

**TOWN OF ALTON
ALTON PLANNING BOARD**

JULY 15, 2008

Members Present: Scott Williams, Vice Chair
Tom Hoopes
William Curtin
Bonnie Dunbar
Timothy Roy

Others Present: Sharon Penney, Town Planner
Stacey Ames, Planning Assistant
Members of the Public

I. CALL TO ORDER

S. Williams called the meeting to order at 7:04 PM. He introduced the members of the Planning Board.

II. APPOINTMENT OF ALTERNATES

Bonnie Dunbar was appointed as an alternate for this meeting.

III. APPROVAL OF MINUTES – June 17, 2008

T. Hoopes mentioned that he had made corrections of a grammatical nature to his copy of the minutes and given it to S. Ames prior to the meeting. He asked other members if there were concerns of other than a clerical nature. There were none.

Motion:

T. Hoopes motioned to approve the minutes with clerical corrections and W. Curtin seconded the motion. There was no other discussion. The motion passed by unanimous vote.

IV. APPROVAL OF AGENDA

There was one change to the agenda; Conceptual for the Merrymeeting Mobil Home Park was removed.

Motion:

T. Hoopes motioned to approve the agenda as amended and T. Roy seconded the motion. There was no other discussion. The motion passed by unanimous vote.

V. PUBLIC INPUT

There was no public input.

At 7:10 p.m., S. Williams recused himself from the meeting and appointed T. Hoopes acting chair.

VI. CONTINUANCE

Case #P08-08

Map 8, Lot 25

Site Plan

R. Heath

82 Frank C. Gilman Highway

T. Hoopes asked for a brief summary of the rental agreement. M. Guldbrandsen addressed the rental agreement, a declaration of covenants and restrictions, bylaws, and an easement deed. This packet had been sent to Jim Sessler., but he had not yet responded. The declaration of covenants would be registered, and would run with the land. The lease is private between the owner and the residents, and should retain some flexibility, though there is some leeway for the board to make requirements of parts of the lease. The bylaws can be amended and would govern the development itself. The bylaws would not necessarily be registered, but could be an exhibit to the declaration. She is responding to what she sees as Jim's need to have everything clear. The lease is a standard form slightly tweaked. Paragraph 3 states that one resident must be at least 62 and would have to prove this with a birth certificate, driver's license, etc. The lease also forbids garbage disposals.

Melissa explained that the declaration of covenants and restriction is also a standard format, defining the residential use, elderly housing, and maintenance issues. It also points out that it is also governed by the site plan and any notes thereon. The lease states that residents have 30 days to vacate if the qualifying family member is no longer there; the bylaws spell out the possibility of a longer term so that a surviving spouse doesn't have to be evicted in the middle of the winter.

T. Hoopes asked who would control the bylaws – there would be no leeway for the renters to determine the bylaws. Melissa mentioned that there could be a scenario where the residents could at some point be looking for more self-governance, but that was not in the picture now. Melissa talked about how the rules in place would be a good marketing tool because prospective residents would like the sense of order.

The easement is about utility access.

There was discussion that the property would be restricted so that even if it was sold it would remain elderly housing.

T. Hoopes asked to go over the most current review of the farmland use development. He had a second review; Sharon copied and handed out the third review. Board members took a few minutes to familiarize themselves with the third review. Sharon gave an overview and suggested items to be discussed in more detail. M. Guldbrandsen stated that the easement was for the water; the electric company would come in with their own. The design of the guardrail was discussed. There was further discussion of easements in general, as they show on the plan. Tom Varney pointed out particulars in the plan. Ryan Heath spoke about the speed on the road as per the guardrail. There was discussion concerning the cover and pipe size for the drainage. T. Varney pointed out that they meet all the rules. There was also discussion concerning the use of PVC or CMP.

T. Hoopes talked about the size of acreage near the property concerning the change to the character of the existing neighborhood. R. Heath voiced his opinion that the town has already allowed his proposed use because it is allowed in rural residential areas. There was discussion concerning the definition of a neighborhood, and the definition of rural residential. R. Heath voiced that he perceives that the abutters and others in the neighborhood have voiced that elderly housing doesn't belong there. T. Hoopes responded that they can't really say that elderly housing doesn't belong because the zoning permits it. The real question is whether 330.1 is being addressed – whether the design protects a) general health and welfare, b) Alton's rural character, c) the character of existing neighborhoods, and d) provides housing

alternatives for the elderly. He went on to question at what density is the development out of character with the existing neighborhood. He went into more detail concerning each point (a-d above) and how the development will affect each, with particular emphasis on the affect on the character of the existing neighborhood.

M. Guldbrandsen raised the point as to whether that section of Route 140 was actually a neighborhood where people came together and that the development would interfere with. She pointed out that this development would be an enhancement, as it would be a neighborhood in itself. She pointed out that the setback for the town is 25'; this development is setback much further than that. The first unit is further back than the far corner of the existing property, or 400'. R. Heath compared his development favorably with areas like Church Street and School Street where the homes are closer together and on smaller lots. In that setting, a development such as his would be very disruptive, but not so, in that the lots on Route 140 are larger with more space between the homes. T. Hoopes voiced that the word neighborhood doesn't necessarily pertain to any particular part of town; it is simply the area around where the activity is happening. His point is that the town did vote to change the zoning from rural to rural residential, which does allow for more development – smaller lots and multiple housing. S. Penney clarified that it is a balancing act between units per acre against being able to provide elderly housing against the esoteric and philosophical criteria, and that it does come down to density.

B. Dunbar raised concerns about the buffer, and how a good buffer could help to protect the abutters. She suggested that a dense, staggered planting would provide both sight and noise buffering. She pointed out that some of the abutters will be able to see the development from their homes. R. Heath understands the concerns, but pointed out that the land was already cut back to the 400' mark before he purchased it; it was already a field. B. Dunbar responded that she is not addressing that; her concern is buffering for a project that is this dense. T. Hoopes asked which parts of the property are close enough to the abutter's structures that they will be able to see the actual structures on the development. M. Guldbrandsen cited the aerial photo; it shows that none of the neighbors' houses are going to be close enough to even show up on the plan. She also pointed out that the back property line has been left forested, and that the wetlands provide a buffer. The line between the development and Randy Glines property is forested.

B. Dunbar re-raised the issue of staggered plantings around the development; not necessarily just on 140. There was discussion concerning the types of trees to be planted; something that will become dense quickly. T. Hoopes stated that Wolfboro requires a certain thickness to their buffer.

T. Hoopes stated that he feels that 13 buildings, 52 units is a high density for the neighbors to get used to, because they may feel that it is inconsistent with the character of the neighborhood. He does not know what the comfortable density level would be. R. Heath was asked how he plans to build – he said the buildings would go in two at a time. The difficulty is that all of the supporting infrastructure has to be in, even to support just two buildings. He could possibly see two phases.

S. Penney spoke about the fact that the issue of elderly housing has come up before during master plan discussions. The question is always "Where does it go?" The answer has always been as close to town as possible; there is no room in town. She understands the concerns of the neighbors; she is also concerned about the loading of the land and possible future expansion of septic and other systems. Zoning allows it; the question is whether it is appropriate, close enough to town, can it be buffered...

T. Hoopes addressed the issue of the need for a minimum of 30% open space. R. Heath pointed out that there is 75.7% open space; the calculations are on sheet 2. There was discussion of the wetland in the northeast corner, which is just under 18,000 square feet. R. Heath pointed out that they have reduced the development by 1 building (4 units), a maintenance garage, and a rec center.

T. Hoopes opened public discussion. He mentioned a letter addressing some of the issues brought up in the past.

Ruth Messier of 191 Frank C. Gillman Highway was the first to speak. She provided a handout, which she read. (See attachment 1) After reading, Mrs. Messier asked what impact fees are being considered for this project. T. Hoopes responded that we have an ordinance that adopted the concept of impact fees; each impact fee that would possibly be assessed has to be adopted. Each fee has to be researched; Bruce Mayberry is the most qualified person to do the research. He researched an impact fee for the school in the past; the current board is not of a like mind to adopt impact fees. The concept of impact fees makes sense, but the inception is a hard sell. The second one Mr. Mayberry is working on is concerning safety services. One of the points against impact fees is that if you continue to make each lot more expensive, residents can't afford to live here, and it makes it harder to sell a lot if there are added expenses. Mr. Mayberry's estimate of an impact fee for the high school would have been in the neighborhood of \$5,000 per lot; there is no requirement to accept the full amount – the town could vote for a lesser percentage of the suggested amount. He went on to speak about the requirements of use of impact fees – they have to be used (or started to be used) within 6 years, and they can only be used for growth, not for ongoing expenses. Whatever is proposed for impact has to be adoptable by the town. It is a work in progress. He explained that the reason for adopting the concept of impact fees was because the state took exception to requiring an arbitrary and not necessarily related impact assessment. R. Messier asked if there are any impact fees being considered for this project; T. Hoopes answered that at this time there are not. R. Messier asked about the easement deed; T. Hoopes answered that it is available if she wants to see it. She asked about a possible future change in the age requirement; T. Hoopes answered that it cannot change. The only way it can change is if the federal government changes the definition of “elderly.” T. Hoopes added that it is recorded as 62 and that it cannot change from there. M. Guldbrandsen pointed out that 62 is the town ordinance. R. Messier expressed her appreciation of the discussion concerning the neighborhood. She asked that the board give consideration for noise buffering as well as visual; T. Hoopes replied that this is the reason for the staggering of trees.

Randy Glines of 234 Frank C. Gillman Highway asked for clarification on the age requirement and who is responsible for enforcing it. T. Hoopes answered that it is first of all the responsibility of the owner; if the owner is unwilling or unable to enforce, the Code Enforcement Officer would have to be involved. R. Glines pointed out that T. Hoopes had stated in the past that the code enforcement officer would not be up there knocking on doors to see who was living there. T. Hoopes answered that if there was a specific filing made concerning the age of the resident, the code enforcement officer would first check with the owner, who would check the residents of the unit. Mr. Glines suggested that there should be a financial penalty on the owner; they do this to make money as well as to provide elderly housing. There was discussion concerning who would take the owner to court if there was a violation; a cease and desist could be issued. Mr. Glines stated that this is a major issue to the abutters and that they have had numerous discussions about this issue. This is low-income elderly housing and they are concerned about it.

Mr. Glines spoke about the density and the “out of character” with the neighborhood; he submitted a petition with 33 neighbors names representing 19 parcels of land. He mentioned M. Guldbrandsen comments about the Route 140 neighborhood, and pointed out that in the past, it was not unusual for people in rural areas to see each other infrequently and most often when there were problems. This neighborhood has seen a problem, come together, and signed a petition to the Planning Board. T. Hoopes stated that they have read and understand what they are talking about. He spoke about the fact that zoning allows them to use the land exactly as they are suggesting, and the fact that the neighbors are petitioning brings the concerns of the neighbors to the board's attention; most of the meeting has been spent addressing those issues. T. Hoopes pointed out that this is not the only case they have to hear; there are 8 others on the agenda for tonight. The Board understands, both from the petition and from past discussions, what the neighbors' concerns are. The Board needs to discuss between themselves the density issues.

Mr. Glines spoke about the buffering issue and the statement that it would not be an issue for his property. He pointed out that he burns wood and had already begun to cut trees for firewood the property abutting this development; if he wants to retain his buffer, he can't use those trees. Mr. Glines mentioned that at a previous meeting the applicant had claimed that there is a two year waiting list for elderly housing at Prospect View; he has since found out that not only is there no waiting list, there are two empty units, and the Gilman Home is empty. T. Hoopes answered that that is not part of their territory; if the developer meets all the requirements of the development, whether or not he can sell them is of no concern to the Board. R. Glines said that he understands that, but that the concept that elderly housing is needed in Alton is not a fact. T. Hoopes pointed out that there are many people who are forced by rising costs to sell, but there is no place for them to stay in town. R. Glines stated that he understands that R. Heath can do whatever he wants with his land, but he feels that the proposed use is out of character with the neighborhood and that some of the information given in support of the project in a conceptual sense is no longer correct. T. Hoopes stated that no vote has been taken, and until there is a vote, he will have no idea where people are headed.

Bob Bergeron, an abutter at 170 Frank C. Gilman Highway spoke about the density issue and the possible impact. He spoke about M. Guldbrandsen comments as to whether houses this far apart constitutes a neighborhood; it is the character of the rural residential neighborhood that is in question. The fact that the 4 units per acre is being maintained is not the issue; the issue is whether it maintains the character of a rural residential neighborhood. Does it provide for the outdoor experience that is part of the rural residential neighborhood – hunting, hiking, snowmobiling, etc? His property is used by many people who snowmobile and hike; the proposed development is completely out of character with those uses, as well as for hunting. He doesn't expect this applicant to be turned down, but feels that the 4 units per acre had a smaller lot in mind. His property could support 2,000 units. This development could be half the number of units, with future needs to be addressed at different locations, and if the board does not give fewer units consideration it would be as if they had never showed up. He asked B. Dunbar for clarification of the tree buffer – that it would not involve the existing trees, but would be additional. He also asked about the drainage plan; the third plan, which has been submitted, shows the drainage plan with the pond. Plans are available any time in the front office.

Public input was closed at this time.

M Goldbrandsen spoke about cluster development and the possible open space benefit to the town and that keeping these units together is of greater benefit than scattering 8 unit blocks throughout the town. She emphasized the 400' setback and the outdoor experience of the abutters and the residents of the development. She spoke about the misleading nature of the petition; this is not low-income housing, but elderly housing that can qualify for a section 8 voucher. The abutters can do whatever they like on their property unimpacted by this development. They are following the ordinances set by the town. T. Hoopes stated that in the future they may have to relook at how the size of the lot is determined and ordinances governing these things. S. Penney pointed out that zoning is evolutionary in nature.

T. Hoopes asked that consideration be given to a continuance because he felt that there should be a greater density of board members present to vote; he is not sure a vote would be positive at this point. R. Heath pointed out that they have met every requirement placed on them and fine-tuning to get to this point. It is a solid project that has met every requirement. There was discussion of how many votes it would take to pass – there would need to be a majority of the quorum. Concerns were voiced about waiting for more board members to be present.

After discussion, a continuance until Monday, July 21, 2008 at 5:00 p.m. for Case #P08-08 was motioned by W. Curtin and seconded by B. Dunbar, notice being given at this time. Vote was unanimous. Rain date would be Tuesday, July 22, 2008.

S. Williams rejoined the panel and requested presentation by Byrne Development; this is a continuation of Case #P08-07, a subdivision on Route 28A. Brad addressed comments concerning clarifications to the plans; changes have been made and Farmhouse Engineering is satisfied with the review. Farmhouse has not seen the cost estimates; Brad will get that to them. Tom asked about the wetlands issue with the double driveway crossing – Brad answered that they have been submitted but he has not heard back from Jocelyn (?) yet. Particulars of the culvert were discussed – it will go from bank to bank and have an open bottom. The size of the culvert will be 5 feet wide, 3 feet high. The bottom of the footing is 4' below ground. The length is 40 feet. Question was asked about putting driveway culverts in at the time of construction. Pipe will be 15" and will not be put in during the road construction, but after. T. Hoopes asked about runoff and erosion issues during construction. B. Jones stated that it is not above 28A and that there are erosion control measures on the plan and that it will be monitored.

S. Penney clarified that there are some issues still being addressed; B. Jones stated that all have been answered and revised and that he will leave a copy of the letter with them tonight.

S. Williams opened the floor to public input. There was none at this time.

B. Jones requested a conditional approval, stating that they are still awaiting the wetlands permit and the state subdivision permit.

T. Hoopes made a motion to approve Case P08-07 conditional on the following:

- 1 – Copy of necessary federal, state, and local permits must be received by the planning department and permit numbers must be noted prior to plan signing.**
- 2 - Note must be added to the plat prior to signing stating that best management practices must be utilized during any timber cutting on the site.**
- 3 – Note must be added to the plat stating that all erosion control measures must be in place prior to any soil disturbance including stump removal.**
- 4 – Notes must be removed and all monumentation must be set prior to plan signing.**
- 5 – Trees along the boundary of the 25 foot wetlands buffer are to be flagged on the plat and on the field approximately every 25 feet with markers identifying them as wetlands buffer. The types of all proposed signage must be reviewed and approved by the Planning Board. Where trees have been removed or do not exist the wetlands buffer will be flagged with metal fence posts displaying the markers, which should be affixed to the posts with bolts. This is to be completed prior to plan signing and certified by the surveyor who stamps the plat.**
- 6 – This subdivision plan contains a total of 21 sheets to be recorded, numbers to be determined.**
- 7 – Homeowners' Association agreement would have to provide for maintenance of roads, drainage structures, until such time as the town is petitioned to take possession, language to be approved by the town counsel prior to plan signing.**
- 8 – Due to the number of lots and the length of the roadway and the distance from the central fire station, either a cistern or other type of fire protection water should be considered, the location and type of fire protection will have to be approved by the fire department.**
- 9 – Certificate of organization for the Homeowners' Association to be filed with the New Hampshire Secretary of State's office.**
- 10 – A copy of the certificate and proof of filing will be provided to the Planning Department prior to plan signing.**

11 – Security in the form cash or a letter of credit with self calling features, language to be approved by Town Counsel will be submitted to the planning department for the installation and maintenance of the cisterns and retention ponds and associated drainage prior to plan signing with the amount to be determined by the town’s review engineer.

12 – Security in the form of cash or a letter of credit with self calling features, language to be approved by Town Counsel must be submitted to the Planning Department for the construction of roads prior to plan signing wit the amount to be determined by the town’s review engineer.

13 – An amount necessary for road construction, cistern construction, or other necessary construction inspections must be placed in escrow prior to plan signing, amount to be determined by the town’s review engineer.

14 – Pre-construction meeting for all subdivisions with interior roads and other construction activities needing inspections to be arranged between the town engineer, the applicant, and his/her developer and the planning department and others the Board may deem necessary prior to excavation and timber cutting during which time the applicant and his agent together with the town engineer shall determine a construction/inspection schedule.

15 – As-built plans for roads and final engineering inspections must be completed and all boundary points to be set prior to the release of the security of the roads and associated drainage.

Motion was seconded by W. Curtin. There was no further discussion. Vote unanimously in favor.

VII. Public Hearings

Case #P08-17

Map 8 Lot 24-1 and 26

Boundary Line Adjustment

Nancy P. Nordberg

Frank C. Gilman Highway

S. Williams introduced the Nordberg case numbered P08-17. S. Penney reminded the Board that they had seen this case before, but due to an error in the application, it was erroneously listed as being in the rural zone. It is rural residential, so it does meet the zoning size criteria for the boundary line adjustment the applicant is looking for. As an aside, she mentioned that there is a lot of confusion concerning RR and RU. The planner report is superseded to today’s date. This is a simple boundary line adjustment; Michael Bemis of Steven Smith and Associates is here to represent the Nordberg’s. This is the first public hearing; the previous meeting is being considered a conceptual. B. Dunbar disclosed that Mr. Bemis has done work for her in the past, but they have no current projects.

Mr. Bemis stated that there are no waivers requested. S. Penney noted the correction to the original application changing from rural to rural residential and changing a typographical error concerning the route designation of Frank C. Gilman from Route 104 to Route 140.

T. Hoopes made a motion that application P08-17 is complete and should be accepted. W. Curtin seconded the motion. Passed in the affirmative.

Mr. Bemis addressed the corrections to the application as previously addressed by S. Penney. Boundary setback lines on the plot have been corrected. Lot 8-26 is owned by Nancy Nordberg; parcel 8-24 is the parcel with the existing home and buildings. The proposal is to take 7.2 acres from the larger lot, which is all backland, and joining it with the smaller lot. The lot does have the correct road frontage and all standards for lots are met. There were three waivers asked for initially; the soils lines are on the plan and the four types are shown on the plan; the wetlands are shown on the plans; the topo shows that there is a minimum of two acres of buildable land.

Mr. Bemis asked for an approval conditional on setting the new lot corners and providing the updated plans. Peter Shower of Shower Environmental Services is the wetlands engineer who looked at this. His stamp will have to be on the plans.

S. Williams opened the floor to public input. R. Messier asked to view the plan, but made no comment. Public input was closed.

T. Hoppes made a motion to approve Case P08-17 as described with the condition that the wetlands stamp has to appear on the plan. T. Roy seconded and motion passed by unanimous vote.

**Case #P08-22
John Matarozzo**

Map 9, Lot 6

**Subdivision
Route 28**

S. Williams introduced Case P08-22, John Matarozzo, Map 9, Lot 6. S. Penney stated that this case was predicated on a variance granted by the ZBA for a light industrial manufacturing facility.

B. Dunbar disclosed that John Matarozzo has worked for her in the past, but not in the last year; S. Williams made a similar disclosure. S. Williams asked if the application is complete; S. Penney answered that it is very straightforward and meets all the setback criteria. Wetlands have been delineated; driveway configuration including adequate sight distance will be required. NHEC is adjacent, so this will be low impact.

T. Hoopes made a motion to accept Case P08-22 as complete; seconded by T. Roy and passed unanimously.

Randy Tetreau of Norway Plains on behalf of the applicant, John Matarozzo paraphrased his narrative – lot is in the rural zone. They want to subdivide out a 5 ½-acre parcel out of the 23-acre parcel. This has gone to the ZBA because of the light industrial use proposed. Lot is currently undeveloped and is serviced by wells and septics. Access is on Route 28. Parcel was preliminarily surveys and mapped in the early 90's for a mobile home park.

Mr. Tetreau is asking for a conditional approval tonight; there are no waivers requested and all the site feature info is in. Accesses to and drainage of the site were discussed. There are three existing driveway cuts; one of them has better sight distance. The reason for a conditional approval is because there haven't been finite plans drawn of the crossing until they determine exactly what use size of the driveway, size of the access road is going to be. Once that has been determined, they can get the wetlands permit for that particular use as well as the DOT permit for that particular use. Any approval by the board tonight would be conditional on those two things.

S. Penney asked for clarification on the past use as a trailer park; there were several trailers there with plans for more, but it never happened. She asked if there were any drywell septics there; there were not. There was further discussion of the past trailer issues. S. Williams mentioned a well that is capped off and not part of the proposed five acres, according to Mr. Tetreau. There was discussion of whether this is amenable to NH Electric and the person wanting the 5-acre parcel.

S. Williams opened the floor to public input. There was none at this time.

T. Hoopes made a motion to accept Case P08-22 with conditions; seconded by W. Curtin, passed in the affirmative.

**Case #P08-23
Benjamin Finnegan**

Map 6 Lot 37-8 & 37-15

**Boundary Line Adjustment
Dobbins Way**

S. Penney clarified a clerical error stating that this is for Lots 37-8 and 37-15. This is a lot adjustment submitted by Norway Plains survey on behalf of Mr. Benjamin Finnegan. The application is complete. S. Williams asked if there are any waivers; natural culture and features, soils, elevations, and wetlands. T. Hoopes asked about the wetlands waiver as this is the wettest part of the lot. Sharon clarified that this is a brand new subdivision with a boundary adjustment request.

T. Hoopes made a motion to accept application #P08-23 as complete with requested waivers which are 7.2.23, Natural Cultural Features; 7.2.24, Soils; 7.2.27, Elevations; and 7.2.33, Wetlands. W. Curtin seconded the motion which passed in the affirmative.

Mr. Randy Tetreau is representing Norway Plains. This is a retracement survey of a plan originally done by a surveyor now retired. Dave Fuller is representing Fairview Partners or Dobbins Way Association. They had someone to purchase the property who did not want the whole acreage. This is taking 10 acres away from the big piece and adding it to Lot 8 on the cul-de-sac. T. Hoopes pointed out that they now both have enough left for current use; one lot is 14 ½ acres and the other is 15 ½. These lots are serviced by onsite wells and septic systems. The frontage is off Valley Road. Lot 8 will eventually be off Dobbins Way. Neither lot needs any state approvals. There is no need for conditional approval. Question was asked about drainage easements; he would like to see wetlands added because anyone looking at it should know that there is a wetland on the property. S. Williams suggested a note on the new plan referencing the original subdivision plan because that plan is already recorded. Mr. Tetreau agreed.

S. Williams opened to public input; there was none.

T. Hoopes made a motion to approve Case P08-23, Benjamin Finnegan, on the boundary line adjustment, the only requirement being that a note be placed on the plat is to be added a note referring to the original subdivision plan showing the wetlands. Motion was seconded by T. Roy and passed unanimously.

**Case #P08-24
Roberts Cove Inc. & Brenda
Boudrow**

Map 19 Lot 8-1

**Boundary Line Adjustment
Roberts Cove Rd & Route 28**

S. Williams introduced Case #P08-24. S. Penney made a clerical error correction to the map and lot number as printed in the agenda. She also stated that the application is complete.

W. Curtin made a motion to accept Case #P08-24 as complete. Motion was seconded by T. Hoopes and passed unanimously.

B. Dunbar disclosed that she has done work with George Chrisenton in the past. Mr. Chrisenton asked for a waiver on the scale of the drawing, the wetland, and the contours. He pointed out that this is the site where the house burned down last spring and she is going to rebuild on the lot as it was originally designed. The addition of .34 acres would bring the size of the lot to 1.27 acres; the land is being added from Roberts Cove Inc.

T. Hoopes made a motion to accept Case P08-24 with waivers 7.2.6, 7.2.27 and 7.2.33. Seconded by T. Roy. Vote was unanimous.

S. Williams opened the floor to public input. There was none.

S. Penney noted that this creates a new lot of record, so the setback is going to be 20 feet rather than 10 feet.

T. Hoopes made a motion to approve Case P08-24, boundary line adjustment and record on the plat a note that boundary sideline setbacks are as of 2008. W. Curtin seconded the motion, which passed unanimously.

**Case #P08-25
Carla Bickford and Laurence
Hallin**

Map 38, Lot 55-1

**Condo Conversion
Site/Subdivision
Mount Major Highway**

S. Williams introduced Case P08-25, Map 38 Lot 55-1. S. Penney stated that the application is complete and there are no waivers. There is need for clerical/graphic rewrite to allow for signature blocks on the plats.

T. Hoopes made a motion to accept case P08-25 as complete. W. Curtin seconded the motion, which passed unanimously.

Steve Smith of Steve Smith and Associates, representing Carla Bickford and Laurence Hallin, owners of Lake Rim. Map 38 Lot 55-1 is in the lakeshore residential zone. Lot contains 31,118 sq. ft.; it is .71 acres and has 323 feet of frontage on Mount Major Highway and a little over 300 feet of shoreline. Currently consists of five year round residential units; unit 1 & 2 is duplex 1 bedroom each, unit 3 is a single unit 1 bedroom, unit 4 is a single unit 2 bedroom and unit 5 is a single unit 1 bedroom. There are five docks on the site and a beach area. Units four and five are serviced by an approved sewage disposal system approved in June of 1997. Units 1, 2, and 3 are currently serviced by drywells; a new system has been designed for these units; it has been reviewed and approved by NHDES. State subdivision approval has been secured for this requested condo; project is supported by a community well, which services the site as well as an abutter to the north. A shoreland protection waiver has been secured with the condition that the new septic system be installed. There is a 15-foot shoreland buffer showing on the plan. The plan also shows a portion along that lake that is in the flood zone. He feels that he has obtained all the state approvals necessary for the project. He has an application for both site plan and subdivision; he has submitted an existing conditions plan, the site plan, the subdivision plan, the floor plan, and the condominium declarations, which will need to be reviewed and approved by Town Counsel. They are requesting approval subject to that approval by Town Counsel. There is no proposal for any changes other than the septic system. There is a condition of the state approval that there can be no expansion of the units.

There was discussion of the septic design and the fact that the size of the units cannot be changed. The capacity of the septic system was discussed and the fact that the development cannot be expanded. This is a requirement of the state approval. S. Penney questioned the generic nature of the floor plan. Mr. Smith noted that this is how condo units are; there is no requirement to show the interior room configurations. The fire chief is asking for a firewall between units one and two. S. Penney asked if there are going to be any limited common areas delineated. 2 parking spaces and a boat dock per unit are limited common areas; the sundeck is a common area. Units cannot be rented separately from the slips. S. Penney noted that there are a fair amount of easements. Fire chief is asking for improvement of the gravel driveway; Mr. Smith noted that this is planned. Other plan notes were mentioned. Impervious nature cannot be changed. It was suggested that no changes to the terrain should be put in the agreement and needs to meet the shore land protection. Mr. Smith suggested that he can reference the shoreland variance on the plan.

S. Williams opened the floor to public input. A neighbor from across the street, David Anson, voiced a concern about parking; when the renters are having parties he and his neighbor have to ask them to move out of their parking. He also asked about whether they are going to be weekly rental units. There was discussion about how many units may be rented; the answer was that they all can. The issue of parking was addressed; the police can be called if there is a parking violation.

S. Williams close the public input.

B. Dunbar asked about the documents being approved by the town attorney; that would be a condition of approval. S. Ames asked for clarification concerning the fire chief's request to repair the gravel driveway. The firewall between the two units will not be a requirement; the owners will repair the existing driveway.

T. Hoopes made a motion to conditionally approve Case P08-25; a copy of federal, state and or local permits to be received and permit numbers added in a note on the plat prior to plan signing. The following notes should be added to the plat prior to plan signing: This subdivision contains a total of two sheets which in its entirety constitutes the subdivision plan as approved by the Planning Board of the Town of Alton, sheets numbered 1 through 2 are recorded at Belknap County Registry of Deeds. The remaining sheets are on file at the Town of Alton Planning Department. The following note should be added to the plat prior to plan signing: Subject to the conditions of approval itemized in the July 15, 2008 notice of decision on file with the Town of Alton Planning Department. Approval is based on the plans, specifications, and testimonies submitted to the Planning Board. Any alterations, additions, or changes to the plans are not authorized and require additional Planning Board approval. Declaration of condominium language shall be reviewed and approved by Town Counsel. The upgrade of the gravel driveway must be completed prior to planning board approval. T. Roy seconded the motion, which passed unanimously.

VIII. NEW BUSINESS

a. UPCOMING WORKSHOP

C. Balcius would like to have a work session on Monday, July 21, 2008 at 6:00 p.m. with the Heath continuance preceding it at 5:00 p.m.

b. RIDGEWOOD SUBDIVISION

S. Penney mentioned that she had met earlier with Pete Julliard. Belknap County Conservation is out of the picture; Farmhouse Land Development is in. Their previous approval was January 7, 2007; by the time they got all their permits in, it is 18 months later. She has a letter from Tom Selling representing Rick Lundy to get an extension of the project completion date and the approval time. An additional one-year approval to July 2009 is requested.

W. Curtin made a motion to approve a 1-year extension seconded by T. Hoopes; vote was unanimous in the affirmative.

Peter Julia, the town engineer was in the employ of Brown Engineering at the time the engineering was done on this project. He was not the engineer of record, but he did work on the project. This is a direct conflict of interest, so FSC should be used as the engineer.

T. Roy asked if the bond should be reviewed when extensions are given. S. Penney thought that was a good point with prices rising so sharply.

Motion was made by W. Curtin and seconded by T. Roy to pay a \$135 bill to Farmhouse. Motion passed unanimously.

IX. CORRESPONDENCE

There was discussion concerning the cistern issue; S. Williams wants to get this out and done; C. Balcius wants to wait until the work session. S. Williams said he has been waiting since February 8, and he feels that this should be more timely. T. Hoopes stated that the concept of having water available is a good idea; however, they were working under the concept that this was an NFPA guideline. B. Dunbar said she thought the design in each subdivision was ugly and that it was inaccessible a good part of the time; there was no ordinance describing how it should be done, where it should be done, etc. There was the beginning of some input from the board in the master plan, but that's as far as it got. She does not feel that a cistern should not be tacked on to every single subdivision that comes through without looking at the overall plan, and that it places an undue burden on people to do this. She is for removing the cistern conditions from the approvals. Bring each one back and amend it.

B. Curtin made a motion to remove the cistern requirement from Case P04-18; seconded by B. Dunbar.

S. Penney suggested that there had to be some type of fire protection in place. There was discussion as to what this should be. Cisterns came out of the blue and got attached to every subdivision.

Vote was unanimous, with SW and TR abstaining.

B. Curtin made a motion to remove the cistern requirement from P06-10 seconded by B. Dunbar. Vote was unanimous with SW abstaining.

B. Curtin made a motion to remove the cistern requirement from P07-35; B. Dunbar seconded. Vote was unanimous with SW abstaining.

S. Williams made a motion to remove the cistern requirement from P06-57; B. Dunbar seconded. Vote was unanimous with BC abstaining.

There was discussion concerning the notification of the case holders.

B. Curtin made a motion to grant an extension of 1 year to Case P07-35 and P04-18. T. Hoppes seconded. The vote was unanimous with an abstention by SW.

S. Ames brought up the Winona Houle. She requested a motion to close the Schaeffner account for cistern maintenance and replace it with Bolinger check for \$2,800.

S. Williams made a motion seconded by T. Hoopes to close the Schaeffner account and replace it with the check from Mr. Bolinger. Vote was unanimous with an abstention from T. R.

S. Ames asked about the bond establishment from Farmhouse for Dobbins Brook; confirmation is in from Ken. She is asking if they are all set to go – answer from the Board is affirmative.

X. ADJOURNMENT

MOTION:

S. Williams motioned to adjourn and T. Hoopes seconded the motion. The motion passed by unanimous vote.

The meeting adjourned at 10:40 PM.

Respectfully Submitted,

Mary Tetreau
Acting Recorder, Public Session