

APPROVED December 19, 2006

**Call to Order:** by Jeremy Dube-Chairman at 7:10 p.m.

**Members Present:** Jeremy Dube-Chairman, Tom Hoopes, Cris Blackstone-Selectman Representative, Jim Bureau-Alternate, Bonnie Dunbar-Alternate, Wally Keniston-Alternate, Monica Jerkins-Planning Assistant, Carolyn Schaeffner-Recording Secretary.

**Appointment of Alternates:** Bonnie Dunbar, Wally Keniston, Jim Bureau

**Approval of Minutes:** September 12, 2006; September 19, 2006

**Motion** by T. Hoopes to put off the approval of the minutes of September 12, 2006 and September 19, 2006 to October 19, 2006. Second by B. Dunbar. Discussion: W. Keniston noted changes marked now since he would not be at the October 19, 2006 meeting. Changes marked by Planning Assistant. No further discussion. Vote unanimous.

**Approval of Agenda:**

**The following cases have been requested by the applicant to be continued to the November meeting:**

<b>Case# P06-81</b>	<b>Map 2, Lot 23</b>	<b>2-Lot Subdivision</b>
<b>Richard Holmes, Trustee</b>		<b>Hollywood Beach Road</b>
<b>Holmes Land Trust</b>		

Continued from the September 21, 2006 hearing.

<b>Case#P06-70</b>	<b>Map 14, Lot 20</b>	<b>8-Lot Subdivision</b>
<b>Daniel A. Weldon, Trustee, C &amp; D Realty Trust</b>		<b>East Side Drive (Rte 28A)</b>

Continued from the September 19, 2006 hearing.

**Motion** by T. Hoopes to approve the agenda as amended. Second by C. Blackstone. No discussion. Vote unanimous.

**Public Input:** None seen or heard. Public input closed.

**Applications for Public Hearing:**

<b>Case# P06-90</b>	<b>Map 38, Lot 21-1</b>	<b>Site Plan Review</b>
<b>Stephen Bell</b>		<b>317 Mount Major Highway</b>

Application submitted by Stephen Bell for a site plan review of a proposed expansion of greenhouse space. The property is located within the Rural Zone.

Present for this case: Stephen Bell.

M. Jerkins reported there are waivers requested for this application and listed in the Planner Report. This is an as-built site plan recommended by Town Counsel.

The Board discussed and they do not have any issues with the request for waivers.

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**Motion** by T. Hoopes to accept the application for site plan review for case P06-90 and grant the waiver requests: 7.2.8, 7.2.13, 7.2.15, 7.2.19, 7.2.24, 7.2.33. Second by C. Blackstone. No discussion. Vote unanimous.

S. Bell stated he is looking to add 14 ft on to the back of the existing retail building, which will be 14x22. This is for a work area and storage.

J. Dube confirmed Mr. Bell's purpose for presenting this plan tonight.

M. Jerkins proposed addition will be on an existing concrete pad and that is the reason it is considered an as-built plan.

T. Hoopes questioned the areas for sales, and skirting the area from the road.

C. Blackstone feels all the buildings on the property have been an upgrade to the property.

S. Bell added that he has kept the property clean, left a lot of trees, landscaped.

J. Dube concerned with no set back line shown off the brook itself. Should be a 25ft set back. Asked if the wetlands go behind the brook.

S. Bell confirmed yes.

J. Dube sees an issue that the size of the wetland is not indicated.

S. Bell indicated on the map where the wetland area is located. Noted that it is marked incorrectly. Noted it is farther away from the creek and more toward the shed. It is marked on the original and on the plans distributed to the Board the edge of the wetland buffer is incorrect.

J. Dube asked if it would affect his future plans to plan for a 25 ft buffer.

S. Bell stated this would not be a problem.

J. Dube felt this would solve the question on area marked for the wetland.

T. Hoopes feels the set back should be indicated on the abutting property around the wetland.

S. Bell informed that Mr. McGuirk clear-cut to the property line. He replanted from his property line.

General Board discussion on the replanting from abutting property and also the good condition of Bell property.

J. Dube sees only a few changes to be made.

S. Bell noted the dumpster was marked by the trailer and is stored there after summer season. A pond was missed by the bark mulch sales area. "Concrete patio" should be changed to proposed addition.

J. Bureau asked if the concrete patio is already in and will it be in line with the building.

S. Bell confirmed yes, same roof line as well.

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**Motion** by T. Hoopes to approve case P06-90 with the following conditions:

1. Section 7.2.8 north arrow be dated.
2. Section 7.2.13 signature block be added for approval for signing.
3. Section 7.2.15 locust shows the tax map and lot number.
4. Section 7.2.19 US GS location be depicted.
5. Section 7.2.33 wetland demarcation line and 25 ft buffer be shown.
6. Change of location of dumpster.
7. Addition of second pond near sales area.
8. Show proposed addition on concrete pad.

Second by B. Dunbar.

Discussion:

Open to public input.

None seen or heard.

Closed public input.

Vote unanimous.

**Case# P06-87**

**Map 3, Lot 18**

**Amended Site Plan Review**

**Liberty Towers**

**Prospect Mountain Road**

Application submitted by Edward Onessimo on behalf of Liberty Towers for a proposed amendment to the previously approved site plan, requesting to modify the size and number of panel antennas as well as add a larger equipment shed. The property is located within the Rural Zone.

Present for this case: Peter Shear.

M. Jerkins noted a number of missing items listed on the Planning Report.

T. Hoopes asked about a letter from abutter and asked how much they can continue to add or subtract from this property before looking for another location since the town is operating under a new zoning ordinance.

**Motion** by B. Dunbar to accept the application for Case P06-87 as complete and grant the following waivers: 7.2.6, 7.2.9, 7.2.11, 7.2.13, 7.2.15, 7.2.17, 7.2.21, 7.2.24, and 7.2.33. Second by T. Hoopes. No discussion. Vote unanimous.

P. Shear noted the equipment in shelters is maxed out at this point. Current shelters are 6x10. Nextel equipment inside is maxed out at this point. They need to make room for more Nextel equipment that is needed and future Sprint equipment to be added. Because of the limits of the lease, area is only 16x15, where normally they are doing shelters 13x26 ft6 long. Replacing the 9 antennas with 12 antennas. These are for new frequencies that Nextel has been told to go to by the federal government. The newer antennas are a little smaller.

C. Blackstone asked about the change and a merger.

P. Shear noted the site is maxed out. This is for year-round use.

C. Blackstone asked about maintenance.

P. Shear note a technician checks about once a month.

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J. Bureau asked if new shelter will be maxed out.

P. Shear noted this new shed will max this area out.

Open to public input.

None seen or heard.

Closed public input.

M. Jerkins read a letter into the record from an abutter. From Robert Buchanan and he is against the expansion of any additional equipment to the property and wishes to voice his opinion through this letter.

J. Dube noted this is a replacement and is definitely grandfathered.

W. Keniston asked about the height of structures on property currently.

P. Shear shelter is approximately 11 ft high and the proposed is approx 14 ft high with peaked roof.

J. Bureau asked about the 6x10 shelter.

P. Shear noted it will be relocated during construction to keep the towers up and running.

J. Dube asked what the GPS antenna is for.

P. Shear noted all cellular technology runs off of GPS technology. It is about 4 inches round and normally hung off the side of the shelter or the side of the cable tray. Normally use two, a primary and a back-up.

**Motion** by T. Hoopes to approve case P06-87 with the waivers listed in acceptance. Second by C. Blackstone. No discussion. Vote unanimous.

**Case#P06-55**

**Map 5, Lot 42**

**3-Lot Subdivision**

**Robert Landry**

**127 Coffin Brook Road**

Continued from the September 21, 2006 hearing.

Present for this case: Robert Landry and Paul Zuzgo.

M. Jerkins distributed revised 11x17 copy of a plan that Mr. Zuzgo brought just before the meeting tonight that reflects the wording drafted by Attorney Sessler regarding a note that he would like to see on the plan with regards to the water test and also referred to a memo from her about that particular wording and the water test results itself.

T. Hoopes satisfied by the test and input by Attorney Sessler.

J. Dube noted the same.

Open to public input

None seen or heard.

Closed public input

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**Motion** by T. Hoopes to approve case P06-55 with the following conditions:

1. Standard erosion control be used at all times and in place before timber cutting or excavation.
2. All State, Local and Federal permits be obtained.

Second by C. Blackstone. Discussion: J. Bureau asked about the note for the water test. M. Jerkins noted the test just makes it Mr. Landry's responsibility to notify potential buyers. Vote unanimous.

**Case#P06-74**

**Map 8, Lots 5A & 7-1**

**9-Lot Subdivision**

**Gray Schoppmeyer Realty Trust & Dennis Gray**

**Frank C. Gilman Highway (NH Rte 140)**

Continued from the September 19, 2006 hearing.

Present for this case: Dennis Wyman and Karen O'Rourke.

D. Wyman noted plans have been cleaned up and described changes made from suggestions from the Board. Also referred to the existing wood road in the extreme right corner to lot 7. This will be continued to the proposed road.

Discussion regarding the woods road.

T.Hoopes referred to what Eric Ryder brought up about the road.

K. O'Rourke noted those slopes referred to a generally 4 to 1. The only place they use a 2 to 1 is where they are impacting the wetland buffer and put guardrail there. They have stabilized the slope. They have used a type of matting to stabilize the ditch with the 2 to 1 back slope. They have added stone in some of the ditches where they had a steeper profile grade.

M. Jerkins asked if any plans are outstanding that need to be addressed.

D. Wyman yes to added a revision date box and also add "Gray" to Dennis R.

Open to public input.

None seen or heard.

Closed public input.

8:20 p.m. 5 minute break.

8:25 p.m. Meeting reconvened.

**Motion** by T. Hoopes to approve case P06-74 with the following conditions:

1. Language for any of the easements to be approved by Town counsel.
2. Existing structures to be raised prior to construction of the road.
3. Needs new revision in revisions block.
4. Security in the form of a road bond or letter of credit supplied to the Planning Department at 110% of estimate.
5. Preconstruction meeting to be set by CMA and applicants.
6. All local, federal and state permits to be obtained.
7. Road names to be approved by the 911 Committee.

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8. Construction inspections to be completed by CMA. A schedule set at preconstruction meeting.

Second by C. Blackstone. Discussion. J. Dube asked the applicant if they have any questions on conditions. C. Blackstone commented and asked about subdivision name and are they purely the choice of the applicant and do not need to be approved. T. Hoopes stated he did not know. General discussion on 911 Road naming. Vote unanimous.

**Case#P06-69**

**Map 2, Lot 20**

**4-Lot Subdivision**

**RACO Development Corp**

**Prospect Mountain Road**

Continued from the September 19, 2006 hearing.

Present for this case: Vernon Dingman.

M. Jerkins noted speaking with Eric Reitter and he was still in the review process and is working with the applicants to resolve some issues so they are still in process.

J. Dube noted that since the review is not done the applicant must have some specific questions.

V. Dingman noted the review is actually done and they have addressed all the existing questions. There are a couple of items he met with Eric about today.

V. Dingman referred to Eric Reitter's letter of September 25, 2006 and one by one listed the changes they have addressed:

25 ft set back corrected (sheets 2-5).

25 ft wetlands buffer has been noted on the plans.

Variance issue on corner Lot for 2-20. This has been approved by the ZBA

Lot calculations have been added to the plans.

All the Engineering Company and his name and address have been added to the plans.

Certification has been added by NH standards and by a land surveyor.

Right of way marked and corrected.

Meets and bounds marked.

2 easements added (1. silt easement and 2. cistern easement with turnaround for fire department) narrative supplied.

list of environmental features – feels this is not essential and would like to discuss this requirement with the board.

Driveways and culverts have been added.

Proposed plans are stamped.

Total disturbance is 75,000 sq ft.

Traffic, environmental and fiscal studies. Feels these are non-essential – small project.

J. Dube stated feels these are applicable for this application.

Sheet one was never intended to be recorded. Sheets 2 and 3 are the recording sheets.

DES subdivision approval numbers have been added to the notes section.

Sheet 7 shows roads 20 feet wide with 2 foot shoulders.

Cistern was added as a separate entity, and will be sheet 8.

Discussion on length to width ratio on property.

Sheet 2 and 3 show the granite bounds and iron pins to be set.

Label typo error corrected on the one return radius on the cul de sac that noted at 25 ft on all pertinent sheets.

½ percent requirement on the very end section of the road. Originally was at 3/10 percent and upped to .5

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percent to meet the regulations.

Speed limit is non applicable.

4 to 1 slopes have been corrected.

Shoulder has been lessened.

Crush gravel filled to edge of pavement.

DOT spec added to sheet 7.

Sheets 4 and 5 give overall grading.

Sheet 6 shows engineer stamp.

Noted and discussed there is not a comment sheet from the Police Chief.

Previously noted sheet 6 and 7 note the utilities will be 6 ft beyond swale.

Driveways have been noted.

Warranty deed provided.

Ditch lines have been increased to 2 ft in depth and wider in width.

Road grading added to standard sheets 4 and 5.

Hay bales are temporary during construction and permanent stone check dams.

Location of all drainage has been added to sheet 6.

Proposed edge of pavement was added to sheets 4 and 5.

Additional stabilization has been added to sheet 6.

Right of way showing typical cross section corrected.

2 ft final grading has been added to sheets 4, 5, and 6.

“Minimal cut line” on sheets 4 and 5 changed to “proposed cut area”. This is where the only vegetation is to be disturbed.

Engineer to do a spec on the stone retaining wall going the first few hundred feet up on the one side.

M. Jerkins stated that a letter should be submitted to the Planning Department requesting to extend the deadline on the application.

Timothy Sheedy questioned asking for conditional approval.

B. Dunbar explained reservations on conditional approvals.

Open for public input

None seen or heard

Public input closed.

Letter from an abutter – J. Dube does not see the need for this to be read into the record.

**Motion** by T. Hoopes to continue case P06-69 to November 21, 2006. Second by B. Dunbar. No discussion. 4 in favor, 1 opposed.

**Case# P06-92**

**Map 9, Lot 53**

**32-Lot Subdivision**

**Alton Bay Camp Meeting Association**

**New Durham Road**

**Prospect Mountain Builders**

Application submitted by Jonathan S. Ring of Jones & Beach Engineers, Inc., on behalf of Prospect Mountain Builders, for a proposed 35-lot subdivision with interior roads. The property is within the Residential Rural Zone.

Present for this case: Jonathan Ring, Jeff Caley, Tracy Tarr, and John Ratigan.

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J. Dube had a question for the Planning Assistant on Length to width ratio and whether it would be handled after the application is accepted.

M. Jerkins confirmed that for acceptance you need to go by Chapter 7 of the Subdivision Regulations and Length to Width Ratio is in Chapter 9 and does not belong on the list. Noted Mr. Ring is working off of an old application he must have on file at his office.

J. Dube commented, with regard to the Planner Comments under Field and Plan review. Stated a Boundary Line Adjustment should be a separate application.

M. Jerkins noted that in discussing this situation with Attorney Sessler, in a case such as this, the Boundary Line Adjustment can be included, at the Board's discretion, with the Subdivision Application.

J. Dube stated it should be done one way for all cases.

**Motion** by T. Hoopes to accept the application for case P06-92 with the following waiver granted:

1. 7.2.2 Margins.

Second by B. Dunbar. J. Bureau asked if these plans are pre and post for the boundary line adjustment. T. Hoopes stated both and indicated visually. Vote unanimous.

J. Ring presented plan. Noting plan changes from Design Consultation: Combined Lot 28 and 29, Lot 7 and 8, changed Lot 16 configuration, added fire cistern proposed in the corner of Lot 16. Noted the need for a waiver for the 3 to 1 ratio on Lot 15, Lot 20, and Lot 25. They have reduced wetland impact from 24,000 to 18,200 by revising the road to 1 to 1 side slopes and also combining some driveways. They have hired a traffic engineer and have supplied a report. Worked with NH Soils relative to the wetland delineation and test pits on the property. Met with NH Conservation Commission and their comments have been provided to the Board.

T. Hoopes questioned length to width ratio on Lots 25, 20, 18, 15, 14, 8, and 32 and frontage on lot 14. Lot 18, 28 and 9 expressed concern on island of land that comprises the dry upland.

J. Ring noted T. Hoopes comments and stated they will work on this. Also noted they have shown leech field areas that meet the requirements.

T. Hoopes questioned addition of duplexes, triplexes and quads. Thought this originally stated separate single family houses.

J. Ring answered he understands the designation of the units would still need to be approved by the Town Engineer.

T. Hoopes questioned Lot 32 and its shape.

J. Ring stated the issue is the existing lot frontage; total frontage across the property is approximately 320 ft. If there needs to be 150 ft on the lot to the right and a 50 ft right of way, that leaves them with the sliver of land to get to the back. Noted this is unusual and not his preference.

M. Jerkins noted Lot 14 also is an odd shaped lot.

J. Ring noted that there is a problem with this land.



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Discussion of the general lot sizes with regard to "bowling alley" design.

J. Dube noted the combining of some of the problem lots.

W. Keniston suggested the boundary lines be planned around future landowner and be more conscientious of the wetlands. But in reviewing plans the designed lots are to the benefit of the developer.

J. Bureau noted on Plan C-3 there are two Lot 25s.

J. Dube stated in his opinion, comparing past cases with fewer deficiencies, he would be uncomfortable with continuing with this application due to the lot ratios. Feels this is a major risk.

C. Blackstone sees the Board as stewards of the Town of Alton. Does not feel this plan takes into account the sensibility of the Master Plan and stewardship of the land and is therefore not in the town's best interest.

(this marked section was recorded over)

*B. Dunbar questioned multi-family lots and these would need to be presented for Site Plan Review individually.*

*Discussion of length to width ratio on Lot 14 and Lot 15.*

*J. Ring stated they will revise Lots 14 and 15. They will move lot lines.*

*Open to public input.*

*Virginia Adams has concern on amount of lots they are putting in this property.*

*Karen Matheny, abutter, stated she feels there seems to be a lot of development going on and not taking into account what is happening to the traffic and the wetlands.*

*Closed public input.*

*T. Hoopes asked if all existing structures will be removed.*

*J. Ring confirmed yes.*

*B. Dunbar expressed concern about the islands and use of the land. Concerned on whether there are one, two or three units. Feels this is the purview of the town inspector.*

*J. Dube feels this is scattered and premature.*

J. Ratigan addressed the comments from the Chairman in the beginning, and feels that his plan took into account many of the comments that were made at the Conceptual review and was a good and accurate observation of what has been submitted. Would take additional feedback from the Board and noted engineering review has not taken place and feels the plan review process should go forward.

J. Dube noted shared driveway on Lot 25 that is the access to Lot 26.

Discussion on driveways for several lots.

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J. Dube asked the Board how they would like to proceed.

W. Keniston stated he is ready to make a motion to deny.

T. Hoopes stated there needs to be specific reasons for the denial.

B. Dunbar feels this plan should be a total redo.

J. Ratigan noted the large application fee to proceed with Subdivision Review and if denied tonight this would have to be resubmitted. He feels the procedure should be to go back for modifications. Feels the Board should look to the Planner for advice.

M. Jerkins stated she has spoken to Mr. Ring on numerous occasions and expressed to him that denial would risk losing the application fee. The problem issues being discussed and considered tonight have been addressed to the applicant several times. W. Keniston recognizes the potential of this piece of property but that the community has to protect its resources.

J. Ratigan noted the Board accepted the application as complete and they should be allowed the opportunity to take in the constructive input and have a second opportunity to make a presentation to the Board.

J. Dube note that Length to Width Ratios were an acceptance issue originally and if this was still the case this application would not have been accepted. Additionally, the board does not take into consideration what fee is charged. They need to act on what is best for the Town of Alton. Procedurally this is how the Board operates.

M. Jerkins stated she spoke with Mr. Ring and met with staff on several occasions. In addition, this plan has been in front of the Board for about three months and taken considerable amount of staff time, copying, reviewing, meeting with the applicant, and meeting with the Board. The application fee goes to reviewing the plan regardless of whether it is denied or not. It is the Board's policy not to refund in any instance.

Discussion on the multiple issues and whether to deny and the argument from applicant for another chance to make adjustments.

J. Ratigan feels that it is fair for another chance to make changes.

Discussion preapplication review.

J. Caley stated the impact of wetlands, and lot changes are something easily addressed. It was his intent to make adjustments and after presented to the Board.

J. Ring suggested to be continued to the December meeting.

J. Dube informed the applicant they are going to deliberate.

B. Dunbar feels the Board should not be designing this parcel.

C. Blackstone feels as B. Dunbar

T. Hoopes would like to continue this application.

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J. Bureau feels there has been a lot of time and preparation into this application.

T. Hoopes the application has been accepted and now the Board has an opportunity to go on the site. He would like to walk this property.

C. Blackstone can understand T. Hoopes view of walking the land.

J. Caley commented they have not talked to the Board about the logic of the lot configuration. They are more than willing to reshape these lots.

W. Keniston would like the Board to consider and feels this might need a new plan, for lots and roads, how it is divided and access.

J. Caley asked if the engineer consulting will help in determining problem issues.

T. Hoopes does not see how that would change.

J. Caley feels his input is most important.

J. Dube stated the engineering review does not get done if this case is denied.

**Motion** by T. Hoopes to continue the case to December. No second. Motion fails.

**Motion** to B. Dunbar to deny Case P06-92 for the following reasons:

1. Numerous lots do not meet the 3 to 1 ratio (Lots 25, 20, 18, 15, 14, 8, and 32).
2. Numerous wetlands seem to be majorly impacted and upland impacts are basically little islands.
3. The Planning Board does not have jurisdiction over the number of units that are going on each one of the lots so the application would not be approved according to the units on the plan.
4. Too intense a use for so delicate a land (too much wetlands are impacted by this development).

Second by W. Keniston.

No discussion.

Vote unanimous.

**Other Business:**

1. Old Business: Question re: road widths on previously approved subdivisions. Scribner questioned that they should follow those regulations. Can the town road agent make those recommendations? Feels they need a letter from Ken Roberts for the file to explain why it is different from the plat.

2. New Business: note about Eric Ryders comments about the 25% rule. J. Dube is questioning the wording of the definition and feels it is worded improperly.

Two people have come in with questions on their subdivision. They would like to come in and ask a question. How would they typically do this? Would they come in as a conceptual? J. Dube stated they would come in under Old Business. That is fine with J. Dube.

3. Correspondence: None

4. Any other business that may come before the Board.

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**Motion** by T. Hoopes to adjourn. Second by W. Keniston. No discussion. Vote unanimous.

Respectfully submitted,

Carolyn Schaeffner, Recording Secretary