

**TOWN OF ALTON PLANNING BOARD  
PUBLIC HEARING  
Public Hearing Minutes  
October 18, 2011  
Approved November 15, 2011**

**Members Present:** Scott Williams, Acting Chair  
David Collier, Clerk  
Tom Hoopes, Member  
Bill Curtin, Member  
Dave Hussey, Selectmen Representative  
Cindy Balcius, Alternate Member

**Others Present:** Ken McWilliams, Town of Alton Planner  
Randy Sanborn, Secretary, Planning Department  
Members of the Public

**I. CALL TO ORDER**

Scott Williams, Acting Chairman, called the Public Hearing to order at 6:00 p.m.

**II. APPOINTMENT OF ALTERNATES**

Cindy Balcius was appointed as a sitting member as an alternate.

**III. APPROVAL OF AGENDA**

K. McWilliams stated there were three continuation changes to the agenda. Case P11-09, Robert Carleton, Lot Line Adjustment and P11-31, Brian Welch and R.A. & A.D. Griffin Rev. Trust Boundary Line Adjustment and Case P11-32, Brian Welch, Final Minor Subdivision.

**B. Curtin made a motion to accept the agenda as amended.**

**D. Hussey seconded the motion with a unanimous vote in favor.**

**IV. PUBLIC INPUT**

There was none at this time.

**V. VOLUNTARY LOT MERGER**

<b>Case #P11-30 Diane T. Chalifoux-Judge</b>	<b>Map 71 Lots 52 and 53</b>	<b>Voluntary Lot Merger 196 Alton Shores Road</b>
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K. McWilliams stated that they supplied the proper paperwork and copies of deeds.

**B. Curtin made a motion to accept the Voluntary Lot Merger for Case P11-30 Map 71 Lots 52 and 53 and have the Acting Chair sign such.**

**C. Balcius seconded the motion with a unanimous vote in favor.**

S. Williams signed the lot merger.

**VI. COMPLETENESS REVIEW OF NEW FINAL APPLICATIONS AND PUBLIC HEARINGS ON NEW APPLICATIONS (If applications are accepted as complete):**

<b>Case #11-33 Harold M. Bothwick, Jr. &amp; Cynthia A. Bothwick</b>	<b>Map 29 Lot 71</b>	<b>Final 2-Lot Minor Subdivision Easterly Side of Old Wolfeboro Road</b>
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K. McWilliams stated that this was a straightforward simple subdivision. H. Bothwick owns an existing 13.69 acre parcel and wants to split out an 0.88 acre, about 38,000 square feet. This is in the Residential Commercial District. There is an existing driveway that serves the larger parcel and they are proposing that as a common driveway to serve the new lot as well. The Board of Selectmen has approved the waiver to permit the common driveway. In terms of completeness they need to include the name, address, stamp and seal of the wetland scientist on the plat to be recorded prior to signing and recording the plat. The applicant has requested waivers from the subdivision regulations dealing with 7.2.2 left margins; 7.2.24 soils, 7.2.27 elevations and 7.2.33 wetlands. He recommends approval of waivers and recommends the Board accept the application as complete.

T. Hoopes questioned the waiver on the common driveway. There was a short discussion on the procedure that was continued until the end of the meeting.

**B. Curtin made a motion to grant the waivers for Case P11-33 7.2.2, 7.2.24, 7.2.27, 7.2.33.**

**D. Hussey seconded the motion with a unanimous vote in favor.**

**B. Curtin made a motion to accept Case P11-33 as complete.**

**C. Balcius seconded the motion with a unanimous vote in favor.**

Randy Tetrault from Norway Plains was the surveyor representing Harry Bothwick. The proposal is to subdivide .9 acres out of 13.7. It is located off Old Wolfeboro Road across from Wainwright Insurance up Route 28. The subdivision is going to take place off Old Wolfeboro Road with a shared access. The shared access point was discussed with the Planner and they would like to limit any entrance points in that particular area. The subdivision is for family now and may not be staying that way long-term. They will be supplying the Town with a Maintenance Agreement and a Joint Access Agreement that will go on the deed for that parcel.

S. Williams also requested the 911 information. Any access way providing two or more dwellings needs to have an access name as well as numbers.

R. Tetrault stated the waivers were for the soil, wetlands and topography for the total site. The current use map shows that this section of the property back to Old Wolfeboro Road is excluded out of current use so

the remaining parcel will stay in current use. The driveway location requested by the owner is to go 40 feet in. That will be the deeded spot and under the maintenance agreement.

B. Curtin asked if the Town of Alton was notified as an abutter. K. McWilliams indicated they were.

T. Hoopes asked if there was enough space for construction. R. Tetreault noted there is.

S. Williams asked if there were any easements required for the use of the pool or was that going with the lot. The pool will be given to the daughter with the two car garage with the stipulation that the parents are permitted to use half of the garage. They will be turning the garage into a pool house.

It was opened to the public. There was none at this time so public input was closed.

**T. Hoopes made a motion to approve Case P11-33 a 2-Lot Subdivision for Cynthia and Harold Bothwick with the conditions precedent.**

- 1. A copy of any necessary Federal, State and/or local permits shall be received by the Planning Department and the permit numbers shall be added in a note on the plat prior to plan signing.**
- 2. A note shall be added to the plat prior to plan signing stating that Best Management Practices shall be utilized during any timber cutting on site.**
- 3. All "To Be Set" (TBS) notes shall be removed and all monumentation shall be set prior to plan signing.**
- 4. The following note shall be added to the plat prior to plan signing: This subdivision plan contains a total of two sheets, which in its entirety constitutes the subdivision plan as approved by the Town of Alton Planning Board. Sheet number 1 is recorded at the Belknap County Registry of Deeds; the second sheet is on file at the Town of Alton Planning Department.**
- 5. The following note shall be added to the plat prior to plan signing: This subdivision plan is subject to the Conditions of Approval itemized in the October 18, 2011 Notice of Decision on file at the Town of Alton Planning Department.**
- 6. Trees along the boundary of the 25' of wetland buffer of all wetlands greater than 10,000 square feet in size in the area within 200' of proposed development that will disturb the soil or involve removal of trees are to be flagged on the plat and accurately in the field on trees approximately every 25' with permanent markers identifying them as the wetland buffer. The types of all proposed signage are to be reviewed and approved by the Planning board. Where trees have been previously removed or do not exist, the wetland buffer shall 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 as complete by the surveyor who stamps the plan.**
- 7. A maintenance agreement for the common driveway needs to be submitted for recording prior to plan signing.**
- 8. A certified wetland scientist needs to stamp and sign the plan to be recorded.**
- 9. The E-911 Committee must approve a street name to be shown on the plat and address numbers.**

**Subsequent Conditions:**

- 1. The applicant shall comply with all of the Town of Alton's Subdivision and Site Plan Regulations.**

2. The approval is based upon the plans, specifications and testimony submitted to the Planning Board. Any alterations, additions or changes to the plans are not authorized and require additional Planning Board approval.

3. A subdivision plat which has been filed and approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications upon which the approval was based, or has materially violated and requirements or conditions of such approval.

Provided all listed conditions and subsequent conditions are satisfied, this approval will remain valid for implementation 365 days from date of original approval, unless extended by the authority of the Planning Board after petition by the applicant.

C. Balcius seconded the motion with all in favor.

Case #P11-34 Gary Kelloway & David & Lisa Madden	Map 63 Lots 32, 32-1 & 32-2	Amended Final Subdivision Rollins Road
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K. McWilliams stated that there was a subdivision in 1980 referred to as the Springer Subdivision that created three lots that straddled Rollins Road. There is a portion of the lots on the lakeshore side and a portion of the lots on the back side of the road. When that was approved in 1980 there was a note placed on the plan that said that those portions of lots 1, 2 and 3 which lie west of the proposed 50' ROW which is Rollins Road shall not be used for building and shall not be sold separately. He checked the minutes of the subdivision and the only thing they could find in the record that was related to that note was a statement that said that was put there because of the existing conditions. When they looked at what existing conditions would be they looked at wetlands and steep slopes. The applicant has gone out and mapped wetlands according to today's standards and they have also mapped the steep slope areas. In addition on the plat they have outlined the setbacks on those lots. The applicant's proposal is that the Board amend the note that was placed on the 1980 subdivision is to allow them to build non habitable accessory structures like a garage or a barn.

They are requesting a waiver from providing Section 7.2.27 elevations in the wetland areas. They have been identified outside of the wetland areas. There are two items they need to complete their application: 1) certification that goes along with a stamp and seal of a registered surveyor attesting that the plat is substantially correct and; 2) there are some monuments missing on the survey of some of the lots.

B. Curtin made a motion to grant Case P11-34 a waiver for 7.2.27 elevations in the wetland areas.

D. Hussey seconded the motion and all were in favor.

B. Curtin made a motion to accept Case P11-34 as complete.

D. Hussey seconded the motion and all were in favor.

Peter Howard from Steven Smith and Associates in Gilford, NH was representing Gary Kelloway who purchased the Springer Subdivision and is developing it. David & Lisa Madden were not present. He showed the original subdivision plan. There is a ROW that goes through the property. There are three lots. They are 63-32, 63-32-1 and 63-32-2. Rollins Road goes through it with a 50' ROW. At the time there was

concern that these areas on the westerly side of the ROW might become lots and be built upon. They are here to see if they can get that condition that was put on the subdivision removed so they can be able to build on the westerly side of the ROW. They had the wetlands mapped by Peter Schauer from Schauer Environmental Consultants. They have done the topographic mapping from the wetland boarder to the shore of Lake Winnepesaukee. On lot 63-32 there is about 2405 square feet inside the setbacks and outside the wetlands. On lot 63-32-1 there is 6176 square feet and on 63-32-2 there is 10,450 square feet of buildable area. Any structures to be built would be within zoning requirements within this zone. There would be no commercial buildings.

T. Hoopes asked where the flow of drainage was going. There is a culvert in two areas. G. Kelloway showed where the drainage goes on the plan.

T. Hoopes stated that there are driveway standards that the Selectmen have established as to width and length and sort of things that they have to acquire.

D. Collier mentioned that there was no buffer shown for the wetlands and to meet the criteria it is going to need a buffer.

P. Howard stated that they spoke with K. McWilliams and the zoning ordinance calls for lots created after March 14, 2006 needs to comply with the 25' buffer. These lots were created before that 2006 date.

S. Williams stated that the Board could require the 25' buffer on this lot.

C. Balcius stated that she thinks that is why the Planning Board in 1980 said not to build on that side of the lot. Because they are amending a plan over thirty years old, when someone comes to amend a subdivision isn't there a statute of limitations. They are asking the Board to excuse them from a condition applied by another Board but they don't want to apply the 25' buffer from the current rules.

P. Howard was concerned that if there was a 25' wetlands buffer that the area for building would be very limited.

D. Hussey stated that he felt that if they are going back to the laws of 1980 and are reopening it up they need to go by the laws of 2011.

G. Kelloway stated that he had an agreement from a buyer and would like to compromise the setback.

The Board stated that if they approve a compromise for them then they would have to do it for everyone that asks.

S. Williams opened it up to the public.

Pamela Alrich from 76 Rollins Road is an abutter to the third lot on the plan which is 62-32-2. She would like the Board not to make any changes. If it is approved she would like to see some restrictions on what is approved.

S. Williams closed public input.

Mr. Alrich spoke after but S. Williams allowed reopening for him to speak. He is concerned about his view being destroyed.

S. Williams reclosed public input.

D. Hussey stated that he could not support this without a 25' setback.

B. Curtin felt that they had a reason for the condition in 1980 and he will stick with it.

S. Williams stated the applicant had an option for the Board to table it and reconfigure it at a later date.

G. Kelloway agreed to table it and continue it.

S. Williams stated they will continue Case P11-34 to the November 15<sup>th</sup> meeting.

A five minute recess was called.

The meeting was reconvened at 7:23 p.m.

<b>Case #P11-34</b> <b>Brian Fortier</b>	<b>Map 17 Lot 11</b>	<b>Site Plan Review Conceptual          Consultation - Campground          Between the West Alton          Marina &amp; NH Rte 11</b>
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K. McWilliams stated that Mr. Fortier has 35 acre lot that he would like to develop into a recreational campground. The property is located in the Recreation Service Zone. As stated in the purpose statement for the RS Zone: Recreational Service Zone located outside the urban area of the community are designed to provide appropriate locations for high density recreational uses to serve transients and to provide sales and service not customarily available outside the urban area. Campgrounds are a permitted use in the RS Zone and campgrounds need to comply with Section 355 Recreation Camping Parks of the Zoning Ordinance. They would need to delineate the jurisdictional wetlands on the property and since this would be a major site plan the next step would be a Design Review application for a Site Plan.

Brian Fortier and John Murray manage the West Alton Marina. Back in 1997 Brian's family went through the process of receiving approval to put a campground on this lot. They did not go through with it because his parents became ill and he was running the Marina but would like to bring it back to life now. They were originally approved for 137 sites. They discussed with the Planner about doing it in phases starting with approximately 50 sites.

The Board made several suggestions of what they might need to do before coming in for the Design Review.

**VII. Old Business:**

K. McWilliams wanted to remind the Board of the meeting on Wednesday, October 19, 2011 to review the draft Site Plan Review Regulations. The members need to bring their drafts with them. S. Williams noted he will not be there.

**VIII. New Business:**

1. The Site Plan for the retaining wall across from MacDonald's was discussed.

2. The Common Drive procedure was discussed.  
The Planning Board agreed to put these items on a work session agenda at a future date.

S. Williams requested that the Planning Department buy wetland markers to sell to contractors.

**B. Curtin made a motion to buy wetlands markers for sale and distribution at the Planning Department**

**C. Balcius seconded the motion with all in favor.**

3. Three additional meeting dates need to be set up; 1) to meet with the Zoning Board of Adjustment and Attorney Sessler to discuss workforce housing before November 9<sup>th</sup>. Tuesday, November 8<sup>th</sup> at 6:30 p.m. was chosen. 2) Committee for Zoning Amendments needs to meet with Planning Board to discuss zoning amendments. Tuesday, November 8<sup>th</sup> at 8:00 p.m. and, Tuesday, November 22<sup>nd</sup> at 6:30 p.m. were chosen.

4. B. Curtin discussed getting a second set of speakers for the meeting room.

5. Board discussed swearing in Roger Sample for an alternate.

**B. Curtin made a motion to appoint Roger Sample as an alternate to the Planning Board.**

**D. Hussey seconded the motion with all in favor.**

The Board referred R. Sample to the Town Clerk to be sworn in. The Board requested the staff assemble a packet of planning-related materials for Roger.

## **IX. Approval of Minutes**

### **September 20, 2011**

1. Page 5 fourth paragraph down: "S. Williams motion to Case..." should be "to approve Case".

**B. Curtin motion to accept the minutes as amended for the September 20, 2011 meeting.**

**D. Collier seconded the motion. Four (4) were in favor and two (2) abstained (C. Balcius & D. Hussey).**

## **X. Correspondence.**

There was none at this time.

## **XI. Adjournment**

**T. Hoopes made a motion to adjourn.**

**D. Collier seconded the motion. All were in favor making the motion unanimous.**

The public hearing adjourned at 8:15 p.m.

Respectfully submitted,

Randy Sanborn  
Recorder