recognize that the zoning could change and they know it is conceptual plans and discussion for the future subdivision.

T. Hoopes opened up the hearing for public input on the application, there being none he closed the public input section and the Board went into deliberations.

Motion made by A. Sherwood, seconded by C. Balcius to approve Case#PO5-16 with the condition of obtaining all required state, local and federal permits, motion carried with all in favor.

C. Balcius recused herself from Case #PO5-22 and T. Varney stepped down because he is an abutter. T. Hoopes appointed D. Brock to take T. Varney's place on the Board.

K. Menici read into the record the purpose of the next case.

**Case#PO5-22
C&D Interests**

Map 15, Lot 56

**3-Lot Subdivision
Old Wolfeboro Road**

Application submitted by Kerry Fox, Fox Survey Company, on behalf of the property owner C&D Interests. Applicant proposes a 3-Lot Subdivision of Map 15, Lot 56. The property is located on Old Wolfeboro Rd in the Rural Zone. The discussion on to accept the application was continued from the April 19, 2005 meeting.

K. Menici said the application is complete because the applicant submitted future development conceptual plans.

Motion made by A. Sherwood, seconded by J. Dube to accept Case#PO5-22 as a complete application, motion carried with all in favor.

Randy Walker, attorney for the applicant spoke about the conceptual plan that was submitted and they are looking for the approval on the 3-lots located on the road. He said the applicants are not sure the conceptual will be exactly what they propose for the future however, they were trying to provide more information to the Board for what might occur in the future. He said the wetlands were delineated by Peter Cooperdock and the conceptual subdivision plan shows roughly another 25 lots for the back

part. R. Walker said the access will be through lot 3, which is 13 acres currently and the road will go through that lot. He spoke about the conceptual plans showing a proposed 30'x50' house location on proposed Lot 2 (on the road) as suggested by K. Menici.

T. Hoopes asked about the landing and wants to know where it is located. R. Walker said it is on lot 1 and the southwestern corner and the driveway will be farther down and it is right near the boundary line by the stonewall. T. Hoopes also asked about lot 3 and the 15' wide driveway would be located where the conceivable access would be. P. Cooperdock said yes. He wants to know what proposals have they discussed in dealing with the drainage swale and the wetlands crossing for the future access and the applicants said yes. P. Cooperdock said they have applied to the NHDES for the driveway crossing as shown on the plan. T. Hoopes asked about the road drainage for that area. P. Cooperdock said at this time they are not addressing it because it is just a driveway but when the road get built there it will be addressed. T. Hoopes asked if the applicant has met with the Town of Alton Road Agent because the road agent wanted as a condition of approval that all work should be coordinated between the applicant and the Highway Department.

Carl Norby, owner, said the Town of Alton is diverting water onto the land within the subdivision and there was discussion about the Town of Alton not having enough money to put into catch basins. He said they are going to run riprap along the road.

Discussion about the applicant meeting with the Highway Department and also with NH Electric Cooperative about the future expansion and work of Old Wolfeboro Rd. A. Sherwood asked about the power line easement being re-located and R. Walker said yes they have a letter from NH Electric Cooperative to submit as part of the application that the easement will be re-located for everyone's benefit.

T. Hoopes opened up the hearings for public input on the application.

Justine Gengras, Co-Chair of the Conservation Commission said that the Commissioners have received a NHDES wetlands permit application for the driveway crossing and they will be completing formal comments about the significant wetlands issues associated with the application and they will present them to the Board.

T. Hoopes closed the public input portion on the application and the Board continued to discuss the application.

A. Sherwood spoke about the proposed setbacks from the wetlands shown on the conceptual plan.

K. Menici spoke about the proposed setbacks on the conceptual future development are 25'.

A. Sherwood asked if there are setbacks proposed on either Lots 1 & 2.

K. Menici said there is nothing shown.

A. Sherwood asked if that would be an issue for the applicant to institute a setback.

Discussion about the suggested wetlands setback being 25' and R. Walker said the proposed septic systems will meet that setback as well as the houses and the driveways (besides the crossing) and they will put a note on the plan for a no-cut buffer of 25' and it will be written in the deeds as a no fill zone for lots 1 & 2 and they do not want to apply it to lot 3 yet.

K. Menici said the Board typically asks for a 25' buffer depicted on the plat and also have markers in the field attached to the trees.

The Board and applicant discussed still being able to have suitable building locations for the homes on the lots with the inclusion of the 25' no-cut buffer area. R. Walker said the buffer will not be a problem. T. Hoopes said at this time it will apply to lots 1 & 2 and R. Walker said they do not want to apply it to lot 3 yet because they are not proposing any construction there yet. He said they do have to cross the wetlands for the driveways and they will have impacts, but the house and septic locations will meet the 25'.

T. Hoopes said the driveway for lot 1 will almost be on the cut entrance now.

T. Hoopes said he is content with the 2 lots as they exist and A. Sherwood said he has no other concerns.

K. Menici spoke about a 5-minute break to compose conditions of approval.

T. Hoopes called for 5-minute break the meeting back to order at 8:55pm.

T. Hoopes spoke about an approximate 25' buffer so they can plan for flexibility. K. Menici said there are both driveway locations that will have the wetlands impact and with the exception of those 2 areas there should not be other impact areas.

Discussion about the driveways for lot 1 & 2 having wetland impact and lot 2 is the one with the wetlands impact. T. Hoopes spoke about the no-cut buffer being a mix of vegetation and having as much screening as possible.

J. Dube is concerned about not doing a site walk for this application before its approval. He said even though now it is only for 2 lots the total build out is quite large, it is a big lot and based on the Conservation Commission report and J. Gengras' comments stating there are serious wetland issues on site. K. Menici said this is a different situation because of water ponding and not running off.

T. Hoopes said when they submit the future subdivision plan for the back lot he will have major concerns because of the amount of wetlands in that area.

J. Dube asked for full size plans for the subdivision. K. Menici distributed the full size plans of the subdivision to the Board.

J. Crouse does not understand why there are some properties that are required to have site walks for wetlands and this property does not. She said this application clearly has a lot of wetlands and wants to know why there is not site walk required.

A. Sherwood spoke about the Board has the discretion case by case to require a site walk and this is a case by case and at his time he does not see the need to do a site walk.

K. Menici spoke about Alton Mountain Rd site walk because the majority of the Board members were not familiar with that site and T. Hoopes has personal knowledge of this site and C. Balcius recused herself because she mapped wetlands on that property.

T. Hoopes said there is nothing wrong with asking for a site walk if they are not familiar with the site.

J. Crouse is questioning the equity in having a site walk from one case to another.

Motion made by T. Hoopes, seconded by J. Dube to continue Case #PO5-22 to June 21, 2005 in order to schedule a site walk

Discussion on the motion. R. Walker argued that this site is accessible to everyone and they want to proceed because the application has been submitted for 2 months. T. Hoopes said there was not an opportunity to have a site walk prior to now because the application was not accepted yet. A. Sherwood is comfortable with the information provided and the Board is discretionary in its decision to have a site walk and no piece of land is the same. J. Dube spoke about the test pits and where the 4K areas for lot 2 and he has concerns about their location in relation to the wetlands. T. Hoopes said these two lots are the simplest on the whole property and there are concerns on lot 2 about the buffer. D. Brock has no problem with the first two, B. Holmes is ok with the first 2 lots, A. Sherwood is satisfied with the 2 lots. T. Hoopes called for the vote, motion carried to not have a site walk with 1 vote for the site walk and 5 voting against having a site walk, J. Dube voted for the motion to hold a site walk.

Motion made by A. Sherwood, seconded by D. Brock to approve Case# PO5-22with the following conditions:

1. 25' no-cut buffer be added around wetland around lot 1 & 2 with the exception of the

driveway for lot 2.

2. Trees along the boundary of the 25' wetland buffer be flagged on the plat and in the field on trees every 25' with permanent markers identifying them as the wetlands buffer. All proposed signage to be reviewed and approved by the Planning Board.

3. A note be added to the plat that erosion control will be in place prior to excavation or timber cutting.

4. A note to be placed on the plat stating that total acreage of each Current Use category for each lot number.

5. All necessary state, local and federal permits be obtained prior to the beginning of any excavation or timber cutting and copies to be submitted to the Alton Planning Department.

6. Following notes be added to the mylar and final plat sheets for recording "This subdivision plan is subject to the conditions of approval itemized in the Notice of Decision from the May 17, 2005 meeting on file at the Alton Planning Department"

T. Hoopes called for the vote. Motion carried 4-1-1 with A. Sherwood, T. Hoopes, B. Holmes, D. Brock voting in favor of the motion, J. Dube voted against the motion, J. Crouse abstained.

Adjournment

Motion made by B. Holmes, seconded by D. Brock to adjourn at 9:20 pm and continue the meeting and remaining applications until Wednesday May 18, 2005 at 7pm, motion carried with all in favor.

Respectfully submitted by,

Stephanie N. Verdile
Secretary

Planning Board meeting of May 18, 2005

THE FOLLOWING IS A CONTINUATION FROM THE MAY 17, 2005 MEETING

Members Present: Chairman, Thomas Hoopes; Vice-Chairman Cynthia Balcius; Ex-Officio, Alan Sherwood; Thomas Varney; Bruce Holmes; Jeanne Crouse and Jeremy Dube.

Alternates: Donn Brock and Bonnie Dunbar

Member(s) absent:

Others Present: Town Planner, Kathy Menici; Secretary, Stephanie Verdile and others as identified below.

Call to Order: Chairman, T. Hoopes called the meeting to order at 7:00 p.m. and announced the meeting is a continuation of the May 17, 2005 meeting.

Approval of Agenda

K. Menici announced there is a change to the agenda because of a request by the applicant for the application for Case#PO5-36, Midwest Towers, LLC to be continued until June 21, 2005. She told the Board that after review of the plans the applicant submitted there is still information missing from the plan. The information missing was what the Board requested from other similar applications.

K. Menici read into the record the purpose of the next case move to top

Motion made by, seconded by to continue the discussion on the acceptance of Case#PO5-36,

until June 21, 2005 motion carried with all in favor.

Motion made by A. Sherwood, seconded by J. Dube to continue the discussion on the acceptance of Case#PO5-36 until June 21, 2005 at 7 p.m.

Discussion on the motion: T. Varney asked about the additional abutter notification for the towers and the process. K. Menici asked S. Verdile the regional notification requirements and S. Verdile explained that it is required by the RSA to notify the regional towns within a 20-mile radius of the notification.

T. Hoopes called for the vote, motion carried with all in favor.

Motion made by A. Sherwood, seconded by J. Dube to approve the agenda as amended, motion carried with all in favor.

Appointment of Alternates: T. Hoopes announced that B. Dunbar has been appointed as an Alternate and can participate at this meeting.

Public Input: T. Hoopes opened up the hearing for general public input, there being none, he closed that portion of the hearing.

K. Menici read into the record the purpose of the next case

**Case#PO5-31 Map 29, Lot 62 Amended Site Plan Review
Kyle & Karen Petelle 150 Main Street**

Application submitted by Ken Hoyt of Wainwright Insurance to convert "Karen's Kitchen" an existing restaurant into an Insurance Office. The property is located at 150 Main Street in the Residential Commercial Zone.

K. Menici spoke about mistake in the Planners report for the Case. When she created the report for the formal application of Case#PO5-31 she used the Case number from the Conceptual Review and she clarified for the record the formal application number is Case#PO5-31 that is being presented to the Board. She then explained the waiver requests: Section 7.2.24 – Soils; Section 7.2.27 – Elevations; Section 7.2.33 – Wetlands survey; Section 7.4.5.1 – Drainage Study; Section 7.4.5.2 – Stormwater Management and Erosion Control Plan; Section 7.5.1.1 – Fiscal Impact Study; Section 7.5.1.2 – Environmental Impact Study; Section 7.5.1.3 – Traffic Impact Study. She also spoke about the Magnetic North that was provided on the plat with no date. In addition to the above the applicant also needs a waiver from Section 7.2.8 – North Arrow which requires that a Magnetic North arrow be dated, or the applicant can revise the plat to include this information.

Motion made by J. Crouse, seconded by C. Balcius to grant the waiver requests and accept the application Case#PO5-31 as complete, motion carried with all in favor.

Randy Tetreault, Norway Plains Engineers and Ken Hoyt, Wainwright Insurance, were in attendance to represent the application.

K. Hoyt spoke about the plan for Wainwright Insurance seeking to relocate in an existing business known as "Karen's Kitchen". He said there are no changes to the building on the outside except exterior remodeling and fixing the fence. He said there are only 2 employees and that the parking requirements are much less than the restaurant would require

C. Balcius asked about the parking situation on site.

K. Menici said usually in a downtown situation the parking requirements are less intense and this use will be less intense than the restaurant.

Discussion about the parking in the area and what is available. T. Hoopes spoke about having the Town of Alton remove the 2 spots that are located by the garden area between Main St and Old Wolfeboro Rd. B. Dunbar said the addition of the parking spots have slowed the traffic and thinks they should be kept.

T. Hoopes opened up the hearing for public input on the application.

Randy Tetreault, Norway Plains spoke about the design of the street and the layout area for parking. He said that K. Hoyt wanted to leave the parking there and meet the requirements. R. Tetreault researched the boundary lines and said that it is left over from the railroad use.

T. Hoopes closed that portion of the public hearing and the Board went into deliberations

T. Hoopes asked about the fuel tank and the applicant said the current owner will remove the fuel tank before the change in use takes place.

Motion made by A. Sherwood, seconded by C. Balcius to approve Case#PO5-31,

Discussion on the motion: R. Tetreault asked about adding the magnetic North to the plan and the setback lines need to be added. A. Sherwood added those items to be Conditions of Approval, motion carried with all in favor.

K. Menici read into the record the purpose of the next case

**Case#PO5-03 Map12, Lot 43
William McQuade/ Nextel Communications**

**Site Plan Review
Old Wolfeboro Rd.**

Application submitted by William McQuade on behalf of the property owner Michael Letourneau, Nextel Communications and Tower Venture for Site Plan Review to construct a new 120' monopole telecommunication tower. The property is located on Old Wolfeboro Rd in the Rural Zone. The application has not been accepted by the Board and has been continued since the January 18, 2005 meeting.

K. Menici gave her report to the Board and discussed the waiver requests as follows: 7.2.11 Certification of Surveyor, 7.2.21 Metes and Bounds. She explained that the plan was signed by an engineer not a surveyor and there are no new property lines being proposed and the locations of existing property liens with dimensions are shown.

T. Hoopes asked if the plan was produced by an engineer or a surveyor. W. McQuade said the plan was produced by an engineer from a survey. T. Hoopes asked about the difference between an engineered plan and a surveyed plan for the waiver request.

T. Varney wanted to discuss the notification process of abutters.

K. Menici said the applicant is responsible to provide the abutters list and the mailing labels but the Planning Department secretary is the one who mails the notices. Discussion about the Town of Alton staff that mails the notices but the applicant is responsible for to verify that all the notices are correct and that all the regional notices are correct. K. Menici will provide the regional notification abutter notices to T. Varney.

A. Sherwood asked if there was a boundary survey of the property that the applicant worked from. Emon Kernan, representing the applicant said the information for the plan was from deed information.

C. Balcius asked about the boundary line and where it is located and if it was close to where the tower would be located. E. Kernan said yes along the stonewall. C. Balcius asked if it was surveyed by a surveyor identifying it as the boundary. E. Kernan said no it has not been declared that that is the actual boundary. C. Balcius has concerns about the boundary line not being identified. The applicants said the monopole would be 95' from the stonewall. C. Balcius asked if the boundary was 10' from the access road to someone else's property. W. McQuade said yes that is correct because of the topography of the site that is where they chose to install the access road.

T. Hoopes asked if the stonewall is referenced in the deed. E. Kernan said he did not know.

A. Sherwood said the Board asked that question the last time and the answer was yes.

E. Kernan said the stonewall is showing up as the property line but he does not know if it is referenced in the deed.

C. Balcius has concerns about referencing a 10' setback from the access road when the line has not been surveyed.

T. Varney spoke about the waiver request for the surveyed plan. He said the engineer cannot attest to the accuracy of the error of closure if the land has not been surveyed.

E. Kernan said the equipment used was GPS and total station and the accuracy of the equipment would bring it to less than 1 in 10,000 of closure as the Town requires.

T. Varney said that has nothing to do with the certification of the property line.

C. Balcius and T. Varney spoke about the difference between an engineer and a surveyor in determining the property line and they believe that the boundary line has to be verified by a surveyor not an engineer.

T. Varney said when a letter from an engineer is submitted stating that error of closure by an engineer is not sufficient and it is not what the Board requires. He has concerns about Old Wolfeboro Rd and the discontinued section and the plans the applicant submitted show them connecting. C. Balcius said T. Varney brought that up last time and she thought the applicants were supposed to research that from the last time they were in front of the Board.

M. McQuade said they submitted a title opinion.

A. Sherwood spoke about the acceptance of the application and have a condition placed upon the applicant to have the plan and have the property line surveyed in order to determine the boundary line.

The Board discussed not accepting that waiver request but having that become a stipulation for acceptance in order to move the application along.

T. Varney does not want to allow the applicant to submit the plan without the surveyed requirements and he thinks the Board should not accept the plan without it being complete. He believes the applicant should have to do the survey prior to the plan being accepted, as the Board has required other applicants to do.

A. Sherwood said the property owner owns land on both sides of the road and they have a legal description to use both sides of the road. A. Sherwood wants the Town Attorney to review the information as to the verification of the legal ROW issue.

T. Varney spoke about the process of discontinuing the road and the purpose of the original discontinuation of the road was to merge other properties but, the plans do not reflect that on those 2 properties on the plan.

C. Balcius asked K. Menici if the applicants spoke with her about the waiver request for the surveyed information. K. Menici said that waiver request has been included with all the submissions from the applicant. C. Balcius said it is not normal to have the waiver request from the surveyor and wanted to know if the applicant discussed the waiver request at all with K. Menici. K. Menici said she did not speak with the applicant about the waiver request.

The Board spoke about how they had previously discussed the waiver request.

W. McQuade said that the Board only requested that the topo be shot from the other side of the property.

T. Varney said when a land surveyor does a plan, they list the survey equipment used and the plan submitted does not reflect that. He said the applicant submitted information stating an engineer used a GPS hand held unit so there is no total station or conventional survey equipment.

E. Kernan said the GPS is total station and the equipment is accurate to 3 feet.

T. Varney said the equipment used was sub-meter accuracy and that is not survey grade. He

explained that when you compute elevations the accuracy is sub-meter which is 3' and the horizontal to vertical measurement of that is 3 times.

E. Kernan said the GPS can be shot anywhere and can be used to set a temporary benchmark and that would be plus or minus 20 feet, according to FCC regulations. He said it is accurate to plus or minus 10 feet vertical and then from that point you would shoot total station to north and south and then that information would be checked against USGS but you do not have to tie into a benchmark because the GPS is accurate to plus or minus 10 feet vertically. He said all the topography relative to the temporary benchmark.

Discussion about the equipment that was used to verify the locations of the elevation lines. The GPS was used to verify that the locations are above 1000' line.

The Board discussed the location of the wetlands and how they were determined and T. Varney said the Town of Alton regulations require that a land surveyor complete the wetland delineation.

E. Kernan said the wetlands and the topo shots were done by using total station.

T. Varney said the deficiencies in the plan could be corrected if a surveyor did the plan and the requirements were completed. T. Varney asked what road they are planning on using for access and the applicants said Old Wolfeboro Rd. and it would have to be upgraded. He asked if they were going straight across into Old Wolfeboro Rd. E. Kernan said no because of the existing terrain, instead they plan on following Old Wolfeboro Rd., the discontinued section of Old Wolfeboro Rd.

A. Sherwood said the Board did not inform the applicant that they would need to have a boundary survey the last time they appeared before the Board and that should have been done. He agrees that the boundary survey needs to be completed, his question is at this point is whether or not the application is complete enough for the Board to take action now or require the applicant to submit the information.

C. Balcius spoke about the applicant's previous presentation to the Board and T. Varney asking about the survey and the ownership issues then, but she does not remember the outcome. She said maybe they do have enough information at this point but the survey work needs to be completed. Discussion about the amount of air traffic that use the air space around Alton Bay and the Wolfeboro airport was discussed in relation to the tower. The Board asked if there was a light on the Prospect Mountain tower and C. Balcius said no.

B. Dunbar spoke to T. Hoopes and reminded the Board the plan has not been accepted yet and she said the discussion is relating to the merits of the case.

T. Hoopes agreed.

Motion made by T. Varney to not accept the plan as complete because it has not been surveyed, the delineation of the wetlands and there is no explanation of equipment used or about the lighting. The motion was not seconded and motion failed.

Motion made by A. Sherwood, seconded by C. Balcius to accept Case#PO5-03 with the conditions that the northern boundary line along the stone wall, the area for the road, and a complete wetland delineation to be submitted on a revised plan. W. McQuade said there still may be a partial waiver request for the survey information based on the Board's request to survey the northern boundary and the areas to Old Wolfeboro Rd. A. Sherwood agreed and included granting the waiver request for metes and bounds.

Discussion on the motion: B. Holmes asked about a view from the tower. T. Hoopes said once the case is accepted, then the Board can discuss the merits of the case.

T. Hoopes called for the vote, the motion carried by a 6-1 vote with T. Varney voting in the

negative.

William McQuade and Emon Kernan from Nextel Communications, were in attendance to represent the application.

W. McQuade explained that the proposal is for a 120' monopole tower to be located on Old Wolfeboro Rd on the Letourneau property. He said there will be about 600 foot access road is proposed on the northern boundary line and the site will include a 100x100 lease area that will include a fenced in compound area including the 120' monopole tower. He said the tower is designed to be extendable to 150' to accommodate additional co-locators. He said the FAA requires lighting on the tower for the proposed site and they will work with the Board to decrease any lighting impacts. He said the study was done a few months ago and since then, the applicants have received a determination of no hazard to air navigation that does involve lighting.

Discussion about the screening of the light from the ground to reduce the visual impact and still meet the aviation requirements for identifying it as a structure. The Board discussed the requirement about having a contract for two co-locators to be required on the tower. W.

McQuade spoke about K. Menici's interpretation requiring them to have 2 carriers and he wants the Board to consider the height of 150' due to the co-locator requirements for the future.

Discussion about the interpretation of the co-locator status from K. Menici as meaning 2 companies and the applicant interpreted the co-locator status as 1. W. McQuade wants the Board to consider in the conditions of approval for the 150' tower but if the Board doesn't allow for the 150' tower, the 120' tower will still have the ability to be expanded when another co-locator is secured recognizing that the ordinance does allow for that height for co-location.

A. Sherwood spoke about the zones that allow the towers as a use and the ordinance was written to encourage co-locations.

T. Hoopes asked at this time the application is for the construction of the road, construction of the site and construction of the tower and W. McQuade said that is correct.

A. Sherwood spoke about the reviews and studies that need to be started. He spoke about a structural engineering review, principally for wind loading. He wants to an engineer working on behalf of the Town of Alton to review the application and the engineering material submitted by the applicant. He spoke about the proposed design for the access road and the drainage review and that should be reviewed by an engineer on behalf of the Town. He also spoke about the ROW issue and he wants the Town Attorney to review the legal documents.

K. Menici spoke about CMA Engineering capable of doing the reviews the Board is requesting.

T. Varney wants an air traffic review plan done and A. Sherwood said that would be a FAA issue.

W. McQuade said they have a determination of no hazard with lighting from the FAA. He spoke about CMA being fine for the ROW review and the drainage review however he has not proposed any steel drawings yet and typically they have geo technical work done for the foundation design that would accompany steel designs and the plans will have a professional structural engineer's stamp on the plans. He can submit preliminary steel drawings stamped by an engineer done in time for the engineering review before the next meeting.

The Board and the applicant discussed the engineering review and the applicant wants to submit the plans to build the tower at 120' but have to plans show the foundation and the steel design to be done for a 150' tower.

They discussed the time frame for the applicant to submit the revised and preliminary materials and for when to continue the application.

The Board decided to do a site walk on Wednesday June 15 at 5pm to meet on site and park on the Laternoue property.

The Board discussed CMA Engineers doing the preliminary engineering review and CMA can begin the drainage and the road design and review. They discussed the engineering subcommittee reviewing CMA's cost estimate and deciding on the costs.

K. Menici said they would not be able to get a full estimate from CMA until they have complete drawings submitted. She said it could be set up as two separate reviews, the first to begin the drainage and road review and the second for the structural review. She said with the Board's authorization they could have a meeting of the engineering review subcommittee to approve the estimate rather than wait for the following month's Planning Board meeting.

C. Balcius said they used to do it that way and would rather do it that way.

K. Menici told the Board they need to vote on the engineering review.

Motion made by A. Sherwood, seconded by C. Balcius to select CMA Engineering to complete the engineering review and delegate the engineering subcommittee to accept the scope of services and the fees required, motion carried with all in favor.

T. Hoopes opened up the hearing for public input, there being none, he closed that portion of the hearing.

J. Crouse asked about the Historical Preservation Office letter dated May 5, 2005 and whom the letter was written to either Nextel or US Cellular and W. McQuade said it was a typo and everything else is height and location is case specific and he has asked for a corrected letter to be resubmitted.

A. Sherwood spoke about the about the materials needed for the engineering review and would they be done in a month and when to continue the case until.

K. Menici spoke about the deadlines for the applicant to submit in order to be done for the June meeting deadline. The Board still questioned whether the applicant could complete the information needed in time for the next meeting including getting the survey work they required completed.

W. McQuade said the drainage and the ROW issues could be completed but he is not sure about the structural drawings. K. Menici told the applicant the deadline for the applicant to submit information for continued applications is June 3, 2005.

The applicant said they will try to meet the deadline and if they cannot they will contact K. Menici and request a continuance.

Motion made by C. Balcius, seconded by A. Sherwood to continue Case#PO5-03 until the June 21, 2005 meeting at 7pm, motion carried with all in favor

K. Menici read into the record the purpose of the next case

Case#PO5-11 Map 15, Lot 1

Keith Chamberlain

Amended Site Plan Review

NH Rte 28 & Calef Dr

Application submitted by Douglas V, Brodeur of True Engineering Inc, on behalf of the property owner Keith Chamberlain. The applicant proposes to expand an existing self-storage facility. Currently the site has five (5) buildings with 95 units, the applicant is requesting to add three (3) more buildings with 38 more units. The property is located in the Rural Residential Zone. The Application was accepted on February 15, 2005 and continued from the March 15, and April 19, 2005 meetings.

K. Menici gave her report to the Board and at the last meeting she update the drainage study review and the applicant provided an additional drainage study that was created when the site was first built and she said that was the last outstanding issue. She also spoke about the Fire Chief's

comments and he is satisfied with the layout of the site for emergency access.

C. Balcius asked if screening was discussed and T. Hoopes said arborvitae was discussed and he wants to see something more substantial for landscaping screening. He spoke about the citizens acknowledging more screening as a result of the Community Survey.

K. Chamberlain does not want to use anything but arborvitae because he does not want to disrupt his landscape plan for now. He also spoke about other landscaping types will interfere with his snow plowing and storage and he said it will affect the drainage. He told the Board he does not want to spend any more money on snow removal and he wants to maintain what he started.

C. Balcius said she does not remember 6' high arborvitae when she was on site and she spoke about the recently approved self-storage building where they required substantial landscaping and she encouraged K. Chamberlain to get more diverse landscaping.

K. Chamberlain spoke about the drainage and the arborvitae and the salt that is affecting the growth of the plant and he said no matter what he plants there they are going to be affected by the salt. C. Balcius said there are a lot of plants and shrubs that are available to be planted that are salt tolerant because she has used them in her own business and she suggested that K. Chamberlain consult a landscaper for advice. K. Chamberlain said all the Board is doing now is asking him to spend more money for a plan that he has already been approved for. He said when they did their site walk there was 5' snow banks on the ground so it made the plants look smaller.

C. Balcius said she went back to the site and has seen the plants with no snow banks. She wants her concern addressed for screening for the new building.

B. Holmes asked about the drainage problem he has in front of the existing buildings and if it continues through the new building number 2.

K. Chamberlain said there is a slight elevation as you continue north on the property. He said the culvert on the north side of the property flows into the wetland and that flow will not impact the drainage for the new building #2. He said the slight pitch in the ditch he created helps with the flow and it will flow south through the existing culvert.

Discussion about the planting of more arborvitae closer together to help screen the new building #2. K. Chamberlain said he would do a 5' stagger of 6' arborvitae in front of the new building. He said he would have a little more grass area in front of the new building #2.

T. Hoopes opened up the hearing for public input on the application, there being none he closed the public input portion and the Board went into deliberations.

Motion made by T. Varney, seconded by J. Crouse to approve Case#PO5-11 with the following condition, motion carried with all in favor.

- 1. Applicant will plant no less than 6' tall arborvitae, spaced every 7 1/2 feet in a 5' zigzag pattern along the property line in front of new building #2.**

K. Chamberlain wants an accounting report to be completed by Dufresne-Henry and any unused portion of the \$1,500.00 funds be returned to the owner.

C. Balcius recused herself from Case#PO5-38.

K. Menici explained that the all the Board members can sit on the case because it is a Conceptual Review. She read into the record the next case

Case#PO5-38 Map 34, Lot 37-2

Daryl Breed Hoitt

Conceptual Site Plan Review

18 Mount Major Highway (Rt. 11)

Application submitted by Lee Maserian for Conceptual Review for design and scoping input for proposed redevelopment of the Alton Bay Pavilion. The property is located on Mount Major Highway (Rte 11) and is located in the Residential Commercial Zone, The Town of Alton's

Shoreland Protection Overlay District and the NHDES Shoreland Protection Overlay District.

K. Menici reminded the applicants that the Conceptual Review is limited to 15 minutes.

Daryl Breed Hoitt, property owner; Lee Maserian, applicant and John Dorsey, attorney, were in attendance to represent the application.

L. Maserian spoke about the interior reconfiguration to the existing Alton Bay Pavilion and also spoke about the exterior renovations to the building. He said the Pavilion is Condo unit 2 in the existing condominium complex. He said he has spoken to the NHDES and they have preliminary approvals for 9 units with the existing septic system. He said the 9 units are based on one-bedroom units and they may do 7, 2-bedroom units those would fall under the capacity for the existing system.

A. Sherwood spoke about the concept being a good idea but the application cannot meet the zoning requirements and there is not enough land area to support the proposed dwelling units. Discussion about the number of units allowed by the zoning ordinance and the proposal exceeds what the ordinance allows which is 4 units per building.

Discussion about the other condominium units on site and their current uses, retail and professional. A. Sherwood said the condominium status is based on ownership and the maximum number of dwelling units that zoning allows is 4. It was discussed the uses that exist are allowed, but the additional residential unit proposal is not allowed. They spoke about a 9-unit efficiency motel being allowed in that zone and that could be done by a change of ownership. A. Sherwood said there is a difference between hotel/motel use and condo living units or multi-family housing and the zoning treats them differently and the Board cannot approve anything that would be in violation of current zoning. The Board continued to discuss the proposal does not meet the current zoning for land area requirements and they would need 2 acres of land for the current proposal.

D. Hoitt said they had an approval from the state for a 9-unit efficiency motel with commercial retail space. She said the state said since it was already a subdivision the new subdivision rules would not apply and they discussed the change of ownership to allow the motel units.

K. Menici said the Town Attorney explained that if that if the building is converted into residential use it does need further subdivision even though it is a condominium so it does technically become a new subdivision.

B. Dunbar also spoke about on site parking and K. Menici said the condo is approved to use the parking that is on the state's land and K. Menici said the parking requirements were based on the pavilion being a restaurant and parking requirements for that use are the highest in number.

B. Dunbar spoke about the Town of Alton's regulations having the ability to supercede any regulations the state has.

The Board discussed the motel option with the applicant and again told the applicant they do not have enough land for the proposed residential units. K. Menici said the land area is about 33,000 SF and that is 2 residential units. K. Menici said the same land area would apply for commercial space. They Board discussed retail space that would be in compliance with zoning.

They discussed the motel option and explained the definition of a motel for the applicant.

The Board discussed the NHDES rules and whether the proposal can meet those rules and T.

Varney suggested the applicants speak to the state and clarify if the subdivision is considered new. The applicants thanked the Board for their time.

Other Business:

1. Approval of Minutes from the March 15, April 19, 2005 Planning Board Meetings and March 23, and March 29, 2005 and April 26, 2005 Workshop Meetings.

Motion made by A. Sherwood, seconded by J. Crouse to approve the minutes from March

15, 2005 as corrected, motion carried with all in favor.

Motion made by A. Sherwood, seconded by C. Balcius to approve the minutes from April 19, 2005, as corrected, motion carried with all in favor.

Motion made by C. Balcius, seconded by J. Crouse to approve the minutes from March 23, 2005 Workshop meeting as presented, motion carried with all in favor.

Motion made by J. Crouse, seconded by J. Dube to approve the minutes from March 29, 2005 Workshop meeting as corrected, motion carried with all in favor.

Motion made by D. Brock, seconded by J. Dube to approve the minutes from the April 26, 2005 meeting minutes as presented, motion carried with all in favor.

2. Old Business:

3. New Business: 1) Case#PO5-26- Stapley, Minor Site Plan Review Committee Approval
K. Menici spoke about a list of items the Board needs to address under other business. If additional issues arise between now and the date of the meeting, this memo will be revised and distributed to the Board at the meeting.

1. Billing procedures established by Dufresne-Henry for engineering review services.

K. Menici updated the Board on the process and the Board accepted the previous explanation from D-H on the fee schedule and the engineering review process. She said since then, D-H has increased their rates and she called on the Board to decide an action. She said the Town Administrator has concerns over D-H increasing the rates without approval from the Board. She said the Board has to decide by the next Planning Board meeting on whether to accept the rates and if they do accept the new rates as to when the rates will take effect.

Discussion about the original fee schedule and any rate increases should have been approved by the Board before D-H raised the rates. The Board discussed the fact that the Town of Alton was paying bills without notice that there was a rate increase. K. Menici discussed the fact that services provided by D-H has been lacking. The Board agrees that having more than one engineering firm is beneficial for the size of the project and beneficial to the Town of Alton for cost and productivity. K. Menici said that the turn around time for the smaller firms were also problematic and CMA turn around time is excellent and the reports are easier to follow. C. Balcius wants an environmental consulting firm to be included as part of the engineering review and wants an RFP to be created.

2. Master Plan Committee meeting schedules

K. Menici said that the Chairs are not posting the meetings and they have to tell the Planning Department in order to post the meetings.

3. Work session with Nancy Johnson re: Community Survey

K. Menici spoke about N. Johnson wanting to meet with the Board before she finalizes the survey so she can ask the Board if any cross tabulations will be done.

The Board chose May 31, at 6pm and June 1 as possible meeting dates will be strictly a work session. K. Menici will check with M. Perry for her availability.

C. Balcius spoke about the times of the meetings so that working people can attend and how crucial it is for M. Perry to be able to attend because she has been a valuable volunteer.

4. St. Katharine's landscape plan

K. Menici updated the Board on the plan and they have a company will donate the time and materials for the landscaping plan and the Board should choose a sub committee for a landscaping sub committee.

J. Dube spoke about the fact that he had put in a bid for plowing and had concerns about a conflict

and the Board did not believe it was a conflict and it will not prevent him from being on the committee.

Motion made by C. Balcius, seconded by A. Sherwood to appoint J. Dube and B. Holmes to review the St. Katherine's Landscaping plan as a landscaping subcommittee, motion carried with all in favor.

5. Discussion regarding engineering for road improvements for Henderson subdivision

K. Menici said J. Sessler thinks that the road design review is excessive for the subdivision and she is asking the Board for their opinion get from tape t. Hoopes comments and B. Holmes spoke a bout notifying the applicant so they stop spending money on the review. Get from tape

6. Letters of interest from Tim Morgan and Steve Miller regarding PB alternates positions

K. Menici spoke about the By-Laws requirement of the prospective alternates attending 3 meetings and K. Menici will notify the members and get a packet of information to them of their approval as alternates.

C. Balcius spoke about the By-Laws and the attendance policy and also following the By-Laws rules for the regular meetings and the rules of procedures on how to speak through the Chair. She suggested the Board members read through the By-Laws.

Adjournment

Motion made by B. Holmes, seconded by J. Dube to adjourn at 10:00pm, motion carried with all in favor.

Respectfully submitted,

Stephanie N. Verdile
Secretary