

TOWN OF ALTON PLANNING BOARD
Approved Minutes
May 17, 2016

Members Present:

David Collier, Chairman
Peter Bolster, Clerk
Bill Curtin, Member
Roger Sample, Vice Chairman
Russell Wilder, Member
Thomas Hoopes, Alternate Member

Others Present:

Nic Strong, Town Planner
Traci Cameron, Planning Secretary

I. CALL TO ORDER

D. Collier called the meeting to order at 6:00 pm

II. APPROVAL OF AGENDA

D. Collier asked if there had been any changes in the agenda. Nic Strong stated the items in bold were added since posting the agenda.

B. Curtin moved to amend the agenda for Other Business, to move 4a to number 1 on the agenda.

P. Bolster seconded the motion with all in favor.

Bill Curtin moved to accept the Revised Agenda as presented.

Russ Wilder seconded the motion with all in favor.

D. Collier appointed T. Hoopes as a full Member of the Board for tonight's meeting in Scott William's absence.

D. Collier stated the first item on the agenda for tonight was the correspondence for the Board's action/review/discussion re: Joe Spain, JH Spain Commercial Services, Map 9 Lot 53-2 through 20, New Durham Road. D. Collier stated that at this point in time the Board had not received a response from Attorney Sessler, as to how to proceed with the information that was sent to him about Woodland Subdivision. Joe Spain, JH Spain Commercial Services, LLC, owner of Woodland Subdivision, spoke to the Board regarding the letter he received from the Planning Department about the status of Woodland Subdivision. J. Spain stated this was the fifth time or so that he had been before the Board in regards to Woodland Subdivision. He stated basically in laymen's terms he fell asleep at the wheel because all he had to do was put the bond in place. He would like to request the Board's approval to submit the bond so that he may be vested in the project and continue down the road with Phase I and

if the Board allows him to do that it is something he could do in the next 30 days and continue this process forward. He stated he believed the Board was networking with Town Counsel to get a better understanding of the status of the approvals.

N. Strong stated the Board needed to know the status of the approval and whether the 5-year exemption still applies. J. Spain stated this plan had been recorded, they do have street addresses, 911 addresses, they receive nineteen (19) separate tax bills for the property. He stated that he is in a position to move things forward with Phase I at this time if the Board is inclined to approve of that. B. Curtin asked J. Spain to clarify the statement regarding him receiving nineteen separate tax bills, Mr. Spain said he receives 19 separate tax bills. B. Curtin stated then this had already been recorded, so Mr. Spain did not have to be here. N. Strong stated the question is that there was an amended subdivision plan and that was not recorded. D. Collier stated there was a Phasing Plan. J. Spain stated that approximately two years ago he had come to the Board for approval to separate the subdivision into three separate phases, put the electricity underground and to replace the cistern with a fire pond. V. MacDonald stated if they receive nineteen tax bills then it was already an approved subdivision. D. Collier stated it was the amended plan that was the issue. T. Hoopes stated the overall question was whether vesting had taken place and if they had met their time lines, because if time lines were not met then it would change the whole way in which the subdivision would be looked at.

B. Curtin asked, what would happen if the Board revoked this whole subdivision as a question for discussion, if it was already recorded. T. Hoopes stated the power of the Planning Board is capable of revoking anything it chooses to. D. Collier stated that included recorded plans. B. Curtin asked if the Board revoked the subdivision and they had been paying taxes, do they get their money back. T. Hoopes responded that he did not know the answer to that. B. Curtin stated neither did he, that's a legal question. T. Hoopes stated the Board needs to find out from Jim Sessler, Esq., whether or not J. Spain is up-to-date on his time factors and if he meets the time factors then he can simply extend it.

J. Spain asked the Board if we go back in the test of time, when does the clock start ticking. He came to them two years ago looking for approval for amended plans and he had a five year right for the approvals to be in place. T. Hoopes stated this goes back to '06 or '05. J. Spain stated he knew that but the issue at hand was that it was a recorded plat, with Lisa Drive and Marie Drive already established. T. Hoopes stated the Board cannot answer that, they need to wait for the Town's Attorney, he is the only person who can make that decision. D. Collier stated the Board should wait to hear Attorney Sessler's response. He asked Joe Spain if he needed to act in the 30 days after that would he be able to do so. J. Spain stated yes he could and would like to propose that as an option. This is just a clear situation where he fell asleep at the wheels, the business in Concord is very robust and he was involved in a few jobs and he would like to move on and get this solidified. D. Collier asked if all the permits were up-to-date and J. Spain said yes, the Wetlands Permit he believes expires in 2017. R. Sample asked if Jim Sessler, Esq., will know it's been recorded and that he has been paying taxes on it. N. Strong stated Jim Sessler, Esq., had the memo from April 28, 2016, that the Board received, which laid out the whole situation. He had everything he needs to be able to figure it out, he just didn't have time to do it for tonight's meeting. The Board will wait for Attorney Sessler's response before making a decision and discuss it again at the next meeting.

III. CONTINUATION OF PUBLIC HEARING:

Case #16-12 ATD 317 LLC	Map 38 Lot 21-1 Rural (RU) Zone	Minor Site Plan-Change of Use 317 Mount Major Highway
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Linda Diorio, owner, was present.

N. Strong stated the plans were just submitted earlier today and there were three minor plan review items that would need to be made along with adding the standard notes that are part of the Board's regular motions. One is that it does not list the Aquifer Protection Overlay District, one is an incorrect lot number for an abutter and one note refers to various driveway permits but not the most recent one because that was not yet received from the State. The plan will have to be revised to add those items. P. Bolster said that he saw that an application for the driveway permit had been received by the NHDOT, but a permit had not been issued yet. N. Strong stated that a permit had been issued but it only referred to the market being open on Fridays in the evening, so that needed to be revised to actually match the hours that L. Diorio, owner was interested in it being open. The applicant is waiting for the State to approve it. P. Bolster stated it was approved for the Friday evening but not Friday to Sunday. L. Diorio stated that is correct. N. Strong suggested that the dates listed on the summary of hours be May through October rather than the specific day of each month as they currently are. L. Diorio agreed with that suggestion. The new plan will reflect that change. P. Bolster asked if specific hours should be noted. N. Strong stated at the last meeting the hours were more narrow and the Board suggested she open that up so she could be open whatever hours she chose from Friday to Sunday. R. Sample asked about the parking, he asked how the parking was going to be marked on the dirt. D. Collier stated the way it is shown looks sufficient, the only other way it could be done would be curb stops. R. Sample stated as long as the plan showed the spaces and the number of cars that could park there, it was acceptable. P. Bolster stated this would be different from another plan we might have from another business that we would stipulate that they need to delineate the parking because this is a temporary thing.

D. Collier opened for public input. No public input. Closed public input.

R. Wilder moved to approve Case P16-12:

Let this *Alton Planning Board Notice of Decision* serve as written notification for the above referenced project as follows:

After due hearing, the Alton Planning Board hereby approves the above cited application for ATD317LLC for a Final Minor Site Plan Review for a local market on the site of the existing greenhouse and garden center at 317 Mount Major Highway, Map 38 Lot 21-1 with the following conditions:

CONDITIONS PRECEDENT

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

- 1. Submission of revised plans in the number required by the Site Plan Review Regulations and that include all of the checklist corrections and any corrections as noted at this hearing, including, the applicant's name is incorrectly spelled in the title block; there is no note regarding the Aquifer Protection Overlay District; CNA Holdings is incorrectly listed as owning Map 38 Lot 21-1 which is the map and lot of the subject property. They actually own Map 38 Lot 22 and Map 38 Lot 21; note #9 on the plan lists the various driveway permits. The plans will have to be revised to list the most recent driveway permit when it is issued by NH DOT.**
- 2. Addition of a note to the site plan prior to plan signing by the Planning Board Chair: This site plan contains a total of 1 sheet: [to be listed and dated by the applicant on the site plan itself]. In combination these plans constitute in their entirety the site plan as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department.**
- 3. Addition of a note to the site plan prior to plan signing by the Planning Board Chair: This site plan is subject to the Conditions of Approval itemized in the May 17, 2016, Notice of Decision on file at the Town of Alton Planning Department.**
- 4. Receipt of Driveway Permit from NH DOT.**

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

- 1. All site improvements, including, but not limited to, exterior lighting and layout of parking area, are to be completed as per the approved site plans, prior to the issuance of any Certificate of Occupancy per this Notice of Decision and Section 1.22 of the Site Plan Review Regulations.**
- 2. The approved hours of operation for the local market are Friday 9:00 a.m. to Sunday 6:00 p.m., May - October.**
- 3. The applicant shall comply with all of the Town of Alton's Site Plan Review Regulations.**
- 4. The approval is based upon the plans, specifications and testimony submitted to the Planning Board. Any alterations, additions or changes to the plans are not authorized and require additional Planning Board approval.**

5. **A site plan which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications upon which the approval was based, or has materially violated any requirements or conditions of such approval.**
6. **Once any and all conditions of approval have been met and the Chairman of the Planning Board or his designee signs a site plan, the applicant has twelve (12) months from the date of signing to start construction and, unless a different schedule is approved by the Board, must complete construction within twenty-four (24) months.**
7. **Site plan approvals that have not started construction within twelve (12) months shall automatically expire, at which time no building permits shall be issued, unless an extension has been formally requested and granted by the Board. Normally the Board shall not grant more than one extension per project, shall only grant an extension for reasonable cause, and shall normally not grant an extension for more than six months.**
8. **No site may be occupied or used until a Conditional or Permanent Certificate of Occupancy Permit has been issued by the Code Official in accordance with Section 1.22 of the Site Plan Review Regulations.**

Unless otherwise approved by the Board, the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions that are required prior to signing the site plan. Failure to complete any conditions within the one (1) year timeframe shall invalidate the Board's approval, unless an extension is approved by the Board per Section 1.14 of the Town of Alton Site Plan Review Regulations.

D. Collier asked if there were any further questions. R. Sample asked about the layout of the parking spaces. T. Hoopes asked if the plan could show parking area rather than specific parking spaces. The Board agreed.

B. Curtin seconded the motion with all in favor.

IV. COMPLETENESS REVIEW OF APPLICATION AND PUBLIC HEARING IF THE APPLICATION IS ACCEPTED AS COMPLETE

Case #16-14 Alton Bay Campmeeting Association	Map 34 Lots 33 Residential (R) District	Major Site Plan Rand Hill Road
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R. Sample recused himself from the Board.

N. Strong stated the Board heard the Design Review Application at the April 19, 2016, meeting and the applicant submitted the final application. A special Exception was granted by the ZBA on March 3, 2016, to allow the use. The plan review had been performed and the outstanding items are listed on the review. There are waiver requests in J. Green’s letters of April 21, 2016. The Board can determine if the application is complete.

B. Curtin moved to grant the following waivers for Case P16-14:

4.02 (F) 23 Approximate location of driveways and/or roads, well, septic systems and any other pertinent features to abutting properties within 200’ of the site.

4.02 (F) 24 Approximate location of buildings on abutting properties within 200’ of the site.

4.02 (F) 10 Location and height (in stories) of all buildings and any other structures on the site.

P. Bolster seconded the motion with all in favor.

P. Bolster moved to accept Case P16-14 Application as complete.

B. Curtin seconded the motion with all in favor.

Jeff Green, LLS, agent for Alton Bay Campmeeting Association and Brad Smith, Alton Bay Campmeeting Association, spoke to the application. J. Green stated they were proposing to add some camp sites for recreational vehicles to an existing camp site. The property is 28.6 acres in size with a couple of different uses and many structures on it, residential houses and everything is seasonal. On Rand Hill across from Towle Road is a small campground within that 28.6 acres that currently has thirty (30) sites for RV’s to park, each one of them have full facilities with electric, water, and sewer. Of those thirty (30), three (3) of them are in a section that they would like to reconfigure and add six more sites to, so there will be nine (9) in that area, so there would be a total of thirty-six (36) on the entire section that they would like to develop. This area had been existing for a long time. The plan shows where there are twenty-seven (27) sites that are all designated. The area is just a portion of the 28.6 acres, 2.53 acres is the area they are working with for the designated camp sites that they are proposing to expand.

The required standards for the proposed sites are noted on the left of the plan. The two (2) numbers they are working with are, a minimum 1500 s. f. for travel trailer sites and a minimum of 1000 s. f. for tent/motor coach sites. They also have to have a minimum of 25’ frontage on the camp road and no more than fifteen (15) sites per acre. There are currently 30 spaces, 1-26 and 30 are already designated as being there, grandfathered in. Proposed spaces A-F are new spaces and reconfigured spaces are G-I. Currently, the spaces are more like tent

sites, they are not really designated, the other sites are all between hedge rows and this was just an open area. Each new space will have electric, water and sewer, so they will all be self-contained. Each site has a space for an RV and two (2) parking spaces as per the regulations. Four (4) will be under 1500 s. f., so they will only be allowed to have tent, truck campers and/or motor coaches on them. The other five (5) spaces are designated for travel trailers. Currently, the entryway to go into these sites is eighteen (18) feet wide but is capable of carrying twenty-four (24) feet in width if necessary. All utilities will be underground. There was a bathroom facility in that area, but it was replaced with a portable self-contained restroom unit on site 13 and it hooks into the current septic system. No additional lighting is being proposed to the sites, each camper site takes care of its own electricity and the bathrooms are in their campers. This is a seasonal use from the time when the water is turned on through the time the water is shut off. Some campers stay there during the off season; B. Smith stated they have approximately 19 campers that stay year round and on April 1st, the Town Tax Assessor comes to evaluate and send the owners of each camper a bill if their camper stays on site through the off season. Campers will stay on site for the entire season, they will not be renting sites for a few days at a time.

B. Curtin asked if there would be vehicle access down Mitchell Avenue. B. Smith stated not at this time, the only access is a path that is used, it is closed to thru traffic unless there was an emergency. D. Collier asked for clarification on “seasonal”. J. Green stated the actual campers stay there but the people do not. B. Smith stated they have several people that go to Florida for the winter and they leave their camper there. J. Green stated the water is shut off at the end of the season and it is not open for “dry” camping during the winter months. The Board asked for clarification on the term “self-contained” related to septic. J. Green stated each unit had their own bathrooms and would “hook up” to the existing septic system and that there is a portable unit with toilets and showers that is also “hooked up” to the existing septic system available as well. J. Green wanted to clarify that the word temporary was added to the portable restroom facility because it may be moved to another location on the property. B. Curtin stated that he should change it to portable instead of temporary.

R. Wilder asked if the surface of the area in blue is gravel. J. Green stated it was, it’s an existing area now and other than a little grading on it, it was basically not going to change, so they were not proposing any catch basins or anything like that. It was basically sheet drain off from there. He stated that he did show on the plan where the grades were now pretty consistent and he did add some final grades that level out the sites. R. Wilder stated that on the north corner it looked like a little bit of a cut into the hill. J. Green stated they were showing a little bit of a cut just to level the site out. R. Wilder stated they would be putting fills along the front on the south side. J. Green stated yes. R. Wilder clarified so in so doing they would not change the drainage pattern that was currently there. J. Green stated no, the drainage pattern currently sheeted across there and comes down toward lot 26, on the southeast side and it would be following that same direction on gravel so most of it would run into the ground. R. Wilder asked if the parking spaces will be paved. J. Green said no. R. Wilder stated the impervious surfaces would just be the trailers. J. Green stated even that would not be considered impervious because they are on axles and above the ground. It is true that the rain will hit the campers but there will be nothing under them that is impervious. R. Wilder asked about the Aquifer Protection Overlay District that is not noted on the plan. J. Green stated that was a mistake on his part, the proposed project is not in the Aquifer District and that will be noted on the plan. R. Wilder asked about the construction schedule. J. Green

stated they have not done a construction schedule because there is not really going to be a lot of construction to do and they have not laid out a time period of doing the project yet. R. Wilder asked about the culvert that drains the area that was discussed at the Design Review meeting. J. Green stated the culvert that is in question comes across from Towle Road, crosses Rand Hill and then goes south and ties in with the Oak Hill area, so the drainage in question does not go through the site and the site does not contribute to the drainage into that culvert and the proposed project will not drain in that area. J. Green stated there would be some tree cutting on the northwest side where they are looking for the grade but very little, a few big pines, the sites are rather large so they don't have to go that far back. R. Wilder asked if the elevation lines were correct because it looked like a slope rather than a cut. J. Green stated that they were correct, because they will be taking it down to those elevations, when it grades off it is almost a fill.

D. Collier opened for public input.

Roger Sample stated he was an abutter and contractor on the project. He wanted to know if where they gave up a site for the portable bathroom would they have to come before the Board again if they want to build a bathhouse again. The Board stated that would be a Building Inspector issue not a Board issue. Roger Sample also stated in talking about the trees, most of them are huge trees that need to come down anyway.

T. Hoopes asked if they take down trees will they replace with some sort of screening. B. Smith stated yes they would. Their plan is as they work on the project they are trying to figure out a way to maintain a more natural look.

D. Collier closed public input.

N. Strong stated there were some comments from the Fire Department. B. Smith stated he received a call from Dick Brown about some questions that he had, he wanted to know about the propane use. B. Smith stated that most campers do have their own smaller propane bottles and that no large tanks would be allowed. T. Hoopes stated another item on the Fire Department's list was about the width of the road needing to be 20 feet wide. B. Smith stated he did not recall him saying it needed to be widened, but there is room to do that. R. Wilder states the minimum width for the entrance needs to be 20 feet. J. Green stated there is 18-20 feet of clearance in the entrance, the paved area is 12.5 feet but if they wished to have that widened it could be done without a problem. P. Bolster stated the Fire Department's letter doesn't say the road has to be 20 feet, just the unobstructed width has to be 20 feet. B. Smith stated they are probably referring to the two posts that they use to put a chain across during the winter months that is 12 feet and they can easily move them back to the ends of the fence. B. Smith stated all the sites will have posted site numbers. B. Smith stated they would be willing to post fire extinguishers in different easily accessible areas throughout the camp sites. D. Collier stated this will be added as a condition.

P. Bolster moved to approve Case P16-14:

Let this *Alton Planning Board Notice of Decision* serve as written notification for the above referenced project as follows:

After due hearing, the Alton Planning Board hereby approves the above cited application for Alton Bay Christian Conference Center, for a Final Major Site Plan Review for the expansion of an existing camping trailer parking area on an existing 28.6 acre lot to reconfigure three sites as well as expand an additional six sites within a 2.5 acre portion of the lot on Map 34 Lot 33, with the following conditions:

CONDITIONS PRECEDENT

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

1. Submission of revised plans in the number required by the Site Plan Review Regulations and that include all of the checklist corrections, any corrections as noted at this hearing and any waivers granted.
2. Addition of a note to the site plan prior to plan signing by the Planning Board Chair stating that Best Management Practices shall be utilized during any timber cutting on site.
3. Addition of a note to the site plan prior to plan signing by the Planning Board Chair: This site plan contains a total of 2 sheets: [to be listed and dated by the applicant on the site plan itself]. In combination these plans constitute in their entirety the site plan as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department.
4. Addition of a note to the site plan prior to plan signing by the Planning Board Chair: This site plan is subject to the Conditions of Approval itemized in the May 17, 2016, Notice of Decision on file at the Town of Alton Planning Department.
5. Submission of the approval for construction of the septic system by NH DES.

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

1. All site improvements, including, but not limited to, exterior lighting (if any), construction of the expanded campsite area with interior roads and parking spaces, sewer and water hookups, are to be completed as per the approved site plans, prior to the issuance of any Certificate of Occupancy per this Notice of Decision and Section 1.22 of the Site Plan Review

Regulations.

- 2. The applicant shall comply with all of the Town of Alton's Site Plan Review Regulations.**
- 3. The approval is based upon the plans, specifications and testimony submitted to the Planning Board. Any alterations, additions or changes to the plans are not authorized and require additional Planning Board approval.**
- 4. A site plan which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications upon which the approval was based, or has materially violated any requirements or conditions of such approval.**
- 5. Once any and all conditions of approval have been met and the Chairman of the Planning Board or his designee signs a site plan, the applicant has twelve (12) months from the date of signing to start construction and, unless a different schedule is approved by the Board, must complete construction within twenty-four (24) months.**
- 6. Site plan approvals that have not started construction within twelve (12) months shall automatically expire, at which time no building permits shall be issued, unless an extension has been formally requested and granted by the Board. Normally the Board shall not grant more than one extension per project, shall only grant an extension for reasonable cause, and shall normally not grant an extension for more than six months.**
- 7. No site may be occupied or used until a Conditional or Permanent Certificate of Occupancy Permit has been issued by the Code Official in accordance with Section 1.22 of the Site Plan Review Regulations.**
- 8. Compliance with the Fire Review comments from the Alton Fire Department dated 2/26/16 and 5/2/16.**

Unless otherwise approved by the Board, the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions that are required prior to signing the site plan. Failure to complete any conditions within the one (1) year timeframe shall invalidate the Board's approval, unless an extension is approved by the Board per Section 1.14 of the Town of Alton Site Plan Review Regulations.

V. MacDonald seconded the motion with all in favor.

R. Sample rejoined the Board.

V. OTHER BUSINESS

1. Old Business- Discussion re: scheduling work sessions to discuss the Subdivision and Site Plan Review Regulations that were distributed at the April 19, 2016 Board meeting.

- The Board agreed to schedule separate workshops to complete this work. It was agreed to schedule the workshops on the second Tuesday of the month at 5:30pm. The first session will be on June 14, 2016, and they will be concentrating on Subdivision Regulations then move onto Site Plan Review Regulations.

2. New Business- None

3. Approval of Minutes-

a. Minutes of April 19, 2016, regular Planning Board Meeting.

B. Curtin moved to approve these minutes as presented.

P. Bolster seconded the motion with B. Curtin, P. Bolster, R. Sample, and R. Wilder in favor. D. Collier, V. MacDonald and T. Hoopes abstained.

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

a. Memo dated April 28, 2016, re: J.H. Spain Commercial Services, LLC, Woodlands Subdivision, Map 9 Lot 53-1 through 20, New Durham Road;

- Refer to minutes above.

b. Letter dated April 20, 2016, to Ken Chase, re: Chestnut Cove Subdivision, Map 15 Lot 15, Ridge Road and Evans Hill Road;

- Refer to minutes below.

c. Letter from Tami Mousseau, agent for John and Elise Knowlton, re: a request for the Town to take over ownership of Ridge Road;

- Tammi Mousseau, realtor for John and Elise Knowlton, and Pat Torriero, of Ridge Road spoke to the Board about the misinformation they feel they received from the former Town Planner about the 50% dwelling regulation for top coat of payment to be put down and for the road to be taken over by the Town. B. Curtin stated they would need to speak to the Selectmen about the road being taken over, that was not a function of the Planning Board. N. Strong asked if she could give some background. She stated since she had started as the new Planner she had been dealing with the need for security for this subdivision to be updated, there had been some back and forth conversations between former Town Planner, Ken McWilliams, Town Engineer Pete Julia, and Ken Chase, owner, to try to establish what the number should be for the security to bring it into compliance with the number that is required, which has never been ironed out. Mr. Chase was talking to Mr. Julia about the numbers but she is not sure they had come to a conclusion.

The basecoat is down but there were numbers that were submitted for swale work and the final coat of pavement and the amount in hand is short by \$31,913.99. While the Planning Department had been trying to get that amount deposited into the account, N. Strong had received a few calls from a real estate agent about someone purchasing part of this subdivision and one of the questions was, their understanding was when 50% of the dwelling units on Ridge Road were completed the surface course of pavement could be put down. However, the research indicated the language of the Subdivision Regulations strictly read is that it is 50% of the dwelling units in the subdivision, not the road. At the last meeting the Board was asked by Mr. Chase to review that condition and the language of the regulations and say that it was okay for 50% of the dwellings on Ridge Road and the Board declined to do so; the Board affirmed the language of the Subdivision Regulations. After that some of the residents of the subdivision through their real estate agent sent the letter. They want to talk to the Board about the 50% requirement. They understand that the Planning Board does not accept roads, they know that is a Selectmen's responsibility.

T. Hoopes stated that when this subdivision was approved there were an incredible number of irregularities. The topography was done by aerial photography and they missed one whole drainage section which led to washing out the neighbor down the hill, flooding problems and all sorts of erosion problem. The contractor, not the owner, went out of his way to fix the problem. T. Hoopes remembers at the time the plan was presented the Board thought it was strange to have two separate roads, they were told it was because of the rough terrain, but he distinctly remembers the Board considered the two roads as being the road for the subdivision.

T. Mousseau stated she understands all the confusion but that is not really why they were there, but asked if she could speak to the Board. She stated they are trying to make the best of a bad situation, that Evans Hill Road has not been built on, she doesn't really ever see that happening, based on the slopes they are not desirable to build on and her opinion she doesn't how they got approved. She went on to tell the Board what she had been told when she met with the former Town Planner and former Town Administrator and in turn passed onto her perspective buyers. She stated that she was told that the 50% requirement for top coat of pavement to be put down only applied to the road, being Ridge Road in this case, not the whole development. She found a buyer to purchase part of the subdivision but the new Town Planner told her that the 50% dwelling regulation pertained to the entire subdivision not the road, so she is now before the Board asking if there is something that can be done. Can the Board amend the regulations to allow for the 50% dwelling to only be Ridge Road and not the entire subdivision, so that it can be taken over by the Town. She has had conversations with Ken Chase, owner, and he has told her he is willing to pay the thirty-two thousand or whatever, whether he does or not she can't be sure but that is what he has told her. She has suggested that he

combine the unsold property on Evans Hill Road, making it a twenty-acre lot, therefore making Evans Hill Road a driveway to the already sold lot. It will reduce the number of buildable lots to make the 50% dwelling regulation more easily attainable. D. Collier stated he would have to do a voluntary lot merger of those remaining lots. Board members discussed some options that may be done to help the property owners, such as waiving the 50% dwelling subdivision regulation. N. Strong said that was an option but reminded them that Mr. Chase had asked the Board to waive that specific regulation at last month's meeting and they voted against that option. The Board asked N. Strong to get in touch with Attorney Sessler for his input on what precedent would be set if the granted a waiver to this requirement. They asked for clear, decisive wording to give a good description of why they were granting the waiver based on their desire to help the residents of Ridge Road move forward with completion without Evans Hill Road factoring into the 50% dwelling unit requirement. The matter will be discussed at the next meeting following receipt of Attorney Sessler's input.

d. Memo dated May 6, 2016 and background information, from Nic Strong, Planner, re: Jilyan Byrne Estates Subdivision, Joseph Byrne, Map 15 Lots 17, 17-4 & 17-5;

- The Board agreed to wait until they hear back from Attorney Sessler on this case. No action taken by the Board at this time.

5. Correspondence for the Board's information:

a. Memo to Zoning Amendment Committee Members, from N. Strong, Planner, re: SB 146 Accessory Dwelling Units;

- For information only, no action needed by the Board.

b. Memorandum dated May 9, 2016, from KV Partners, LLC, Michael Vignale, re: Ridgewood Subdivision-Phase II (Map 15, Lot 56, 57 and 60)-Construction Site Visit;

- For information only, no action taken by the Board.

c. Letter and background information to Vance Sedlar, Sedlari Construction, LLC, from Nic Strong, re: Mountain View Estates, Map 10 Lots 16-3 through 16-16;

- For the information at this time, no action taken by the Board.

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

a. Reminder of OEP Conference June 4, 2016

- No Board members expressed interest in this conference.

VI. PUBLIC INPUT ON NON-CASE SPECIFIC LOCAL PLANNING ISSUES:

Open to the public. None at this time. Closed Public session.

VII. ADJOURNMENT

V. MacDonald moved to adjourn. The motion was seconded by B. Curtin and passed without opposition.

The meeting adjourned at 8:26pm

Respectfully submitted,
Traci Cameron, Recorder, Public Minutes