

Members Present

Drew Carter, Chairman
Roger Sample, Vice-Chair
Scott Williams, Member
Bill O’Neil, Member
Lee Hillsgrove, Alternate
Tom Diveny, Alternate

Others Present

Jessica A. Call, Town Planner
Trisha DeRoche, Planning Assistant
Steven Whitley, Esq., Town Counsel
Dana Huff, P.E., Town Engineer
Gene Young, Conservation Commission Chair
Russ Wilder, Conservation Commission
Kelly Sullivan, Master Plan Committee Chair

Others Present via Zoom

Tara Bamford, Master Plan Consultant

Call to Order

Meeting called to order at 6:00 +/-

Appointment of Alternates

Mr. Carter appointed Lee Hillsgrove as a regular member in place of Tom Hoopes for tonight’s meeting.

Approval of Agenda

Changes to the Agenda: Ms. Call stated Case #P22-18 has been continued to the July meeting; under Other Business, number one (1) under the Master Plan Update, she stated she would like to add small (ii) a review and approval on an amended contract for the Master Plan Consultant; under number four (4) Correspondence for the Board’s review/discussion/action, she added (a) a letter drafted and mailed to all of the property owners on Ridge Road regarding a subdivision, and (b) the Chair signed a Rescission of a Voluntary Lot Merger of Pre-existing Lots for two (2) lots that were merged together by the Town of Alton, there were extenuating circumstances that led to the rescission- one of the lots contained a public water system for Alton Shores.

Mr. Williams MOVED to accept the Agenda as amended. Mr. O’Neil seconded the motion and it PASSED unanimously.

1. Completeness Review of Application and Public Hearing if Application is Accepted as Complete (Continued from the May 17, 2022, meeting)

Case #P22-18 DMC Surveyors, Agent for Andrew & Shannon Kenney, Owners	Map 56 Lot 38 200 Woodlands Road	Final Minor Subdivision Lakeshore Residential (LR) Zone
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Proposal: To subdivide Map 56 Lot 38 into two (2) lots of record. The parent lot would consist of 5.663AC, and the subdivided lot would consist of 1.298AC.

Mr. Clark, LLS, Agent for Andrew & Shannon Kenney, submitted a letter requesting the case be continued to the July 19, 2022 Planning Board meeting.

2. Continued from the May 17, 2022, meeting

Case #P22-14 Varney Engineering, LLC, Agent for Green Oak Realty Development, LLC, Owner	Map 5 Lot 72 NH Route 28/ 398 Suncook Valley Road	Excavation Permit Application Rural (RU) Zone
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Proposal: To continue the existing excavation pit operation.

The Chair read the case into the record.

Mr. Williams and Mr. Diveny recused themselves from the case.

Mr. Carter stated there are a few items that are outstanding per the Planner Review and he would like to address each one. He addressed the first item, the Aquifer Zone Plan that was submitted but it did not identify the source of the reference materials; Mr. Carter asked the Town Engineer, Dana Huff, P.E., to approach the table to discuss further. Ms. Call interjected and stated in the Planner Review that the plan should reference the source materials used to identify the aquifer location, the date of preparation and a professional seal; she referred to the letter submitted by Mr. Huff which gives more detail. Mr. Carter moved on to the next item, the volume of materials to be removed within the permit period of 50 years should be estimated and added to the final plan. The storage site areas should be labeled the same on each sheet of the plans. The next item addressed was the number and types of trucks indicated on the plan, at the last meeting it was determined that there would be 40 Dump trucks, Mr. Babb stated that was correct and they will add that to the plan; Mr. Carter continued with the next item, the maximum number of daily trips, he stated it was determined that the actual number of daily round trips would be 80 give or take; Ms. Call interjected and stated it was noted at the last meeting to check the status of the existing DOT Driveway permit to confirm the information provided does not conflict with information; Mr. Babb responded and stated if there was a conflict it would have been addressed years ago because the State bought out of that pit; Ms. Call stated she was simply relaying a comment that was made at the last meeting. Attorney Sullivan responded and asked for clarification on the question; Mr. Carter stated the question was to verify that the DOT Driveway permit included or acknowledged the potential for 80 plus trips. Mr. Babb interjected and stated it's detail after detail, they received a 14 page document the day before the Planning Board meeting, how are we supposed to deal with that as an applicant; he stated he is now looking at another month of being out of business, where are his rights in this process? Mr. Carter responded and suggested they finish getting through the remaining outstanding items as there were several documents that were promised to the Planning Board for this meeting that they have not received. Attorney Sullivan interjected and asked Ms. Call if the matter regarding the DOT Driveway permit was listed on the Planner Review; Ms. Call responded and stated it was not on the Planner Review, it was something that she noticed after reviewing the minutes from the May 17, 2022 Planning Board meeting; there was a note about double checking the Driveway permit from a Board member. Mr. Varney interjected and stated he does not feel that comment would require applying for a new Driveway permit, the driveway has been there for 35 years and the volume is essentially the same. Mr. Carter stated the request was to reapply for a new driveway permit, it was to verify that there was an alignment between the 80 trips per day with what the DOT permit may say. Attorney Sullivan interjected and asked for a waiver for the DOT permit as it is a State requirement, not a Town requirement and they will address it with the State if and when it is needed but for purposes of tonight, he is requesting a waiver. Mr. Carter responded and stated all waivers need to be submitted in writing and he understands that they were only

informed of this tonight but the Board cannot waive a State requirement. Mr. Carter moved on and addressed the Noise Impact Study, he stated a study was submitted in the original application and asked if that study could be updated and resubmitted to the Board for completeness; Ms. Call interjected and stated she listed this in more detail in the waivers section and asked if they could wait until they get to that section to discuss.

Mr. Carter continued and addressed the 100-year flood elevation line and stated the map should indicate the reference materials used to identify the flood elevation line and a professional seal. He discussed the groundwater sampling plan and stated a waiver has been requested so they will address this when they discuss the waivers as well as the comprehensive site safety plan and the snow removal storage plan. Mr. Carter next addressed the brush/slash disposal and stated it should be indicated on the plan; next, the number of blasting occurrences indicated on the plan was one (1) or two (2) to occur each year and he stated the applicant increased the number to two (2) to three (3); Mr. Babb responded and stated it was either two (2) to three (3) or three (3) to four (4) that they had asked for. Mr. Carter stated the request should be updated on the final plan. Next item addressed was the stump dump shown on sheet 1 of the plan, it should be indicated on the Reclamation Plan if it is to be in existence at that time; however, it seems the stump dump site would not be in existence at the time of reclamation, therefore, it does not need to be added to the final plan. Next item addressed, the seeding mixtures and the erosion control on Sheet 5 of 6, he stated the applicant needed to clarify what they planned on using for the seeding and erosion control. Next item, the phasing of the reclamation, the completion date should be indicated on the plan; the plant materials to be used for reclamation quantities and sizes should be indicated on the final plan and on Sheet 6 under reclamation notes, the note regarding ledge cuts should also include after 2:1 slope with 12' shelf. Mr. Carter continued with the next item, the high water elevation at the pit floor is on the plan, but the level of high groundwater table is not and should be indicated on the final plan. Ms. Call interjected and asked if the aquifer zone map and the 100-year flood plan map would be added to the sheets of the plan in its entirety. Mr. Varney responded and stated he will make sure it is added to the plan. Mr. Carter then addressed the number of corrections that should be indicated on the final plans; Ms. Call stated they have already gone over these, it is not necessary that they review the corrections again.

Mr. Carter then addressed the Town's reclamation bond and approving abutter requirements and stated a reclamation bond or other security is required prior to the granting of any permit; the Board had required a \$10,000 bond to be put in place with the withdrawn application and it was determined by the Board that that existing bond could be cancelled and a new bond submitted in its place. Mr. Babb responded and stated that bond is still in place until it is determined how many additional bonds will be needed, which comes down to the Conservation Commission bond for the maintenance of the slope. Mr. Carter stated the Town Engineer had submitted a pit reclamation estimate bond in the amount of \$185,000 and asked if the applicant had a chance to review the estimate. Mr. Babb responded and stated he feels that amount is a little excessive because there is no pit in New Hampshire that would require a bond of that nature for reclamation. Attorney Sullivan interjected and stated they just received the estimate and he really hasn't had a chance to look it over. Mr. Babb responded and stated they need to delineate reclamation because the \$10,000 bond is also considered a reclamation bond for the pit, this is a slope reclamation estimate, which are two (2) very different things. Ms. Call interjected and stated the \$10,000 bond is going to be removed because it was submitted for the application that has since been withdrawn, so the estimate that was provided by the Town Engineer is what should have been looked at during the decision made by the Board for the withdrawn application. Mr. Babb responded and stated the \$10,000 bond has to do with completing the slope, it has nothing to do with the operation of the pit, so when he has finished the slope, the \$10,000 bond needs to be released. Ms. Call responded and stated throughout that construction period the bond would be

incrementally drawn down on if the Town Engineer had deemed that appropriate. Mr. Babb stated he was taken aback by the request for a bond being he has already completed 75% of the slope without being asked to do it. Mr. Sample interjected and asked Ms. Call if she was suggesting the \$185,000 bond for the berm that already exists; Ms. Call responded and stated it is not a bond that she is suggesting, it is coming from the Town Engineer.

Mr. Huff interjected and stated he was asked to prepare an estimate of probable cost to complete the slope and according to the plans, there's 347 feet of the slope that is unfinished. He stated that during the site walk, Mr. Babb stated that there was between 12 and 15 thousand yards of material to put into the slope to complete it; Mr. Huff stated when he did the calculations, he did not have an As-Built of what is there today, the plan he received shows a completed slope so he drafted a calculation as if there was nothing within the 347 feet and came up with almost 17,000 yards; so it is probably somewhere between the two numbers given to him by Mr. Babb during the site walk, so he came up with 13,500 yards. He further stated this bond would be put in place to protect the Town in the instance that Mr. Babb would possibly walk away from the site leaving the Town to finish the slope and hire an outside contractor. Mr. Babb interjected and stated the calculations Mr. Huff came up with is not accurate, its 347 feet of slope not finished, there is approximately 60 feet in the lay back to the slope to the top, Mr. Huff stated about 67 is the slope link, Mr. Babb agreed and stated he needs to bring it out about 12 feet because they are at the top of the grade, at the main property line; he stated it comes out to 9,252 yards. Mr. Huff responded and stated if they had an accurate survey, he is not sure Mr. Babb has from the top of the slope out at 2:1, the entire 347 feet; he stated he thinks it is partially there, but not 100%. Mr. Babb responded asked if Mr. Huff was stating that its 9,250 cubic yards left to move to finish the 347 feet; Mr. Huff responded if he really wants to know what that number is Mr. Babb should have an As-Built of what exists there today and then he could draft a final calculation. Mr. Babb responded and stated an As-Built would be much more proficient once Mr. Huff sees it has been built, then they could submit the As-Built; Mr. Huff stated he is not sure Mr. Babb should wait until he is finished because he may have to go back and reconstruct something, so he would recommend that once he gets the rough grading done, before Mr. Babb placed any loam and seeding on top, that is when he should do a subgrade As-Built to make sure that he is where he should be and then add the 6 inches on top. Attorney Sullivan interjected to get clarification on Mr. Huff's statement regarding the 16,000 cubic yards where as Mr. Babb stated about 9,000 cubic yards; Mr. Carter interjected and stated Mr. Huff used 13,500 for his calculations; Mr. Babb interjected and stated that was a \$35,000 difference in the bond. Mr. Babb stated that if he agrees to the \$185,000 bond, he should be allowed to go back to work. Mr. Carter stated they will address this in a bit, as they need to move on with the remaining items; the next item was the Conservation Commission's request for a bond. Mr. Carter stated he had trouble following the correspondence related to the bond request, from his understanding, it appears they are requesting a \$32,000 bond for 10 years but it would really be for five years and renewable for another five years, but he is not sure what that amount would be for the five-year period.

Ms. Call interjected and asked if Mr. Babb has decided to put up the \$185,000 bond; Mr. Babb responded and stated if he submits that bond and he finishes the slope, then the maintenance bond should be reduced to a \$5,000 or \$10,000 bond. Ms. Call stated the Board will be addressing the maintenance bond next; Mr. Babb responded and stated that if he gives a bond of \$185,000 for construction, the \$32,000 bond would be null and void. Ms. Call interjected to ask Mr. Huff if the \$185,000 bond would be released once Mr. Babb completed the construction of the northern slope; Mr. Huff stated once it is accepted by the Town, it would be his suggestion, that is what it would be for, to construct the final lines and grades and surface conditions; Ms. Call agreed and stated that was completely separate from the maintenance bond. Mr. Huff stated the maintenance bond is to take care of the slope once it has been completed. Mr. Babb then asked why the

maintenance bond would be needed; Mr. Carter responded and stated, in theory the maintenance bond wouldn't be needed until the completion of the slope was accepted by the Town; this would be in place so Mr. Babb would not be carrying both bonds at the same time. Mr. Babb responded and stated then the amount should be reduced because they were only fixing grassy spots around the sink hole, it wouldn't be a large construction project. Mr. Huff stated the values that he used reflect that because doing repairs is more detailed work than doing it as a mass project; he stated he prepared the maintenance bond for the Conservation Commission. Mr. Babb responded and asked Mr. Huff how he came up with that number if everything was green and growing; Mr. Carter responded and stated this is where he became confused because the Conservation Commission requested a bond of \$32,000 for 10 years. Attorney Sullivan interjected and asked if the \$32,000 should be broken up into two phases, five years at \$16,000; Mr. Sample stated that was the discussion the Board had at the May 17, 2022, meeting and that was what the Board determined, they discussed relaying this to the Conservation Commission after the meeting.

Gene Young, Conservation Commission Chair, came to the table to clarify the bond confusion; he stated they are only concerned with the invasion of the wetlands and they would like to see three things, a 2:1 slope as described in the plans, constructed, loamed and seeded and maintained until the cover is established (80% coverage); he stated the Conservation Commission discussed a bond as a guarantee that the land would not be harmed; so in their letter to the Planning Board, they requested a bond. He stated the Conservation Commission has since learned that the Planning Board has provisions for bonds, so if the Board wants to merge what they have requested into what is needed, please do so, they do not need a separate bond. Mr. Young stated they understand that the slope may extend beyond the 50-foot line where they can excavate and as such, they would like to make sure the slope is never invaded, once built, it stays there. Mr. Babb responded and asked if a \$16,000 bond over five years is agreeable with the Conservation Commission, Mr. Young responded and stated that would be acceptable. Mr. Huff interjected to clarify that the \$16,000 bond is separate from the additional \$185,000 bond, Mr. Babb responded and stated he understood that bond will not take effect until the \$185,000 bond is released; Mr. Huff stated that was a reasonable approach. Mr. Young stated they also have a concern about the stumps and woody debris in the slope and the part not yet constructed; He stated there are rules in place through DES about burying stumps and they want to make sure that the DES regulations are met. Mr. Carter responded and stated this issue has been addressed and the Board has been assured that stumps are not within 25 feet of the property line. Attorney Sullivan interjected and stated that as long as the stumps are within the proper distance, they can bury them. Mr. Babb responded and stated they have agreed that moving forward, they will not use stumps in the fill for the remaining part of the slope. Mr. Carter then addressed the abutters and stated they are in agreement with this conclusion of the bonds.

Mr. Carter then discussed the waivers submitted by the applicant; Section 14. A. 12, Elevation of the highest annual average ground-water table within or next to the proposed excavation. Mr. Carter stated the waiver was requested because the groundwater elevation is already included on the excavation plan. Mr. Carter stated the Board wanted to make sure it is noted on the final plan that the groundwater elevation has been included on the excavation plan and it is one in the same as the high water table. Mr. Huff interjected and asked Mr. Varney to clarify how he came up with the ground-water analysis and high water elevation. Mr. Varney responded and stated that on the edges of the pit, it is dug down trenches and they see water there, that is the elevation which stays consistent down at the lower end that goes towards the wetland and brook area; he stated it is not an accurate number that he went out to find, he just put it on the plan as what he has seen.

Mr. Carter MOVED to grant the waiver request for Section 14. A. 12, with the condition that the language is corrected on the final set of plans. Mr. O’Neil seconded the motion and it PASSED unanimously.

Mr. Carter moved on to the next waiver, Section 14. A. 20. Plan for Noise Control- Mr. Carter asked if they were withdrawing the waiver, Mr. Varney stated he will provide an updated Noise Impact Study.

Mr. Carter moved on to the next waiver, Section 14. A. 24. Comprehensive Site Safety of Authorized and Unauthorized Persons Plan- Mr. Babb stated the gravel pit is regulated by the Mine Safety & Health Administration and they inspect once a year. Mr. Carter stated the problem with granting a waiver is that it would set a precedent that anyone else could also request a waiver of this requirement. Mr. Babb stated they will submit an updated one and will withdraw the waiver.

Waiver #4, Section 14. A. 27. Plans for snow and storage removal- the applicant requested the waiver as they are not in operation during the winter.

Mr. Carter MOVED to grant the waiver request for Section 14. A. 27., plans for snow removal and snow storage. Mr. Sample seconded the motion and it PASSED unanimously.

Waiver #5, Section 15. J. Maximum Excavation Limit- Mr. Carter stated he is not sure the Board can grant this waiver as the condition is already in place. Mr. Carter asked Mr. Babb if he has plans for furthering at the current floor, expanding the floor out further; Mr. Babb responded yes, that would be the typical progress of a pit. Mr. Carter stated the applicant would be expanding the violation of Section 15. J. of the maximum depth or could you shelf it and limit the depth going forward. Mr. Babb responded, they could shelf it but there is a future potential of coming back in a few years to obtain a permit to create a pond. Board had discussion of denying the waiver and making it a condition instead; Mr. Huff interjected and referred to a statement in the waiver request which stated that “this elevation has not and will not affect the water quality and quantity”... Mr. Huff asked what this statement was based on; Mr. Babb stated some of these rules were established in the late 80s when there was a lot of sand and gravel operation still in play, in a sand and gravel operation you are working on top of a natural aquifer because that is where most are stored, in the sand base; currently, the pits operating today are farming ledge, there is no real aquifer in the rock. He further stated, that based on the fact that they are mining something that weighs 2.2 tons per cubic yard versus sand and gravel that doesn’t have that density, which is why there is water present. Attorney Sullivan interjected to confirm that Mr. Babb was reassuring the Board that what he is mining now would not affect the water quality. Mr. Carter interjected and recommended a sentence regarding the water table be removed as it is a matter of opinion and revise it in relation to the 2017 Amendment. Attorney Sullivan interjected and stated that given Mr. Babb has 30 plus years of experience in the excavation business, the material being excavated now which is solid ledge will not unreasonably affect the water quality and quantity. Mr. Carter responded and stated he doesn’t feel that statement needs to be in the language of the waiver, the best approach would be to remove the entire sentence related to the water quantity and quality; instead, add the sentence “there would be no additional excavation efforts within the six feet of the water table”...

Mr. Carter MOVED to grant the waiver request for Section 15. J. with the following, 2017 amendment to the Town’s Excavation Regulations, and by deleting the last sentence of the second paragraph referencing the elevation, water quality and quantity, and that there will be no additional excavation within six (6’) feet of the water table. Mr. O’Neil seconded the motion and it PASSED unanimously.

Next waiver, Section 15K, stump and slash disposal... Mr. Carter stated there was a misunderstanding, there were no stumps within 25 feet of the property line; Attorney Sullivan clarified that there are no offsite stumps within 25 feet of the property line. Mr. Hillsgrove stated they should add a condition that Mr. Babb agree to not placing any wood material in the remaining 347 feet of the slope. Ms. Call interjected to clarify the language in the waiver that stated "see attached AOT letter which according to Tom Varney is all that's necessary for compliance with RSA 45A 17. Terrain Alteration"... she stated that just because there was an issue with the AOT permit does not relieve the holder of the permit from the obligation to be compliant with other applicable administrative rules. Attorney Sullivan interjected and stated Mr. Babb will comply with Section 15K; Mr. Carter responded and asked why they submitted a waiver if Mr. Babb is going to comply with Section 15K; Attorney Sullivan responded, it was one of the parameters at the last meeting. Mr. Carter stated if they are in full compliance, there is no need for a waiver. Attorney Sullivan stated he agreed that there is no need for a waiver. Mr. Babb interjected and stated maybe the waiver should be granted to avoid any future issues with the Conservation Commission. Mr. Carter stated perhaps the Board misunderstood what was stated at the last meeting, they are only trying to follow the regulations; he stated if Mr. Babb is in compliance then there is no need for the waiver. Mr. Babb agreed.

Next, Mr. Carter addressed the Geotechnical Engineering Report. Mr. Carter stated that test pits should be indicated on the final plans. Attorney Sullivan stated they have photos with the test pits marked and handed them out to the Board. Attorney Sullivan stated Miller Engineering sent him a picture with red squares indicating where the test pits were located, but they didn't show up in the copies, so he marked the test pit sites with white marks. Mr. Huff stated he does not think Mr. Babb needs to have a topography survey to locate the 13 test pits, he stated Mr. Hillsgrove was right, you can see the mounds out there, and if Mr. Varney went out there, he could pace off where these pits were and add them to his drawing. Mr. Carter agreed.

Mr. Carter continued with the next item in the Planner Review. He stated there were comments about the excavation permit renewal sheets 1-6; Ms. Call interjected to comment, she stated the second comment refers to the documents that were quoted in the Miller Report that was used to work on the slope, she had asked for copies of those documents. Mr. Varney responded and stated those are the plans they have been using throughout the process, the ones he submitted with the application. Ms. Call responded and stated that none of the plans say permit renewal sheets; Mr. Varney stated that is another set of plans and Ms. Call stated those are the plans she is referring to. Mr. Varney stated he can provide those plans.

Mr. Carter stated there were also comments regarding the slope and stated Mr. Babb needed to address that and make sure that there is nothing greater than 2:1 slope; Mr. Babb stated that he spoke with Mr. Huff and he showed him a couple of the spots during the site walk that he wanted straightened out and that there was about six (6") or eight (8") inches of settlement on top that they needed to add to so they could adjust the negative angles so the rain water would shed back onto the shelf. Mr. Hillsgrove interjected and asked Mr. Huff if the test pits needed to be indicated on the last 347 feet of the slope; Mr. Huff responded and stated if Mr. Varney goes out and locates the 13 pits, it would show up even on the unfinished portion of the slope, so yes, if they excavate in the unfinished portion of the slope, they should be indicated on the plan. Mr. Carter stated that Mr. Huff is going to observe the installation; Mr. Hillsgrove responded and stated he just wanted to make sure everything was addressed; Mr. Huff responded and stated if they observe the construction of the remaining 347 feet of the slope, which would satisfy the requirement.

Next, Mr. Carter addressed the escrow amount for the Town Engineer's report...Ms. Call interjected and asked to go back to the review of the Miller Engineering Report because there are additional items that need to be submitted. Mr. Huff interjected and stated when their geotechnical engineers reviewed the report, they only noted that they couldn't verify some of the stability because there was data that was missing, so they are requesting that the Miller engineers to provide that data. Attorney Sullivan asked Ms. Call if that information was in the two letters provided by her; she stated the letter they are referring to is dated June 17, 2022. Attorney Sullivan stated he believes he has a response from Miller Engineering and provided a copy to Mr. Huff and the Board. Mr. Huff stated that just glancing at the response, it may satisfy the geotechnical engineers, but he won't know that until he gives it to them. Mr. Carter asked if the question of stability was the only concern; Ms. Call stated that was the main concern.

Next, Mr. Carter addressed the minimum and express operation standards and read a quote from Russ Wilder during the December 19, 2017 Planning Board meeting: "there were wetlands adjacent to the pit that had been drained because of the excavation of the gravel pit down below the water table"... Ms. Call interjected and stated at last month's meeting, there was a discussion regarding the site walk, it was noted by Mr. Varney that he noticed that area was not holding water but it was a possibility with the restoration of that slope area, that shelf at the top, once that is done, it should hold the water on the soil that's located in the woods; the water will pool and not drain.

Next, Mr. Carter addressed the minimum and express reclamation and excavation standards...Mr. Babb stated the stumps will be burned and the ash will be added back into the loam product, they are not burying the stumps. Mr. Carter stated that should be noted on the final plans.

The aquifer plan needed an official seal on the plan... potential damage to the aquifer needs to be addressed- Ms. Call interjected and asked if she could ask Town Counsel a question regarding the regulations that address the aquifer... question, if this is an existing operation close to the aquifer, does the Board have the obligation to address the waiver regarding the study- Town Counsel stated it is a judgment call from the Regulators and he thinks the Board can consider the assessment as it is an existing pit that is so close to the aquifer already and will get no closer to it. Mr. Carter asked Town Counsel if the Board needed to vote on this now, he stated they could wait and add it as a condition. Mr. Huff interjected and stated the ship has sailed on the quality of the water pit and moving forward they could do samples of two down gradient water wells and then that would be the new baseline, and if there was any damage in the future, then you would have something on record. Mr. Sample interjected and stated you are going to test the neighbor's water, who's to say he's not contaminating his own water? Mr. Huff responded and stated he believes in the former sampling plan there were two down gradient wells that were agreeable to have sampled, so he is just looking in terms of that. Mr. Hillsgrove stated he doesn't really agree with the well. Mr. Sample responded and stated they should recommend that the testing not be done and take it from there. Mr. Carter responded and stated that is the general consensus of the Board.

Next, Material processing...Mr. Carter stated the excavation plan indicates the rock crushing typically is done three to four times per year. At the May 17, 2022 Planning Board meeting the Board discussed five times per year max; he asked the applicant to note that on the final plans. Mr. Babb interjected and asked if they should exempt simple screening operations from that? Mr. Carter stated crushing is the more egregious activity and asked Mr. Babb how often they conduct the screening process. Mr. Babb stated it depends, sometimes they will come in and screen a couple thousand yards of loam and leave, if there is a rush on loam, they would go back and screen again. Mr. Carter doesn't have an issue with removing the screening

and leaving just the crushing. Ms. Call interjected and stated it would stay the same with the exception of changing it to no more than five times a year for crushing.

Mr. Carter moved on to quickly run through the items required for final approval per the excavation regulations... A Bond and Security proposal for reclamation, he stated the Board has established that with the \$185,000 Bond. The traffic impact study is next, but has been crossed off; Next items... any other approvals, permits, dredge and fill, AOT permit- Mr. Carter asked if Mr. Babb has applied for the permit, he stated they have applied for the permit; Mr. Varney stated he is mailing it out tomorrow. Mr. Carter mentioned the Driveway permit as well which was discussed earlier, which was a recommendation. Ms. Call interjected and stated the reason it was an issue to check the Driveway permit is that the Planning Board needs to make sure all of the permits are properly in place. Mr. Carter stated the Board can clarify the Conditions Precedent to state that they are permitting a certain number of trips and trucks per day or as may be limited by the State's Driveway Permit. Mr. Babb stated the original permit would have been for Robert Hussey who was opening a pit, it would have been opened under the premise of a pit operation to begin with. Ms. Call interjected to clarify that the maximum number of daily trips was indicated on the application as 30 +/- and at the meeting last month, it was increased to 80+/-, so that is where the original 30 came from. Mr. Hillsgrove stated that when the permit was originally given by the State, it was for a pit and such a pit would have more than that coming in and out; Ms. Call interjected and stated that is why they are requesting a copy of the Driveway permit. Mr. Carter interjected to clarify why the Board is asking for the number of trucks, they are asking because it is a driveway on a State road, not a Town road. Mr. Sample stated he does not believe the number of trucks is an issue as the State has granted a permit. Mr. Carter stated they are being cautious so as to not approve something the State has not approved. Mr. Hillsgrove interjected and stated the Board shouldn't put a number of trucks just get a copy of the Driveway permit. Mr. Carter stated the intent is the protection of the Town roads which is not distinguished in the application, which is why the question is asked of the applicant. Ms. Call interjected and stated that Section 14. A. 19. Excavation Plan states, the things that should be listed on the plan... "intended transportation routes to be used to and from the pit, the numbers and types of trucks and equipment to be used, hours of operation, and maximum number of daily trips"; this is why they asked the question, it is part of the regulations.

Mr. Carter stated he would like to see the plans updated as there are so many items that need to be added to the plans. Attorney Sullivan agreed and stated they really need the recommendations sooner than the day before the meeting; Ms. Call apologized that it took that long to get the recommendations to them, it's just very busy in the office right now. Mr. Babb asked Ms. Call if there was anything else they did not cover that could potentially crop up in the next public hearing; Mr. Carter responded and stated this is why he wants to wrap this up, so they can start working on the items in order to get that to the Planning Department as soon as possible. Mr. Babb interjected to confirm the bonds and the process, he stated he is submitting a \$185,000 construction bond, which is separate from the pit reclamation bond; so there will be two bonds, surety bond for the pit and the construction bond for the slope; the construction bond will be released once the slope is completed and will go into a maintenance bond at that point. Mr. Carter stated that is correct, he will have a \$16,000 maintenance bond for five years with a review at the end of the five years to be released or continued.

Ms. Call stated if it is the Board's decision to continue the meeting to the July 19, 2022 Planning Board meeting, the continued application deadline is Tuesday, July 5, 2022; however, she is on vacation next week so she will get the updated Planner Review to the applicant by Friday, June 24, 2022, by the end of the day. Attorney Sullivan stated they will not have the AOT permit by the next meeting; Mr. Carter stated they will address that as a Condition Precedent.

Mr. Sample asked if Mr. Babb will be able to open the pit if they do not have the AOT permit by the July 19, 2022 meeting; Mr. Carter stated that once the Board makes their decision and the other requirements are satisfied, the Town would be granting permission to open; as for the State’s AOT permit, they Board cannot overrule the requirement for an AOT permit. Mr. Carter stated as long as Mr. Babb is not in violation of the AOT permit, he should be free to conduct business. Ms. Call interjected and stated at the next meeting she would like to have John Dever, III, Code Official, attend so he can address the Cease and Desist Order, possibly amend it during the meeting. Attorney Sullivan interjected and asked if Ms. Call was suggesting that the Cease and Desist Order was still active as he does not believe it is still active; Ms. Call stated she would like to get the Code Official’s opinion. Attorney Sullivan stated the Board would be issuing a new permit which would override the Cease and Desist Order; she stated the Code Official has conditions listed in the Cease and Desist Order so he should be involved in addressing those conditions. Ms. Call stated she is not stating that the Cease and Desist Order will be kept in place; Attorney Sullivan interjected and stated he can’t keep it in place as Mr. Babb stopped working; Ms. Call stated that was correct. Mr. Carter stated the Cease and Desist Order was put in place by the Building Department, not on behalf of the Planning Board so he should be allowed to address it and release it. Mr. Sample interjected and asked if this could be addressed via a letter to the Code Official and allow him time to respond before the next meeting rather than waiting; Mr. Carter stated these are two different items being discussed and from his understanding, there would be no reason to continue with the Cease and Desist Order once they have satisfied all of the requirements. Mr. Carter stated he will ask Ms. Call to reach out to Mr. Dever before the next meeting to make sure there are no other issues before pulling the Cease and Desist Order.

Mr. Carter MOVED to continue Case#P22-14 to the July 19th meeting. Mr. O’Neil seconded the motion and it PASSED unanimously.

Open Public Input...closed.

Board recessed for 5 minutes...

Meeting called to order at 8:24pm

3. Design Review

<p>Case #P22-20 Prospect Mountain Survey, Agent for CNA Holdings, Inc., Owner</p>	<p>Map 14 Lot 6 84 Jesus Valley Road</p>	<p>Design Review-Major Subdivision Rural (RU) Zone</p>
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Proposal: To subdivide Map 14 Lot 6 into four (4) lots of record. The parent lot would consist of 43.5AC, lot 1 would consist of 2.10AC; lot 2 would consist of 2.03AC; and lot 3 would consist of 2.35AC.

The Chair read the case into the record.

Paul Zuzgo, LLS, of Prospect Mountain Survey, Agent for Andrew Kierstead of CNA Holdings, Inc., Owner came to the table to discuss the application. Mr. Zuzgo stated Mr. Kierstead has a parcel on Jesus Valley Road which is approximately 50 acres, he plans to divide that parcel into four lots; three small lots consisting of 2.1 acres, 2.03 acres and 2.35 acres with the remaining lot being 43.5 acres. He stated there was an existing house, an existing trailer on the land and four existing access points; two of which are driveways, one to the house, one to the trailer, one that goes up to the back of the property and one on the vacant lot. Mr. Zuzgo stated they meet the State and Town requirements as far as lot size, also the 75% rule: All lots will have over 200 feet of road frontage, 25% slopes and the 35% slopes which he needs for the State. He stated the

only thing that puts the application into the category of a major subdivision is the fact that Mr. Kierstead has four lots. Ms. Call interjected and called a Point of Order for the record and stated that Scott Williams and Tom Diveny are back at the Board table. Mr. Zuzgo continued and stated that he requested waivers for a complete survey as he had a survey done of the first 600 to 700 feet; Mr. Hillsgrove interjected and stated Mr. Zuzgo stated it was a major subdivision but there are two dwellings on the property; Mr. Williams stated just by what it is, it triggers the major subdivision category but the Board should take a look at this later on down the line and if there is no road being built, then they can adjust the category. Ms. Call interjected and stated she had noted that from the last time Mr. Zuzgo came into the Planning office with a similar application. Mr. Sample asked about the snowmobile trail; Mr. Kierstead stated it is still there on the outer perimeter. Ms. Call interjected and stated she wanted to clarify that the Code Official is requesting that an Equitable Waiver of Dimensional Requirements be applied for through the ZBA because the front of the existing house is within the front setback; she stated Mr. Zuzgo has enough time to go before the ZBA, and in fact, he submitted an application for the July 7, 2022, ZBA meeting. Mr. Zuzgo stated the house was built in 1850, which was before the zoning laws took effect.

Mr. Williams stated he would like to address the recommendation from the Fire Department; they recommended that a 30,000-gallon cistern be installed or a dry hydrant with an adequate water source. Mr. Williams stated the Selectmen have not authorized cisterns, so why is the Fire Department still recommending them because the program was set up was to install dry hydrants, which are much better; what they are asking for would cost close to \$100,000; the Town purchased a Tanker Truck so they could have more water on wheels to assist; Mr. Williams stated the Board should not require Mr. Kierstead to obtain a cistern. Ms. Call stated in the Planner Review she did add the section of the water plan so that the Board could see how close it was to the lake and a draft located at the beginning of that road.

Mr. Carter addressed the comment from the Highway Department regarding the driveways; they stated the trailer is still in the old wood road driveway which was altered to get the trailer in and that this would require a permit. Ms. Call interjected to clarify, she stated she is not sure which of the existing trailers on the plan was moved; Mr. Zuzgo stated the 14' x 70' trailer that was moved, the long skinny one that is shown on Lot 3. Ms. Call stated one of the trailers was moved from the Proposed Lot 3 and moved onto Proposed Lot 1, so there is a requirement by Scott Kinmond, Public Works Director, that Mr. Kierstead receive a driveway permit which could be a condition of approval; ordinarily the need for driveway permits does not end up as a Conditions Precedent, but since there were some changes to the existing Old Wood Road, that will require a driveway permit ahead of time. She stated currently there is no need for a building permit or a septic permit to be submitted because the trailer is in a temporary position, and when Mr. Kierstead is ready to move forward with construction, permits would be needed at that point. Mr. Carter interjected and stated there is a trailer shown on Lot 3; Mr. Zuzgo stated there are two trailers on Lot 3. Ms. Call stated there is additional criteria listed under Section 350 in the Zoning Ordinance, which is the reason she wanted to confirm the size of the trailer; she stated that since the trailer was under 14 feet in width, Section 350 does not apply.

Mr. Carter stated being this is a Design Review, the Board will not vote on any waiver requests. Mr. Carter asked about utilities; Mr. Zuzgo stated utilities are existing on the road with the exception of well and septic. Mr. Carter asked about plans for Lot 6; Mr. Zuzgo stated it will be one big house lot because there is not enough road frontage for any additional development. Mr. Carter continued with the checklist items, there is no soils map but it was indicated as provided; Mr. Zuzgo stated he does show soil lines on the plans but he did not submit a soils report. He stated they have test pits on Lots 1 & 2 and Lot 3 didn't need it because it has a recently approved septic; they also conducted a test pit on the existing house lot because they do not know what there is for septic. Mr. Zuzgo stated the soil designation numbers are shown on the plan and the

Topo report. Mr. Carter asked if that would require a waiver; Ms. Call responded and stated technically it could but it is indicated on the Topo and the subdivision plan. Mr. Carter continued with the Fire Protection Plan Map; it was discussed earlier. Next item, the aquifer plan; Mr. Carter asked if Mr. Zuzgo saw the note about the property being located on an aquifer; Mr. Zuzgo stated the overall plan shows the aquifer line. Mr. Carter stated it shows a drafting point for water; Mr. Call interjected and stated the note comes from the Alton Water Resource Plan from the Fire Department. Mr. Zuzgo asked what the plan shows; Mr. Carter responded and stated the full color version shows a little star locating the drafting point for fire protection. Ms. Call stated in the regulations, the Planning Board has the ability and/or authority to waive any fire protection if they can prove there is local access to water for the firefighters.

Mr. Carter continued with the next items; the Drainage Plan Map; the Erosion and Sedimentation Control Plan; Mr. Zuzgo stated no construction is being done other than house lots; Mr. Carter stated this also goes with the Stormwater Management Plan. Ms. Call stated they can change those items to N/A for the next meeting. Mr. Carter continued with the Soils Report which has a waiver request; Mr. Zuzgo stated he can submit that with the next application. Next, Road and Profiles and Cross Sections waiver request; the Driveway Site Distance Analysis was provided but was not found; Mr. Zuzgo stated in the calculations on the plan he shows the Site Distances. Ms. Call stated the project narrative should indicate if there is any future development of the parent lot, especially taking into consideration building out back because it lies over an aquifer. Mr. Zuzgo stated Mr. Kierstead will be building outside of the aquifer; Ms. Call stated she understood but it should be noted in the project narrative.

Open Public Input... Sandy Wyatt, a direct abutter came to the table to discuss her concerns. She stated she is concerned about the long skinny trailer being moved without a permit; she stated she came to Town Hall and did not see any permits. They widened the driveway and took out the culvert on Lot 3 without a permit, there are no permits for anything in the folder. She stated there is no permit for the septic on Lot 3 and that septic is not where the originally one was located so she does not know where that septic came from; also there is no permit for a second well. She stated the brown trailer was dragged up the road to Lot 1, which is across the street from her house and there was a lot of site work done on Lot 1 as well. She stated there are a lot of wetlands on the back of Lot 1 and the plans show a proposed well right in the middle of the water and she doesn't understand how that can be done; she stated there was a pond on Lots 2 & 4 but does not know if they are still there. Basically she stated this work is being done without proper permits. She stated behind Lots 1 & 2 was a major auto junk yard in the 1950s, 60s, and 70s and in 1974, 400 cars went to the crusher which did not take gas tanks or tires, so no one knows where they ended up.

She next asked about the dry hydrant location; Mr. Williams responded and stated that none of the locations proposed have been approved yet, the State went around with the Town and they identified areas that would support a dry hydrant.

Mr. Sample responded and stated that most of her concerns are related to the Building Department; Ms. Call interjected and stated she did inform Ms. Wyatt there were no permits in the Building file but that doesn't mean that permits do not exist. She asked where they would be, Ms. Call stated she did not know. Mr. Carter stated there was a period of time when the record keeping was not very good in Town Hall. Mr. Carter stated on the existing septic that Ms. Wyatt identified is State approved and has a State approval number so the State would have the permit. Mr. Zuzgo stated he is not sure there is a need for another permit with an existing trailer; Mr. Kierstead interjected to clarify things, he stated when they purchased the land there was a white trailer on site and it was in extreme disrepair, they spoke to the Code Official about replacing that trailer with the brown trailer with the idea it would be temporary; he stated all of this has been

done with permits and legally. He stated he moved the brown trailer ahead of time to save time as they were also working with a company to move the other trailer; however, the company would not move it because the driveway was not wide enough, so Mr. Kierstead prepped it for them to move. He stated the trailer is sitting there now in preparation for approvals and then he will go through the building permit process for septic, the pad, and everything else.

Mr. Kierstead stated there was site work done previously to conduct the test pit, he took a bunch of trees down, he prepared and cleaned it out to widen it to eventually get the trailer in there; once he gets the permit, it will be set back to a normal driveway width and set up normally. Mr. Kierstead asked Ms. Wyatt if she knew who owned the auto junk yard; she stated her father owned the junk yard. Mr. Kierstead stated he would like to point out that he has since done extensive work on the property, Doherty has taken out 900 tires, he has taken out over 300 tires and he continues to remove tires; he has dug up garbage dumps in the backyard, they are cleaning up the back of the property; he has taken several dumpster loads of steel away and he has plans to continue the clean-up. Mr. Carter interjected and stated they need to move on... Mr. Zuzgo interjected and stated the wetlands were delineated by a certified wetlands scientist, which he went out and located, and the proposed well on Lot 1 is 25 feet from the wetlands; two setbacks were shown, a 25 foot setback, which is the buffer zone, and a 50 foot setback, which is the septic setback. Ms. Call responded and stated that was one of her questions.

Mr. Zuzgo stated they have easements drawn up for the two existing wells but the State has gone to the point where they do not want well releases, they want well easements if the radii goes over, so he will be showing two proposed wells on each of those lots which the radii will be completely on the lots; because they are existing wells, they do not have to stop using them.

Ms. Wyatt stated that she was under the impression there were no permits but now realizes there are permits for everything; Mr. Carter stated they do not know that for a fact, but they can ask the Code Official to look into it.

Public input closed.

Design Review phase is complete; the applicant may now apply for a final application.

4. Conceptual Consultation

Case #P22-21 Northpoint Engineering, LLC, Agent for Grey Light Realty, LLC, Owner	Map 63 Lot 13 1602 Mt. Major Hgwy.	Conceptual Consultation-Major Site Plan Lakeshore Residential (LR) Zone
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Proposal: To expand the existing restaurant to accommodate an onsite brewery facility and a new building entrance.

The Chair read the case into the record.

Scott Williams recused himself because he has prejudged the engineering firm.

Kevin Leonard, P.E., of Northpoint Engineering, Agent, and applicant, Paul Kelly of Kelsen Brewing Company, came to the table to discuss the application proposal. They are looking at the property located at 1602 Mount Major Highway, they submitted the septic plan for the property, and a conceptual from SMP

showing the proposed addition on the plan; The property is 2.22 acres and has been used as a restaurant in the past; the property was formally known as the William Tell Inn. The current owner made several upgrades to the property in 2020, then COVID hit and the restaurant never got up and running and has been sitting, vacant, unused, and for sale. Mr. Kelly stated his brewery has been in operation since March of 2014; they are a small brewery and produce about 25,000 to 30,000 gallons a year total, which is shy of 1,000 barrels a year; they have to relocate from Derry, NH, due to Eminent Domain, the State DOT will be taking over the building to put a new exit off of the highway, so they have been looking to relocate and they found the location of the restaurant in Alton. Mr. Leonard interjected and stated the property is located in the Lakeshore Residential zone so it is a preexisting non-conforming use and it is not an allowed use for a restaurant, so they realize with an expansion they will have to acquire a Special Exception from the Zoning Board; they are planning to submit an application for the July or August meeting. He stated they wanted to come before the Planning Board to present their ideas for the brewery and get any feedback. He stated they brought renderings of the building and the floor plan for the Board to view with the proposed addition. Anthony Mento, A.A.I.A., architect for SMP Architecture came to the table to discuss the layout plan, he stated the existing building located on NH Route 11 with the stone stairs has three floors including a basement, roughly 7,000 square feet total; they plan to place the addition off the old existing driveway from the former hotel, they also looked at building an addition off the back of the existing building which would be a lower level addition with a patio rooftop, but they were concerned because of the traffic impact on the abutters and neighbors; the third option was to build on the west side of the building on NH Route 11 that would create a new entry, a connector building with ADA access; they liked this idea and decided to draft plans to that affect. They are going for a modern appearance of a brewery building with a connector with the brew house beyond the windows, access of deliveries would be on the existing parking area.

Mr. Hillsgrove interjected and asked if the deliveries would be only during the day; Mr. Leonard responded, yes. Mr. Kelly interjected to elaborate, he stated on the beer side of it they have deliveries once or twice a week and then pickups from distributors once every two weeks; they do not produce a large amount for the public, most of it is in house. Mr. Hillsgrove asked if the delivery trucks would be backing into the garage, Mr. Mento responded and stated they would back in and use a fork lift to offload the truck; Mr. Kelly stated that is what they do currently. Mr. Sample asked if the restaurant would still be in operation; Mr. Kelly responded, yes. Mr. Sample asked about the service from the restaurant; Mr. Mento stated it was serviced through the basement so they were considering to utilize that section for the main entry for all of the deliveries. Mr. Leonard stated the main public entrance will be in the front with a merchandising area where the public can purchase beer to go and/or t-shirts. Mr. Carter interjected and asked about parking as it seems there is not enough space for parking in the front; Mr. Leonard stated the parking on the side is a little wonky and they did some research with DOT and when they drove by they stated it was an issue because the paving was done without a permit. He stated the DOT is concerned with the big curb cut along the road because basically people can pull in and out everywhere and the site distance is not great because there are a couple of curbs in both directions. He stated the DOT requested that a fence be installed which has taken place and is shown on the survey. Mr. Leonard stated the middle entrance is the "In only" and he thinks there should be an entrance only to minimize the confusion. Mr. Carter interjected and asked if the entrance would be off of Smith Point Road; Mr. Leonard stated it would be off of NH Route 11. Mr. Leonard stated they plan to obtain a new driveway permit from DOT and try to improve access and parking; the addition is on the existing gravel parking lot and on the survey plan it shows an existing ADA ramp, the gravel lot is small so there is not a lot of parking spaces, the addition will be there so they will have to add spaces off the lower lot and make it parking on both sides. Mr. Carter responded and stated the parking will most likely be their biggest hurdle. Mr. Carter asked if the Brewery was purely a production site or would they also serve people; Mr. Kelly stated it is strictly a production site and they would serve in the restaurant part of the building. Mr.

Carter asked about merchandising; Mr. Kelly stated that would be in the restaurant part, they have bar light windows to see into the brewery, they have some additional seating along the existing bar but the majority of it will be merchandising. Mr. Leonard interjected and stated the layout and what they are proposing for use is limited by first getting the Special Exception from the Zoning Board, the parking situation, septic, and the well. Mr. Carter stated they should also look closely at the lighting. Ms. Call interjected and asked if they spoke to the Code Official, John Dever, III, about the retail use of the store as an accessory to the restaurant; Mr. Leonard stated he does not believe they did speak to him about that but they will talk to him. Ms. Call stated that would be good because “Retail” use is not allowed in the Lakeshore Residential zone. Mr. Kelly stated the idea is for people to come in and purchase items to go so they don’t have to go into the bar if they do not want to. Mr. Leonard asked the Board about the previous owner coming before the Board previously regarding the addition of a deck, he stated it is not in the current proposal but if they decided to add it would that trigger a site plan. Ms. Call stated it would trigger a site plan.

Mr. Leonard addressed the statement in the Planner Review regarding the elimination of the apartment on the third floor by the previous Tax Assessor; Ms. Call stated the applicants should look into correcting that.

Open public input... Mr. Williams came to the table and stated he has had a lot of interaction with the property, he has plowed it for over 30 years; he stated there were two motels on the property, one burnt down around 1990 and they used to plow the entire area so they could have overflow parking. He stated the driveway is shared by the restaurant and they may find some things when they start to dig in that area. Mr. Kelly asked if there was a hotel to the west of the building; Mr. Williams stated he did not believe so. Mr. Kelly stated they would be open during the week until 8:00pm and on Friday and Saturday they would close at 10:00pm.

Public input closed.

Other Business:

1. Old Business:

a. Alternative Housing Committee Update

Ms. Call stated the Committee is currently working with Tara Bamford who is the Master Plan Consultant, they have established an outline for an Ordinance for Short-Term Rentals; Ms. Bamford will work on updating the outline with all of the comments and they are going to address the Open Space Subdivision topic. Mr. Sample asked who was paying Ms. Bamford; Ms. Call stated that a \$5,000 Warrant Article for a Planning & Zoning Consultant was approved by the voters in March.

b. Master Plan Update

- i.** Review and discuss drafts of Chapters 3 and 5- update from Tara Bamford who joined the meeting via zoom- she stated the first phase of the Master Plan project was to develop vision and goals on priority issues based on the survey and other work that has been done in the Town over the years, which were Chapters 1 & 2 that the Board had reviewed early on; the current agreement, phase two, was to work on Natural and Historic Resources to be drafted by the Committee, she was in charge of Land Use, and they had several meetings to discuss both topics to put into an Action Plan; the final step in phase two is for the Master Plan Committee to give the Board a draft that they have approved and recommended. Ms. Bamford stated she knows the Board has had the drafts to review and she was hoping to get feedback from those members

who have had a chance to browse through it, in particular, the long list of proposed Zoning changes in the Land Use Action Plan- are they on the right track? Mr. Carter responded and stated he has only skimmed through the drafts but there was nothing that he had concerns about; Ms. Call interjected and asked the Board if any of them had the drafts with them other than Bill O'Neil; the Board did not.

Russ Wilder came to the table to discuss what the Board should pay attention to; he stated they should really look at the potential rezoning areas and districts. He stated in order to understand it, the Board needs to look at the Action Plan. He stated the Committee really needs the Board's response before moving forward to make sure they are on the right track. Mr. Sample interjected and stated they need to meet with the Master Plan Committee after they have reviewed the drafts to better understand the material. Ms. Call interjected and stated the drafts were provided to the Board last month in May, during that meeting it was determined that all Committee matters would be continued to the June meeting for discussion and Ms. Call asked the Board to review the material before tonight's meeting because it was a large document; she stated the Committee has worked so many hours to compile the drafts and the longer they wait to address it, the longer it will take to produce a final document. Mr. Wilder suggested a workshop to discuss the documents; the Board agreed because the last few meetings have run very late. Ms. Call stated the next Master Plan meeting is July 6th at 6pm. Ms. Bamford interjected and stated the Master Plan Committee is working on handing this off to the Planning Board and at that point they are out of it, so the point of checking in with the Board now is to make sure they are on the right track; she stated the guts of it are in the Action Plan items 38-53 which is where the Zoning changes are listed.

The Board agreed to the workshop meeting on July 6, 2022. Mr. Carter stated the Board was ill prepared and he apologized to Ms. Bamford on behalf of the entire Board. He addressed the amendment to Ms. Bamford's contract; Ms. Bamford stated the amended contract is to get them through the adoption and printing stage of the Master Plan.

Mr. O'Neil MOVED to accept Contract Amendment No. 2 of the Master Plan update. Mr. Hillsgrove seconded the motion and it PASSED unanimously.

c. CIP Committee Update

Ms. Call stated that it was confirmed that the CIP committee was created properly, the Warrant Article went out in the 1980s and the confusion lies in the RSA Mr. Loring was quoting at the prior meeting, which stated the legislative body would have to appoint the CIP Committee, but that went into effect in 2002; she stated in 1980 the legislative body voted on a Warrant Article to allow the Planning Board to appoint a CIP committee and the Planning Board as a body can and does often create subcommittees. Mr. Williams stated he believes the State assigned this to the Planning Board which is why it ended up with the Planning Board. Ms. Call stated the CIP Committee is fine the way it sits.

2. **New Business:**

a. **ZAC Committee Update**

b. **Approval of Minutes:** Planning Board Meeting minutes of May 17, 2022.

Mr. O'Neil **MOVED** to accept the minutes as written. Mr. Williams seconded the motion and it **PASSED** unanimously.

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

a. Board to motion to release the remaining Stormwater Drainage Review escrow funds for Kemper Land Holdings, LLC.

Ms. Call stated she has not received invoices yet from the Town Engineer so she does not have an amount to give to the Board to release yet.

4. **Correspondence for the Board's information:**

a. Letter dated June 14, 2022, was drafted and mailed to all of the property owners on Ridge Road regarding final road approval.

b. Chair signed a Rescission of a Voluntary Merger of Pre-existing Lots for two (2) lots that were merged together by the Town of Alton, there were extenuating circumstances that led to the rescission; one of the lots contained a public water system for Alton Shores.

Any Other Business to Come Before the Board

Public Input on Non-Case Specific Planning Issues

Adjournment:

Mr. O'Neil **MOVED** to adjourn the meeting. Mr. Hillsgrove seconded the motion and it **PASSED** unanimously.

Meeting adjourned at 10:02pm

Respectfully submitted,

Trisha DeRoche