

Members Physically Present:

Drew Carter, Chairman
Russ Wilder, Clerk
Roger Sample, Member
Scott Williams, Member
Bill O’Neil, Alternate
Lee Hillsgrove, Alternate

Members Attending Remotely:

Bob Regan, Vice-Chairman, Home-Along
Tom Hoopes, Member, Home-Along

Others Physically Present:

Jessica A. Call, Town Planner
Amelia Cate, Planning Secretary
Tom Diveny, Alternate in training

Preamble

*As Chair of the Alton Planning Board, due to COVID-19, and in accordance with Governor Sununu’s Emergency Order #12, pursuant to Executive Order #2020-04, this Board is authorized to meet electronically. The Town of Alton has moved from "in-person" meetings to "remote audio participation meetings" until further notice, therefore, there is no physical location to observe and listen contemporaneously to this meeting. **We strongly encourage everyone attend our meetings remotely, but should you have a need to attend in person, we will make a remote location available upon a reservation request by you to the Planning Department NO LATER THAN TWO (2) BUSINESS DAYS in advance of the meeting date.***

In accordance with the Emergency Order, this is to confirm that we are:

a) Providing public access to the meeting by telephone:

Members of the public wishing to attend this meeting electronically may call the conference call number from home. Follow the instructions listed under “News and Announcements” on the town’s website: www.alton.nh.gov.

b) Providing additional public access by video or other electronic means:

We are utilizing the Zoom platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through the link that is listed under “News and Announcements” on the town’s website.

c) Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to abutters and the public of how to access the meeting via telephone conference and by using Zoom.

d) Providing a mechanism for the public to alert the Zoom Moderator during the meeting that a member of the public wishes to speak or be recognized during public input at a public hearing:

If you are calling in by conference call, press the “star” sign and then “9” to “raise your hand” to request to speak to the Board. If you are using a computer, use the “raise hand button” to request to speak to the Board. Several members of the public may be conferenced in, and requests to speak will be handled sequentially, one at a time.

e) Providing a mechanism for the public to alert the Zoom Moderator during the meeting if there are problems with access:

If anybody has a problem accessing the meeting, please call (603) 507-1002.

f) Adjourning the meeting if the public is unable to access the meeting:

In the event the public, on a whole, is unable to access the meeting remotely, or there are difficulties with the town’s equipment, the meeting will be rescheduled to Tuesday, June 15, 2021, at 6:00 P.M. at the Alton Town Hall.

You may call the Planning Department at (603) 875-2162 between 8:00 A.M. - 4:30 P.M., Monday – Friday, for more information and for the Dial-in Code and Meeting ID for each Planning Board meeting.

Please note that all votes taken during this meeting shall be done by Roll Call vote. Let’s start the meeting by taking Roll Call attendance. When each member states their presence, please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

Call to Order

Mr. Carter called the meeting to order at 6:10 P.M.

Appointment of Alternate

Approval of Agenda

Mr. Carter asked if there were any changes to the agenda; Ms. Call stated, yes. She stated she would like to add under, Other Business, D. HB 111, which was an amendment to Senate Bill 96 to include the language from House Bill 111. This Bill had to do with stripping the immunity from municipal employees and Board members. She also added Tom Diveny under, Appointment of Alternate, to be appointed for a one (1) year seat.

Mr. Williams MOVED to accept the May 18, 2021, agenda as amended.

Mr. Sample seconded the motion.

Mr. Carter called for a roll call vote:

Scott Williams, Aye; Roger Sample, Aye; Drew Carter, Aye; Bob Regan, Aye; Tom Hoopes, Aye; Russ Wilder, Aye.

1. Continued from the April 20, 2021, meeting

<p>Case #P21-06 James Rines, LLS, of White Mountain Survey & Engineering, Inc., Agent for George E. Freese, III, Rev. Trust/ George E. Freese, III, Ttee.; Capitola, Inc., c/o Greg Kneeland; Jessie & Jeffrey A. Goebel; and Constance Matheson & Dorothy Binswanger, Owners</p>	<p>Map 11 Lot 31 & Map 35 Lots 19, 22, 22A NH Route 28A & Bay Hill Road</p>	<p>Lot Line Adjustment Lakeshore Residential (LR) Zone</p>
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Mr. Carter read the case into the record.

Mr. Carter stated this case had been continued from the April meeting because there were a few items that needed to be addressed. Ms. Call stated one had to do with who belonged to the septic vents; the second had been to add a note to the plan referencing the abutters list was located in the Planning Office; and the third was to add a note for the water line. She stated they had submitted an updated plan that included the three (3) items. Ms. Call informed the Board that the septic vents belonged to the property across the street, which was owned by the same people.

Mr. Rines, agent, joined via Zoom. He introduced himself and explained that Kevin Ashe, LLS, stood in for him last month. Mr. Rines stated that the shed was the Binswanger’s shed, along with the septic vents for Lot 22A. He also stated that the leach field for the lakefront lot, Map 35 Lot 21A, was pumped across Eastside Drive onto that lot. Mr. Sample stated he thought the reason for this whole case was to get each person’s property wholly located on their own lot. He stated that was obviously the Freese’s shed and asked why it was not going to be on the appropriate lot. Mr. Rines stated that the Binswanger’s and Matheson’s were family with the Freese’s. Binswanger and Matheson always had the shed there and when Freese built their garage, the Binswanger’s asked if they could make their shed look like the Freese garage. Appearance wise, it did look like the rest of the Freese property but it had always been the Binswanger/Matheson shed.

Mr. Rines stated he located the summer water line stakes and represented that on the plan. He also added the note on the plan that informed anyone interested that the abutter list was on file in the Planning Department at Alton Town Hall. Mr. Williams asked if the summer water line was listed specifically as a seasonal water line; Mr. Rines stated, no. Mr. Williams stated he thought it would be important to specify seasonal so that people would know that water did not work in January. Mr. Williams asked if the Board agreed; the Board agreed. Ms. Call asked if the Board wanted that as a condition; the Board stated, yes. Mr. Rines stated that all the lots would become less non-conforming.

Mr. Carter opened public input. No Public. Public input closed.

After due hearing, Mr. Williams MOVED that the Alton Planning Board hereby approves Case #P21-06, for George E. Freese, III, Rev. Trust; Jeffrey A. & Jessie Goebel; Constance Matheson & Dorothy Biswanger; and Capitola, Inc., for the above cited Lot Line Adjustment of Map 35 Lots 19, 22, & 22A, and Map 11 Lot 31, NH Route 28A and Bay Hill Road, Alton, NH, with the following conditions:

CONDITIONS PRECEDENT:

The following conditions precedent must be satisfied prior to the Planning Board Chair signing the plans:

1. **Submission of revised plans in the number required by the Subdivision Regulations that include all of the checklist corrections, any corrections as noted at this hearing, and any waivers granted.**
2. **Addition of a note to the lot line adjustment plan prior to plan signing as follows: "This subdivision plan is subject to the Conditions of Approval itemized in the May 18, 2021, Notice of Decision recorded in the Belknap County Registry of Deeds and on file at the Town of Alton Planning Department."**
3. **Addition of a note to the lot line adjustment plan prior to plan signing by the Planning Board Chair as follows:

"This lot line adjustment plan contains a total of ___ sheets. (List number of sheets included with the plan). In combination, these plans constitute in their entirety the lot line adjustment plan as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department."**
4. **Bounds should be set on the final plat or a separate certification of bounds set will be required to be recorded at the Belknap County Registry of Deeds at the applicant's expense.**
5. **Indicate on the plan that the water line is "Seasonal".**

SUBSEQUENT CONDITIONS:

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

1. **The applicants shall comply with all of the Town of Alton's Subdivision Regulations.**
2. **Approval of the lot line adjustment by the Planning Board constitutes recognition that the lot configurations are in conformance with local land use regulations. To complete the lot line adjustment, deeds must be transferred and recorded and this is the applicant's responsibility.**
3. **The approval is based upon the plans, specifications and testimony submitted to the Planning Board. Any alterations, additions, or changes to the plans are not authorized and require additional Planning Board approval.**
4. **A lot line adjustment which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications**

upon which the approval was based, or has materially violated any requirements or conditions of such approval.

ACTIVE AND SUBSTANTIAL DEVELOPMENT OR BUILDING AND SUBSTANTIAL COMPLETION OF IMPROVEMENTS

1. Within 24 months after the date of approval, the following items must be completed in order to constitute "active and substantial development or building" pursuant to RSA 674:39,I, relative to the 5-year exemption to regulation/ordinance changes:
Place boundary markers.
2. The following items must be completed in order to constitute "substantial completion of the improvements" pursuant to RSA 674:39,II, relative to final vesting:
Place boundary markers.

Mr. Wilder seconded the motion.

Mr. Carter called for a roll call vote:

Scott Williams, Aye; Roger Sample, Aye; Drew Carter, Aye; Bob Regan, Aye; Tom Hoopes, Aye; Russ Wilder, Aye.

Case #P21-07 Riverlake Property, LLC, c/o David M. Stilson & Laurie McGrath, Owners	Map 32 Lots 4 & 5-1 24 Riverlake Street	Voluntary Lot Merger Residential (R) Zone (Lot 4) Residential Commercial (RC) Zone (Lot 5-1)
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Mr. Carter read the case into the record.

Mr. Carter stated this was the case that had the question of what zone would a bifurcated lot become after being merged. Mr. Carter thought that Ms. Call had the answer. Ms. Call stated she had done some research on that and that Mr. Hoopes had, just by chance, brought some materials to the office that he did not need anymore, and there just happened to be a memo included that was from Nic Strong, previous Planner, from 2019 that she had done some research on bifurcated lots. Ms. Call stated that there had been an ordinance on file but was repealed back in 1992, which included wording that referred to "less restrictive". Other than that she stated there was nothing anywhere else that referred to bifurcated lots. Mr. Williams disagreed and stated that when he started the post office project in 1995 and he had a bifurcated lot, and the town voted to move the zoning district to follow the property line. Ms. Call stated she found something referring to a warrant article but that was for Map 32 Lot 43. Mr. Williams stated he was lot 29, but that the vote was for all the lots on that side, that the zone followed the property lines. Mr. Hoopes stated he remembered that. Mr. Wilder stated that was a zoning change, not just a bifurcated lot. Mr. Wilder stated that as it stood, the town had no rules for it until the town actually voted to change a zone. Mr. Williams stated he thought that should be brought to the ZAC Committee this year because it could become an issue in the future. Ms. Call stated that it was brought to ZAC in 2016 but it had been voted not to discuss it because it only came up once every 10 years.

Ms. Call stated she searched through the Zoning Ordinance and found areas that referred to wording that was “more restrictive”. The three different sections that referred to the more restrictive standards were Section 329 that referenced in the case of a conflict on any regulation then the more restrictive should apply; the second was Section 333 Home Business Criteria, where once again it talked about if there was ever a question on anything the more restrictive would apply; and then there was Section 560, Miscellaneous Provisions, where A. stated, The more restrictive standard shall apply whenever the provisions of this ordinance differ from those described by any statute, regulation or restriction. She stated those were the three current ordinances that could be found referring to “more restrictive”. She stated she still was not sure what the answer would be so she spoke with Jim Sessler, Esq., Town Counsel. He asked two questions, 1) What zone would the frontage be in?; and 2) What zone was the majority of the lot located in? Based on those questions, the answer would be that the lot would end up being Residential. Mr. Williams asked Ms. Call if she would bring that to the ZAC committee this year. She also stated she didn’t understand why in 1992 it had been taken away. If there had been something in place then why would it have been changed? Mr. Williams thought he might know what happened and he explained that the wording written on the ordinance was wrong and it did not pass town vote because of the wording being incorrect. Mr. Wilder stated that the little piece left in the Residential Commercial zone did not matter much because they could not do anything with the property due to the size.

Mr. Carter opened public input. No public. Public input closed.

Mr. Wilder MOVED to approve the voluntary lot merger of Map 32 Lot 4 and Lot 5-1, and for the lot to be categorized as being in the Residential Zone.

Mr. Williams seconded the motion.

Mr. Carter called for a roll call vote:

Scott Williams, Aye; Roger Sample, Aye; Drew Carter, Aye; Bob Regan, Aye; Tom Hoopes, Aye; Russ Wilder, Aye.

Other Business:

1. Old Business:

a. Update on Town Engineer RFP

Ms. Call wanted to let the Board know that the RFP had gone out and that proposals were due May 28th. At that point, Ms. Call would compile a spreadsheet with all the RFP information and present that to the Board at their June meeting. The Board decided to hold interviews for 5:00 P.M. before the Planning Board meeting scheduled for July.

b. Master Plan Committee

- i. Update from the Chairman;
- ii. Tara Bamford to have a discussion with the Board; and,
- iii. Board to approve and sign Ms. Bamford’s contract

Mr. Regan joined the meeting via Zoom. Tara Bamford also joined the meeting via Zoom. Mr. Regan stated that at the Monday night Board of Selectmen meeting, the Selectmen approved the contract as written. Mr. Regan referred to the Master Plan Committee Meeting of 4/29/2021 where the committee approved and signed the contract

as well. Mr. Regan stated that at the next Master Plan Committee meeting on June 2nd, Ms. Bamford would be able to give the Committee some specific schedule commitment. Ms. Bamford would be spending a day getting the lay of the land in Alton and visiting various areas that the Committee found appropriate.

Mr. Regan introduced Ms. Bamford. She stated that she wanted to meet with the Board tonight so that she could say hello and they could put a face with a name, and to see if the Board had any questions regarding the scope of work or the agreement. She also wanted to see if the Board had any goals or marching orders for the project, or to add to the excellent direction she had been given from the Master Plan Committee.

Ms. Bamford hit some of the highlights of the work plan. She stated she would hit the ground running on June 2nd, which was the next Committee meeting. She stated she would be talking about an online survey that would be used to gather input for priorities and areas of concern and that data would be used to organize three (3) public workshops later in the summer to talk about vision and goals. Postcards would be going out to all of the voters and landowners in town with the survey link.

Once the survey was live, Ms. Bamford would be holding interviews with five local leaders and five agencies that could tell her about the underrepresented population in town. The Master Plan Committee would be pointing Ms. Bamford in the right direction for those interviews. Before the interviews were conducted, Ms. Bamford stated she would be spending some time in town to get a feel for everything in Alton. She stated that most of the project would be spent sleeves rolled up with the Committee to draft an updated vision and goals and also a work plan to get the rest of the project done. Ms. Bamford stated that was the project in a nut shell.

Mr. Regan asked if anyone had any comments or questions. Mr. Wilder stated that he had given Ms. Bamford, through Ms. Call, an extensive list of areas in Alton that she should visit. Ms. Bamford stated that she received it. Mr. Carter asked if Ms. Bamford had any idea when the rough draft would be ready. Mr. Regan stated that he thought that was one thing that needed to be determined. Ms. Bamford stated she believed to have mapped it out to be in about six months. She stated that she would have a very detailed timeline work plan for the Committee before the June 2nd meeting.

Mr. Williams introduced himself and informed Ms. Bamford that UNH had done a questionnaire for the town some years ago and he wanted to be very, very, careful not to ask any leading questions on the survey because the questions by UNH were so stacked, it was disgusting. He stated he hoped the questions would come before the Board so they could be reviewed and approved because that needed to be nonpolitical, whether you were an environmentalist, a pro-builder, or anything else, these need to be right down the middle of the road to get the best viewpoint for the town; let the townspeople speak without being coached. Reagan stated Ms. Bamford was the expert on that but that the idea was to have open-ended sorts of questions that were not leading. Mr. Sample stated he agreed with Mr. Williams and that the important part of that was that the Board got to approve these questions before they got sent to the voters and landowners. Mr. Williams

stated he was a strong believer in what the voters say goes, even when he may like it or not, the voting public made the rules and he did not want them to be influenced in any way, shape, or form. Ms. Bamford stated she would introduce two questions to the Board. Something like, “What do you like best about Alton?”, and “What would make it even better?”. She stated that was really just to get the categories people were thinking about to frame those public workshops the Committee would be holding later on. Ms. Call informed the Board that Ms. Bamford was proposing a survey with only the two questions, nothing else, just two questions. Ms. Bamford stated that if it was important to the Board, then she could include a third question, “What is your relationship with Alton?”, so that she could compare the results from the residents and nonresidents if that was important to the Board. The Board discussed and agreed it would be positive having these three simple questions. Mr. Carter asked if there were any other questions of the Board. Mr. Williams stated that he was looking forward to that. The Board agreed.

Mr. Hoopes MOVED to approve the contract for Tara Bamford as the Master Plan Consultant.

Mr. Williams seconded the motion.

Mr. Carter called for a roll call vote:

Scott Williams, Aye; Roger Sample, Aye; Drew Carter, Aye; Bob Regan, Aye; Tom Hoopes, Aye; Russ Wilder, Aye.

c. Dropbox and the use of tablets at meetings

Ms. Call stated she just wanted to let the Board know that the goal was to have about 10 tablets docked in the meeting room and each Board and Committee member would have their own personal login for the tablet. This had already been discussed with Josh Monaco, IT Department, and Liz Dionne, Town Administrator, and they both agreed that would be beneficial. All tablets would live in the meeting room and that would save on all the paper the Planning Department went through, and all members would have access to all the documents for the meeting electronically. Ms. Call stated that she would be drafting a memo on behalf of the ZBA and Planning Board to the Selectmen that both Boards recommend a warrant article be drafted up.

Mr. Williams stated that he would like to see the other Committees, for example, ZAC and the Alternative Housing Committee, on each agenda to update the Planning Board, like the Master Plan Committee did. The Board agreed.

d. HB 111

Ms. Call wanted to update the Board on HB111. Recently, the legislature decided to add the language from HB 111 and put it into another Bill that had a lot of support. Mr. Williams asked what they were trying to achieve with that Bill. He stated they were going to cut the legs out from under Planning Boards across the State. Ms. Call stated she thought the idea stemmed from the police department and that they did not want the police to have immunity, but the wording included employees, board members, etc. Mr.

Wilder stated that that was not originated in N.H.; it came from somewhere else. Mr. Hoopes stated that 44 states had now seen that Bill.

Mr. O’Neil stated that when a Bill gets tabled it was done for the session so you would not see that for the next two years. Senate Bill 96 was training for juries, judges, and police, so someone grabbed HB 111 and stuffed it into this Bill because of all the support it had. There was a theme here and what they were doing was that they did not want police to have immunity, they wanted to be able to go after the police officer individually if there were a case of brutality. They could go after finances and their houses, etc.

Mr. Williams stated that if any one of the Board members acted negligently or viscously, the town’s insurance would not cover them anyways. Mr. Williams suggested having one of the local representatives come in and speak to the Board. The Board thought that was a good idea. Mr. O’Neil stated Senator Gray was a local rep and also a sponsor on Bill 96. Mr. Reagan stated he thought having Senator Gray come in to explain things would be a good idea. Ms. Call stated she would send out an invite to the other local reps to come in to the next Planning Board Meeting to explain things. Mr. Wilder stated that maybe we should look into a different venue because of all the people that may attend a meeting of that nature. Mr. Williams stated whatever it took, the public needed to be educated, plain and simple.

2. New Business:

- a. ZAC Committee begins in June 2021

Ms. Call stated ZAC started June 23rd.

- b. CIP Committee, deadline to submit applications for up to three (3) citizen members is June 4, 2021.

Ms. Call stated that there had been two citizen applications for CIP. She stated that one was from Gabrielle O’Toole who was a town employee and another from a gentlemen from the Wolfboro Police Department. Mr. Regan had not signed up for CIP, which gave Lee Hillsgrove the opportunity to sit instead.

3. Approval of Minutes:

- a. Planning Board Workshop minutes of February 9, 2021

Ms. Call stated that Tom Hoopes was listed as voting twice at the adjournment. Mr. Wilder submitted changes to Ms. Call prior to the meeting. Ms. Call had already changed the grammatical errors.

**Mr. Hoopes MOVED to accept minutes from February 9, 2021 as amended.
Mr. Wilder seconded the motion.**

Mr. Carter called for a roll call vote:

Scott Williams, Abstain; Roger Sample, Aye; Drew Carter, Aye; Bob Regan, Aye; Tom Hoopes, Aye; Russ Wilder, Abstain.

- b. Planning Board Workshop minutes of March 23, 2021
Mr. Hoopes stated on the first page where it said Call to Order, second sentence, Mrs. Williams should be Mr. Williams.

**Mr. Williams MOVED to accept minutes from March 23, 2021 as amended.
Mr. Wilder seconded the motion.**

Mr. Carter called for a roll call vote:

Scott Williams, Abstain; Roger Sample, Aye; Drew Carter, Aye; Bob Regan, Abstain; Tom Hoopes, Abstain; Russ Wilder, Abstain.

- c. Planning Board Meeting minutes of March 16, 2021

**Mr. Williams MOVED to accept minutes from March 16, 2021, as presented.
Mr. O'Neil seconded the motion.**

Mr. Carter called for a roll call vote:

Scott Williams, Aye; Roger Sample, Aye; Drew Carter, Aye; Bob Regan, Aye; Tom Hoopes, Abstain; Russ Wilder, Abstain.

- d. Planning Board Meeting minutes of April 20, 2021

**Mr. Williams MOVED to accept minutes from April 20, 2021, as presented.
Mr. Wilder seconded the motion.**

Mr. Carter called for a roll call vote:

Scott Williams, Aye; Roger Sample, Aye; Drew Carter, Aye; Bob Regan, Aye; Tom Hoopes, Aye; Russ Wilder, Aye.

Ms. Call informed the Board that both she and Amelia Cate, Planning Secretary, signed the minutes because the both of them worked on them in order to get them completed before the meeting. Mr. Williams gave the two an at-a-girl for the night.

Mr. Hoopes asked if the Members needed to come in and sign Ms. Bamford's contract; Ms. Call stated that only the Chairman had to.

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

5. Correspondence for the Board's information:

- a. Release of Covenant Restrict Lot Sales, re: Dobbins Brook Subdivision Phase II.

6. Appointment of Alternate:

Ms. Call stated Tom Diveny had attended three meetings and since he was being appointed in the middle of the year, he would sit for one year. When March came around, he would be appointed

for three years. At that time, Lee Hillsgrove would be down to two years, Bill O’Neil would be down to one year, and then there would be some rotation in place. Mr. Williams welcomed Mr. Diveny.

**Mr. Williams MOVED to appoint Tom Diveny as an alternate for the Planning Board.
Mr. Wilder seconded the motion.**

**Mr. Carter called for a roll call vote:
Scott Williams, Aye; Roger Sample, Aye; Drew Carter, Aye; Bob Regan, Aye; Tom Hoopes, Aye; Russ Wilder, Aye.**

Adjournment

**Mr. Williams MOVED to adjourn.
Mr. Sample seconded the motion.**

**Mr. Carter called for a roll call vote:
Roger Sample, Aye; Scott Williams, Aye; Bill O’Neil, Aye; Drew Carter, Aye; Russ Wilder, Aye.**

The meeting adjourned at 7:15 P.M. +/-

Respectfully submitted,

Amelia Cate, Recording Secretary