

**TOWN OF ALTON PLANNING BOARD
PUBLIC HEARING
Tuesday, July 18, 2023, at 6:00 P.M.
Alton Town Hall**

MEMBERS PRESENT

- Andrew Carter, Chair
- Roger Sample, Vice Chair
- William O’Neil, Clerk
- Scott Williams, Member
- Nick Buonopane, Board of Selectman Representative
- Tom Diveny, Alternate Member
- Christine O’Brien, Alternate Member

OTHERS PRESENT

- Jessica Call, Town Planner
- Robin McClain, Planning Assistant
- Brian Hobbs, Vice President of Society for the Protection of New Hampshire Forests
- Dennis McKenney, SPNHF and NH DOT
- Bob Strobel
- David Slade, abutter
- Christy Painchaud, applicant
- Bill Hollway, representative
- Sean Sicard, applicant
- Jeff Aleva, Civil Consultants
- Keith Babb, Green Oaks Realty and Development, applicant
- Steve Mickey, Maxam North America

CALL TO ORDER

Chair Carter called the meeting to order at 6:00 PM.

Chair Carter appointed Ms. O’Brien and Mr. Diveny to sit on the Board as full members for this meeting.

Review of the Agenda

Ms. Call added under Other Business: discussion regarding Case P06-57, High Groves Subdivision, conditions of approval.

Mr. Williams motioned to approve the agenda as amended. Mr. O’Neil seconded the motion. Motion passed unanimously.

1. Continuation of Public Hearing from June 20, 2023

Case #P23-14 Dennis McKenney, LLS, of NEFCo, Inc., Agent for NHDOT & SPNHF, Owners	Map 17 Lot 3 Mt Major Highway at Hiking Trailhead	Lot Line Adjustment Rural (RU) Zone
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42 *Proposal: To adjust lot lines for two (2) lots of record by transferring 25.4AC from NHDOT*
43 *property to Lot 3, which would increase the acreage from 71.61AC to 97.01AC.*

44
45 Chair Carter stated at the last meeting of June 20, additional information was requested by the
46 Board and all those items have been addressed. It was confirmed the plans presented reflect the
47 changes. Chair Carter noted waiver requests were also denied at the June 20 meeting with the
48 exception of showing the minimum contiguous upland of the area.

49
50 Dennis McKenney, SPNHF and NH DOT, confirmed the soil types are now on the plans along
51 with acreage and percentage of lot associated with each type; there is also a drainage plot, and
52 slope designations.

53
54 Mr. Williams noted it should be referred to as Mount Major Parking Lot and not Mount Major
55 Park as that is a location at Rogers and Lena Lane.

56
57 Chair Carter recommended they petition the Board of Selectmen for the road name. The Board
58 agreed.

59
60 Chair Carter confirmed the department reviews had no comments or concerns; sample deeds
61 have been submitted and it was confirmed there is no existing mortgage on the property.

62
63 Chair Carter opened the hearing to input from the public. None was indicated.

64
65 **MOTION: To approve Case #P23-14 for the New Hampshire DOT and Society for the**
66 **Protection of New Hampshire Forests, lot line adjustment located at Map 17, Lot 3 with**
67 **conditions precedent, of submission of revised plans in the number required of the**
68 **subdivision regulations by complete sets as well as correction of the sheet numbering.**
69 **Conditions subsequent as listed. Motion by Chair Carter. Second by Mr. O’Neil. Motion**
70 **passed unanimously.**

71
72 **2. Completeness Review of Application and Public Hearing if Application is Accepted as**
73 **Complete**

Case #P23-15 Bill Hollway, Agent for Sean Sicard	Map 12 Lot 16 NH Route 28/Wolfeboro Rd	Minor Site Plan Residential Rural (RR) Zone
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74 *Proposal: Application for Contractor Yard.*

75
76 The Board reviewed the application for completeness. Ms. Call stated there were no waiver
77 requests.

78
79 **MOTION: To accept the application for Case #P23-15 as complete. Motion by Chair**
80 **Carter. Second by Mr. Williams. Motion passed unanimously.**

81
82 Mr. Sicard stated there is just an open lot currently and they plan to start with a single storage
83 building. The business will be a maintenance and storage yard for their barge company on the
84 lake. He stated the logs and millings are personal hobby items. Mr. Sicard stated the storage

85 container is for secure storage; there are no gas or oil containers as it is only a place to park
86 trucks at night. It was confirmed that nothing can be seen from the road.

87
88 Ms. Call noted there is a discrepancy in the acreage; the deed indicates 6.4 acres while the Town
89 tax card lists it as 9 acres; further research will be needed for clarification.

90
91 Chair Carter asked if there would be any retail business or customers coming and going. Mr.
92 Sicard stated they have docks delivered about once a month but that is all and there is no retail
93 business.

94
95 Chair Carter confirmed the Zoning Board of Adjustment approved the plans on May 5, 2022.

96
97 Chair Carter confirmed the Fire Department had no comments or concerns; neither did the
98 Conservation Commission.

99
100 Chair Carter asked if there are plans for sewer and waste management. Mr. Sicard stated there
101 are no plans although there is an expired plan from 2018 on file. He also confirmed a permit was
102 received from New Hampshire Department of Transportation for the driveway in September
103 2007. Ms. Call stated that the permit was for access to two wooded lots so the NH DOT
104 driveway permit will need to be amended to run the business.

105
106 Chair Carter stated any lighting that is installed needs to be within the Dark Sky Ordinance, with
107 lights pointing down and under 3000K however since there is no public use, lighting isn't
108 required. It was noted there is adequate space for snow storage; the hours of operation will be
109 7:00 AM to 4:00 PM, Monday through Friday.

110
111 It was confirmed there is adequate power available at Route 28. Chair Carter noted there is a sign
112 indicated on the plans and explained it will need to abide by the size regulations.

113
114 The Board agreed the threshold for substantial development has been met: the driveway is in
115 place, and the building site is prepared.

116
117 Ms. Call noted the proposal includes two buildings. Mr. Sicard explained he was advised by Mr.
118 Dever to just give a building size at this time and specifications weren't needed at this time. The
119 Board agreed that when the time comes, Mr. Sicard will come back to the Board with more
120 detailed plans.

121
122 Chair Carter opened the hearing to input from the public. None was indicated.

123
124 **MOTION: To approve Case #P23-15 for the Contractors Yard, with conditions precedent,**
125 **and subsequent conditions, and active and substantial development has been met. Motion**
126 **by Mr. Williams. Second by Mr. Buonopane. Motion passed unanimously.**

127
128

Case #P23-17	Map 54 Lots 29 & 30 12 Lantana Ln &	Lot Line Adjustment
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<p>Norway Plains Associates, Inc, Agent for Lois Warner and Bernard & Elizabeth Lucontoni, Owners</p>	<p>74 Roger St</p>	<p>Lakeshore Residential (LR) Zone</p>
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129 *Proposal: To adjust lot lines for two (2) lots of record, with Lot 29 adjusted from 0.724AC to*
 130 *0.699AC, and Lot 30 adjusted from 0.29AC to 0.32AC.*

131
 132 Ms. Call stated an email was received from Steve Oles with Norway Plains and the applicants
 133 want to withdraw from the application with prejudice; there were multiple variances the
 134 applicants went to the Zoning Board of Adjustment as well as equitable waivers. She stated the
 135 applicants requested a return of the application fees; she stated the Town has already paid for the
 136 abutter notices and newspaper costs and did not find any information indicating refunds are not
 137 allowed with subdivision applications. Ms. Call stated it would be the decision of the Board to
 138 refund the fees collected. She confirmed she has already reviewed the plans, mailings have been
 139 done, along with reviews by department heads.

140
 141 **MOTION: To deny the refund request for Case #P23-17 application. Motion by Chair**
 142 **Carter. Second by Mr. Buonopane. Motion passed unanimously.**

143

<p>Case #P23-18 Careno Construction Company, LLC, Agent for Camp Brookwoods/ Christian Camps & Conference Inc.</p>	<p>Map 18 Lot 15 34 Camp Brookwoods Rd</p>	<p>Final Major Site Plan Lakeshore Residential (LR) Zone</p>
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144 *Proposal: To build an 11,624SF multi-use facility building.*

145
 146 The Board reviewed the application for completeness. Ms. Call noted the drainage report has not
 147 been received.

148
 149 Jeff Aleva, Civil Consultants, stated emails came in later with the Town Engineer on the
 150 drainage design, noting the building square footage has been slightly reduced so with the
 151 reduction of impervious coverage, no further revisions to the drainage plans are needed. Mr.
 152 Aleva stated they are working with NH DES for the septic design; the test pits are completed.
 153 They are waiting until they have the final fixture count inside the building to complete the septic
 154 design.

155
 156 **MOTION: To accept the application for Case #P23-18 as complete. Motion by Mr. O’Neil.**
 157 **Second by Mr. Williams. Motion passed unanimously.**

158
 159 The Board reviewed the plans presented. It was noted the Fire Department review indicates a
 160 concern with the occupancy being over 300 people which requires a sprinkler system. The
 161 applicant explained they are working with an architect and fire engineer to prove the plans
 162 submitted show the occupancy load will not be 300 people. It was confirmed the access around
 163 the building has been addressed with the Fire department to ensure adequate space for moving
 164 around the building. The Board made recommendations for improving the access areas around

165 the buildings and near the slopes; installation of a gate was also suggested. It was also confirmed
 166 there would be ADA compliance access.

167
 168 Chair Carter stated he is concerned about construction noise disturbing neighbors. It was noted
 169 the proposed building is a mile away from the nearest home. The intent is to begin construction
 170 in September, which is often after many seasonal residents have left.

171
 172 The Board discussed substantial development requirements and agreed substantial completion
 173 would be obtaining a Certificate of Occupancy.

174
 175 Chair Carter opened the hearing to input from the public.

176
 177 David Slade, owner and manager of Jolly Holdings LLC which owns 23 acres abutting this
 178 property; he stated he is entirely supportive of the project and isn't concerned about the noise.

179
 180 Chair Carter stated an email was received from Bonny Sweeney, expressing her support as a
 181 neighbor of Camp Brookwoods.

182
 183 **MOTION: To approve the plan for Case #23-18 as presented, with conditions subsequent**
 184 **and precedent; also a Knox Box to be installed on the building and a gate with a Knox Box**
 185 **is recommended but not required. Subject to Fire Department approval regarding the**
 186 **occupancy calculations and fire suppression and a NH DES Septic System approval.**
 187 **Motion by Mr. Williams. Second by Mr. Buonopane. Motion passed unanimously.**

188
 189

<p>Case # P23-19 Christy Painchaud, Agent for Community Church of Alton, Owner</p>	<p>Map 27 Lot 28 Main St & Church St</p>	<p>Minor Site Plan Residential Commercial (RC) Zone</p>
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190 *Proposal: To have a weekly seasonal outdoor community (farmer's) market within a 12,477*
 191 *square foot area.*

192
 193 The Board reviewed the application for completeness.

194
 195 **MOTION: To accept the application for Case #P23-19 as complete. Motion by Mr. O'Neil.**
 196 **Second by Mr. Williams. Motion passed unanimously.**

197
 198 Christy Painchaud, Agent for Community Church of Alton, stated she is looking to bring
 199 together local farmer, entrepreneurs, artists for an outdoor market. She stated there is adequate
 200 parking and space at the church; she explained the church has agreed to allow the use of this
 201 space for this purpose. Ms. Painchaud confirmed insurance is required and liability waivers are
 202 signed with the vendors. The market runs on Wednesdays from June to October, 11:00 AM to
 203 3:00 PM. She stated up to 30 vendors could be accommodated, which includes two food trucks.
 204 All the vendors park in the overflow parking of the church on Church Street, leaving street
 205 parking for customers. Ms. Painchaud explained her goal is to keep the event on Wednesdays

206 however that could fluctuate, depending on dates that work for vendors in coordinating other
 207 markets.

208
 209 Chair Carter stated he would like further clarification on the number of attendees. Ms. Painchaud
 210 stated the market has only been operating for a month and she hasn't seen more than 150 over
 211 the time frame of operation. Ms. Call stated she hasn't observed any traffic or parking problems
 212 on Wednesdays. Chair Carter also suggested there needs to be adequate signage. The Board
 213 agreed there are no concerns about parking at this point as the event has been observed over the
 214 last month with no problems. No lighting is necessary as the hours of operation will be
 215 constrained by daylight hours.

216
 217 Chair Carter noted concerns were indicated by the Conservation Commission regarding
 218 stormwater and erosion control due to trampled grass affecting runoff. Mr. Williams stated this
 219 area has some of the best sand and gravel and water won't make it down the street to Mill Pond.
 220 The Board agreed these are not reasonable concerns.

221
 222 Chair Carter opened the hearing to input from the public. None was indicated.

223
 224 **MOTION: To approve the application for Case #P23-19 for Christy Painchaud, Agent for**
 225 **Community Church of Alton, The Market on Main, with conditions precedent and**
 226 **subsequent. Motion by Mr. Buonopane. Second by Mr. O'Neil. Motion passed**
 227 **unanimously.**

228
 229 **2. Conceptual Consultation**

<p>Case #P23-16 Maxam North America, Inc., Agent for Green Oak Realty Development, Owner</p>	<p>Map 5 Lot 72 398 Suncook Valley Rd</p>	<p>Conceptual Consultation Rural (RU) Zone</p>
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230 *Proposal: Storage and distribution site to service quarry and construction operations used in*
 231 *the blasting of rock.*

232
 233 Steve Mickey, Maxam North America, stated the company has operated in New Hampshire for
 234 over ten years, distributing explosives and services to quarries. He explained the company
 235 manufactures many kinds of explosives, mainly for blasting rocks and construction in New
 236 England. Mr. Mickey stated they provide bulk services to quarries from the location in Alton,
 237 with limited stock on-site for one to two weeks of work. He clarified they do no blasting; they
 238 only provide the materials, and the explosives would be transported to and from this location.
 239 Mr. Mickey stated there would be a silo for storage of the ammonium nitrate; there would also be
 240 a silo with a blended product that is manufactured at another facility. He explained these
 241 products are not explosive until put into a machine that goes into the ground. Mr. Mickey
 242 explained this is a highly regulated industry with oversight, inspections and permitting processes
 243 by the Bureau of Alcohol, Tobacco and Firearms; the State of New Hampshire Department of
 244 Safety and State Police. Mr. Mickey explained the security measures that will be in place. He
 245 explained the site distances required with ATF.

246
 247 The Board agreed a third-party review is necessary for this case.

248 Chair Carter asked how many trucks are anticipated to be coming and going in a day. Mr.
249 Mickey stated the plan is to have three trucks at the location, with one going in and out a day.
250

251 It was confirmed the proposal will not conflict with the New Hampshire Department of
252 Transportation driveway approval. It was also confirmed the Contractors Yard was approved for
253 this property. Ms. Call stated the Code Enforcement Officer is looking at this proposal as a
254 warehouse facility. She stated she also discussed the case with Town Counsel, who agreed this
255 type of operation would fit under the warehouse criteria. Mr. Buonopane stated this is very
256 different from gravel and materials storage; he stated they need more guidance for this case.
257 Chair Carter stated he believes it is feasible and agreed a professional review and third party
258 would be beneficial. Mr. Mickey stated his company is willing to work through this process as
259 needed; he agreed it will always be a dangerous product, but they have been in business for 130
260 years and can provide information as needed for the Board to be comfortable moving forward.
261

262 Mr. O’Neil agreed the proposal is feasible. Mr. Williams suggested talking with a town that has
263 another of the company’s facilities. Mr. Buonopane and Mr. Diveny agreed more information is
264 needed. The Board agreed by consensus that the proposal is not out of the question. It was also
265 agreed a Special Exception from the Zoning Board of Compliance would be necessary. It was
266 also agreed Ms. Call will try to facilitate a legal consultation with Town Counsel, the ZBA and
267 Planning Board, as well as a representative from ATF and State Police.
268

269
270 **Other Business:**

271 **1. Old Business:** Discussion re: Town Engineer Contracts

272 Ms. Call stated per the discussion at the last meeting, she has started the RFP process and
273 reached out to Ty and Bond to extend the contract for a few months; the counteroffer was to
274 extend the contract until the end of the year which will coincide with the expiration of the
275 contract with Mike Vignale. She will bring this back to the Board in September to begin the RFP
276 process. The Board agreed to an addendum to extend the current contract to December 31, 2023.
277

278 **2. New Business:** None.

279 **3. Approval of Minutes:** Planning Board Meeting minutes of June 20, 2023-
280

281 **MOTION: To approve the minutes as presented. Motion by Chair Carter. Second by Mr.**
282 **Buonopane. Motion passed unanimously.**
283

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

285 **a.** *Board to address the request dated 7/5/2023 to amend approval for: Case*
286 *#P18-04, JOBEAN, LLC – Ms. Call stated approval was granted January 15,*
287 *2019 and the thresholds put in place include completion of the redden-rock wall*
288 *and the building foundation. She explained that due to construction costs, the*
289 *applicant believes its going to take longer to complete the project and is*
290 *requesting the substantial completion be amended to be just the wall so he can*
291 *be vested from changes in ordinances and regulations.*

292 **MOTION: To accept the building of the block wall as a substantial completion of**
293 **improvements and vested in this project. Motion by Mr. Williams. Second by Mr.**
294 **Buonopane. Motion passed unanimously.**
295

296 Ms. Call stated the applicant also requested a three-year deadline for starting construction, which
297 is separate from being vested; three years would put the start deadline in January of 2027. Chair
298 Carter stated he is concerned about granting such a long extension. Mr. Williams stated it is not
299 uncommon for the Board to do so.
300

301 **MOTION: To grant the request for a three-year extension. Motion by Mr. Williams.**
302 **Second by Mr. Sample. Motion passed, 6-1-0.** Chair Carter opposed.
303

304 **b. Discussion regarding Case #P06-57, for Conditions of approval.**

305 Ms. Call presented a summary of the High Groves Subdivision case and conditions of approval
306 for review by the Board. She noted some conditions were not met but ultimately a plan was
307 signed and recorded. Ms. Call presented items she believes should be held to the developer to
308 complete. She stated there is no as-built plan on file and no review by the Town Engineer on file;
309 security should be required to cover the costs of the top coat and potential repairs to the road; an
310 escrow account should be set up as well. There are no subdivision documents in the file and
311 nothing appears to be recorded with the Registry of Deeds.
312

313 The Board agreed to have Ms. Call write a letter to the property owners to inform them of the
314 findings.
315

316 **5. Correspondence for the Board's information: None.**
317

318 **Any Other Business to Come Before the Board**

319 *1. Information update regarding the short-term rental permitting process* – Ms. Call is working
320 on developing an application for the permit process for review by the Board of Selectmen.
321

322 **Public Input on Non-Case-Specific Planning Issues**

323 None.
324

325 The meeting was adjourned at 9:42 PM.
326

327 Respectfully Submitted,

328 *Jennifer Riel*

329 Jennifer Riel, Recording Secretary