

**TOWN OF ALTON PLANNING BOARD
MINUTES OF 2016
NOVEMBER 15, 2016**

Members Present:

Dave Collier, Chairman
Roger Sample, Vice Chairman
Peter Bolster, Clerk
Bill Curtin, Member
Russell Wilder, Member
Scott Williams, Member
Thomas Hoopes, Alternate

Others Present:

Nic Strong, Town Planner
John Dever, III, Code Official

CALL TO ORDER

Dave Collier called the meeting to order at 6:00 p.m.

APPROVAL OF AGENDA

Dave Collier asked if there had been any changes in the agenda. Nic Strong stated that there were none.

Scott Williams moved to accept the Agenda as presented.

Russ Wilder seconded the motion and it PASSED unanimously.

**COMPLETENESS REVIEW OF APPLICATION AND PUBLIC HEARING IF
APPLICATION IS ACCEPTED AS COMPLETE**

Case #P16-33 Robert J. Mueller & Margery D. Thomas; and Priscilla A. Bennett, Mary E. Bennett, & Elizabeth Babcock	Map 19 Lots 33 & 33-1 Rural (RU) Zone	Lot Line Adjustment 68 & 74 Drew Hill Road
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Nic Strong stated this application had a list of items that were submitted which included waiver requests in a letter dated October 25, 2016, and there was one issue with the need for a Variance, which could be a condition of approval. Tom Hoopes stated that the Board was not going to accept the Waiver for larger plan sets of 24" x 36" because they would not fit in the Town's filing cabinets. Jim Rines, P.E., LLS, Agent for Robert J. Mueller, Margery D. Thomas, Priscilla A. Bennett, Mary E. Bennett, and Elizabeth Babcock, suggested that the plans could be folded twice. Tom Hoopes stated that it would still take up too much space and was the reason why the regulation was adopted. Jim Rines stated that the Board had accepted the larger plans in the past. After some discussion amongst Board members, it was agreed to accept the larger plans, but noted that future plans should be submitted in accordance with the regulations.

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Scott Williams moved to grant the Waivers to Section IX-APPLICATION SUBMITTAL REQUIREMENTS, E. ANNEXATIONS OR LOT LINE ADJUSTMENTS, 7. g., 7. h., 7. i., as well as 7.

Bill Curtin seconded the motion and it PASSED unanimously.

Russ Wilder moved to accept the application as complete.

Scott Williams seconded the motion and it PASSED unanimously.

Jim Rines, P.E., LLS, from White Mountain Survey & Engineering, Agent, spoke on behalf of this application for a boundary line adjustment. The layout of the lots was as follows: the Mueller lot, Tax Map 19 Lot 33-1, was 1.03 acres in size with 154.22 feet of road frontage, the Bennett lot was 5.79 acres in size with 445.56 feet of frontage. The proposal was to take 25,860 s.f. that was directly behind the Mueller parcel or about .59 acres, from the Bennett parcel, and add it to the Mueller parcel. Both lots were fully developed and have existing dwellings and other structures. He also stated that one anomaly Nic Strong mentioned was the Code Official had opined that the two lots were pre-March 2003 lots so they had a 10-foot side yard setback, where 20 feet is now required. Scott Williams mentioned there was a 150-foot frontage versus 200-foot frontage as of today. Jim Rines, P.E., LLS, stated that by doing the boundary line adjustment, the lots would lose their grandfathered status of pre-2003. He indicated that the building would now be within the 20-foot setback by at least 3 feet; the generator is slightly into the setback also. Peter Bolster stated that the applicants were making their lot more conforming to the current regulations.

David Collier opened the hearing for public input. There was no public input, therefore public input was closed.

David Collier asked Jim Rines, P.E., LLS, if he had a copy of all of the conditions. Jim Rines, P.E., LLS, stated that he and the Applicants were aware of the conditions and were fine with them. Scott Williams read into the record that the Agent and Applicants agreed with the conditions precedent and the subsequent conditions as presented.

Scott Williams moved that after due hearing, the Alton Planning Board hereby approves Case #P16-33 for Map 19 Lots 33 and 33-1 as submitted, with the following conditions precedent and subsequent conditions:

CONDITIONS PRECEDENT

Conditions Precedent: The following conditions must be satisfied prior to the Planning Board Chair signing the plans.

- 1. Submission of revised plans in the number required by the Subdivision Regulations and that include all of the checklist corrections, any corrections as noted at this hearing and any waivers granted by the Planning Board.**

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- 2. Addition of a note to the lot line adjustment/annexation plan prior to plan signing by the Planning Board Chair stating that Best Management Practices shall be utilized during any timber cutting on site.**
- 3. Addition of a note to the lot line adjustment/annexation plan prior to plan signing by the Planning Board Chair: This lot line adjustment/annexation plan is subject to the Conditions of Approval itemized in the November 15, 2016, Notice of Decision recorded in the Belknap County Registry of Deeds and on file at the Town of Alton Planning Department.**
- 4. Submission of signed deeds to record with the Boundary Line Adjustment Plan and Notice of Decision within 60 days of conditional approval of the lot line adjustment by the Planning Board, unless extended by the Planning Board. Deeds to both lots are required that indicate the parcel of land being annexed from Map 19 Lot 33 to Map 19 Lot 33-1.**
- 5. Receipt of Zoning Board of Adjustment approval for a variance to the structures in the side setback of Map 19 Lot 33-1 and addition of a note to the boundary line adjustment plan prior to plan signing referencing the ZBA approval and date.**

SUBSEQUENT CONDITIONS:

Conditions Subsequent: The following conditions subsequent shall be met during construction and on an on-going basis:

- 1. The applicants shall comply with all of the Town of Alton's Subdivision 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 lot line adjustment which has been 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 any requirements or conditions of such approval.**

Unless otherwise approved by the Board, the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions precedent that are required prior to signing and recording the subdivision plat. Failure to complete any conditions within the one (1) year

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timeframe shall invalidate the Board's approval, unless an extension is approved by the Board under Section IV, O. 2. of the Town of Alton Subdivision Regulations.

Russ Wilder seconded the motion and it PASSED unanimously.

Joint Meeting with Zoning Amendment Committee

Present was John Dever, III, Code Official. Other Zoning Amendment Committee members present were Planning Board Member, Scott Williams, and Alternate, Tom Hoopes.

The Alton Zoning Amendment Committee presented the following amendments to the Zoning Ordinance to the Alton Planning Board:

Tom Hoopes started the conversation with Proposed Amendment #1 "Accessory Dwelling Unit". He stated that an ordinance for accessory units had already been in place, but was updated to reflect the new State statutes. It stated that an accessory dwelling unit could be built anywhere that was separate or attached in all zones, except for the Lakeshore Residential zone where it had to be attached to the single-family dwelling. Russ Wilder believed that when he was looking at Section 319 A., "Purpose: The purpose and intent of allowing accessory dwelling units is to provide the opportunity and encouragement for the development of small rental housing units...", he thought it had to do with the aging population and having in-laws on the property so one could take care of them. John Dever stated the intent of the legislation was to provide accessory dwelling units that would be available for workforce housing. Scott Williams stated that the Town couldn't discriminate who occupied it. Tom Hoopes stated that you couldn't regulate whether it was rented out weekly or monthly. The Board agreed with the recommendation.

Proposed Amendment #2 "Sign Regulations". Russ Wilder commented about **B. General Provisions #3**. in that it didn't specifically state what type of standard of lighting the Board required, for example, cut-off lighting or downlights. John Dever explained that it stated that in the Site Plan Regulations. Nic Strong stated that the reason for this amendment was because of a United States Federal Court case at the end of last year where the content of the sign came into question and the federal judges in several varying opinions said that if you had to read the sign to figure out what type of sign it was, and there are different regulations in the ordinance for those different types of signs, it would be constitutionally invalid. So a temporary sign for a real estate agent that was a certain size and only allowed to be up for a certain period of time, if that was designated as different to a temporary sign for a yard sale or a grand opening for a business that could only be a different size for a different certain length of time, the ordinance would be illegal. Nic Strong noted that this didn't by any means address the fact that the size of permanent signs and the lighting of signs still should be addressed in the ordinance. John Dever, III, stated that an example of that would be political signs. There were very specific deadlines as to when political signs need to be taken down, and that wasn't the

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way it should be handled, because the ordinance could not specify political signs. Nic Strong stated that the sign ordinance should have a purpose section because that would help not only the staff issuing the permits, but should a court case be filed, it would also help define why it was done in the first place. The rest of the ordinance was a bit confusing in the middle section so Nic Strong created a table that separated things out to the different districts and listed the size, height and type. The other suggestion was to have a clause that allows non-commercial speech to be put in the place of commercial speech on any sign, that way the content was not being regulated. The Committee spent a long time discussing the size of temporary signs and because the Committee determined that the large political signs were about 32 s.f., that this would be the size. Nic Strong stated that the size was done by district as follows: Residential Commercial, Recreation Service, and Residential Rural allow a temporary sign of 32 s.f., but when you look at the Lakeshore Residential and Residential Districts, it listed 6 s.f. due to smaller roads and smaller lot sizes, etc. The Board agreed with the recommendation.

Proposed Amendment #3 "Personal Wireless Service Facilities Ordinance". Nic Strong stated that this amendment came about because in 2013 the State of New Hampshire changed their statute on cell towers due to a big push from the Federal Communications Commission against needing a site plan application if one was just adding an array to a tower or changing the base station. The State set different thresholds for the things that would require a site plan which were substantial modifications, but things like co-locations and just basic modifications require only a building permit. This ordinance was not up to date with all of that. Nic Strong also stated that the bonding, insurance, and abandonment of the facility was addressed. She further went on to explain that towns used to require the cell tower company to prove that they had gone out to try and find an existing structure to put their arrays on and that got taken out of the law so towns could not ask for proof of that anymore. The town could suggest to them to think about that before they come in with a free-standing tower, but could not require proof that they looked into it. The Board agreed with the recommendation.

Proposed Amendment #4 "Sexually Oriented Business". Tom Hoopes stated that this amendment was modified to include other types of schools in the list of uses that those business had to be located 500' away from. The Board agreed with the recommendation.

Proposed Amendment #5 "Criteria for a Home Business". Nic Strong stated that this ordinance specified the size of a sign, but conflicted with the size of signs allowed in various other districts that home businesses could be in. The proposal was to require whichever size provision was stricter to be used. The Board agreed with the recommendation.

Proposed Amendment #6 "Solar Energy Systems". Nic Strong stated that originally Solar Energy Systems was not included as an amendment, but Dave Hussey came in to talk to the Zoning Amendment Committee, and also to the Board of Selectmen, he inquired to see if there could be a solar energy system ordinance in town. Nic Strong explained to the Board that in the beginning she had contacted the Public Utilities

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Commission to find out what the height requirements were for a safety fence and they didn't have any, so they put her in touch with Clay Mitchell, a planner who worked with the NH Sustainable Energy Association. Clay Mitchell suggested a few changes, starting with the definition of Accessory or Residential Solar Energy System where it states "excess energy may be transferred onto the grid through net metering." be changed to "excess energy may flow back to the grid for credits or for sale under net metering or other similar program under State law allowing for the disposition of excess energy for use by the residents.". Nic Strong stated that this language would allow for changes in the future. She also stated that Clay Mitchell noticed a gap between a single residential or commercial system and the utility scale; what about if two or three people want to have group metering, but not utility scale. Nic Strong asked the Board if they wanted the Committee to address this now or in the future. The Board agreed to address that issue in the future. Nic Strong went on to address one more change that Clay Mitchell pointed out, which had to do with H. Abandonment, Removal and Decommissioning. The current proposed amendment stated that a Utility Scale System would require a plan for taking them down at the end, plus a bond. Clay Mitchell didn't see a basis for those requirements and did not know of a single instance of an abandoned solar array anywhere unless it was on an abandoned building. He indicated that these systems have value only when they are generating energy and their recycle value alone would assure remediation. This situation would only serve to drive up soft costs on the front end of the project. The Board determined to leave the language in the ordinance as it was important for the large scale systems operated as businesses. The Board agreed with the recommendation.

Proposed Amendments #7 – #15 were "housekeeping" changes.

Proposed Amendment #7 – Nic Strong stated that she went over these with Jim Sessler at the beginning of the year and in order for the definitions to all look the same there had to be a warrant article. The Board agreed with the recommendation.

Proposed Amendment #8 – The Board agreed with the recommendation.

Proposed Amendment #9 – The Board agreed with the recommendation.

Proposed Amendment #10 – The Board agreed with the recommendation.

Proposed Amendment #11 – The Board agreed with the recommendation.

Proposed Amendment #12 – The Board agreed with the recommendation.

Proposed Amendment #13 – The Board agreed with the recommendation.

Proposed Amendment #14 – The Board agreed with the recommendation.

Proposed Amendment #15 – The Board agreed with the recommendation.

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Scott Williams moved to have the 2017 Amendments presented at the public hearing on December 20, 2016.

Bill Curtin seconded the motion and it PASSED unanimously.

Nic Strong stated that she had presented to the Board another document that explained that notices will have to be sent out to owners of all parcels in the Recreation Service district because of the changes to State law. The solar energy system is going to be allowing uses in the Recreation Service district, which has fewer than 100 properties; 25 according to the most recent list she received from Tom Sargent, Town Assessor, so every owner of a parcel in that district needs to get a first-class letter telling them about the hearing. Scott Williams suggested to have Lisa Noyes, Town Clerk, certify the service. Nic Strong stated that because some of the definitions have changed in Amendment #12, the owners of the parcels in that district would need a letter about that also, but that will be included in the letter regarding the solar energy system changes.

OTHER BUSINESS

1. Old Business-

- a) Discussion on the Town of Alton Excavation Regulations, Working Draft 6.17.16, distribution of revisions made at the August 16, 2016, Planning Board Meeting.

David Collier asked if there were any updates on the Regulations. Nic Strong stated that Jim Sessler, Town Counsel, approved the draft document. She suggested that the draft be sent to all gravel pit operators in town and then invite them to come to a public input session to explain the regulations and go over the new process of permitting and bonding that had not been enforced in the past and which was mandated by State statute. Once that meeting had been held, then a formal public hearing to adopt the regulations would be scheduled. Nic Strong further stated that when the Board went through the draft, they made a 49 or 50-year permit with compliance inspections in the meantime and the AoT plans would have to get updated on a regular basis. After some discussion, the Board decided to hold the public input session in January, and will come up with a specific date at the next meeting.

Bill Curtin moved to hold a public input session and invite the gravel pit operators and other interested parties.

Russ Wilder seconded the motion and it PASSED unanimously.

- b) Discussion on the Town of Alton Subdivision Regulations, Working Draft 4.19.16, distributed at April 19, 2016, Planning Board Meeting and memo dated 9/20/16, re: Planning Board Procedures.

Nic Strong stated that back in April of this year, the first working draft of the Subdivision Regulations was distributed and she had some questions on it; some of those questions have been resolved in the meantime. At the last meeting, the Board went through some questions that Russ Wilder had and some changes had been made. She further stated that

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she had sent out a memo dated September 20, 2016, which had some big picture questions that would affect how the Subdivision and Site Plan Regulations look. The following recommendations were discussed:

Miscellaneous Items

- Video meetings
Nic Strong stated that the Town Administrator wanted her to ask the Board if they wanted their meetings videotaped, as it is not a requirement. The Board agreed to keep videotaping the meetings.
- Adopt all application forms and checklists and Planning Board fees as part of the by-laws
Nic Strong stated that she could not find anywhere where the forms and checklists have been adopted, because currently they are not part of the Subdivision Regulations themselves, or part of the Planning Board by-laws either. She suggested to adopt them as part of the by-laws because the process to update them was easier than to change the regulations. Nic Strong also mentioned that the fees should be adopted in the same fashion, and at a future date fees should be reviewed and updated. The Board agreed with the recommendations.
- Adopt a list of standard plan notes
Nic Strong mentioned that in the approval section of the Notice of Decision, there were always conditions precedent that just repeat the same thing for every application, and instead of having to have them in a Notice of Decision, if the Board had a list of standard Planning Board notes that was a requirement on the checklist to say that that the surveyor had met the requirements for a particular plan, the Board would not have to reference them in the Notice of Decision any longer. The Board agreed with the recommendation. (Bill Curtin separately suggested that a checklist be placed on the inside of the front cover of the file and that everything in the file should be listed on that checklist.)
- Flagging of trees along the boundary of the 25-foot wetland buffer
Nic Strong stated that the flagging of trees along the boundary of the 25-foot wetland buffer is not in the regulations anywhere, but has been indicated on some older plans and in some older decisions. She stated that if it was something that the Board still wanted to uphold that it needed to get put into the regulations. The Board agreed with the recommendation.
- Newspaper publication of notices
Nic Strong stated that there is no statutory requirement to post notice of public hearings before the planning board in the newspapers. The State statute says that you have to provide notice to the general public by posting OR by publication. The Board's regulations do specify that the notice get both posted and published. Nic Strong suggested to change the method of the applicants paying for this service. Currently there is a flat fee of \$75.00 that is part of the application

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process, and since she started working there in January of 2016, the varying prices have been between \$93.00 and \$165.00 in the Laconia Daily Sun. Nic Strong proposed as a standard condition precedent “payment of all outstanding fees” and before the plan was signed the applicant would have to pay for everything, which would include the exact cost of the publication. After some discussion, the Board agreed to have office staff go back a year and see how much the publications cost, how many applicants there were, and then come up with an average cost per applicant and present it to the Board to that an increased flat rate for newspaper notices could be adopted.

Meeting Preparation and Procedures

- Waiver Requests

Nic Strong pointed out that waivers should not be granted before an application is accepted as complete, unless the waiver is for an item that would be required for completeness. She also stated that the current Town of Alton’s regulations require every dotted i and crossed t of the plan to be part of the completed application, and in turn, she proposed that having the physical plan is enough to allow the Board to accept an application as complete, which would then give the Board the authority to take jurisdiction of the application and get into all of the nitty gritty details. For example, as part of the site plan, if the snow storage area isn’t quite shown on the plan, that should not be enough to deem it incomplete. Dave Collier asked Nic Strong if she could flag on the list of waivers that are requested which ones could be left until after accepting an application complete would be helpful. Nic Strong went on to further explain that there was a court case back in 2009 that made it clear that the Planning Board has to grant a waiver because of very specific conditions, so granting it is not contrary to the spirit and intent of the regulations or that because of the specific subdivision or site plan in its location it would carry out the spirit or intent of the regulations; so that it doesn’t appear as if the Planning Board is granting waivers based on a preference. Nic Strong suggested that the Board, when in the midst of granting waivers, state the phrase “is based on the spirit or intent of the regulation”. This way it would show the applicant that the decision is made according to the regulations and not just because the Board like it. The Board agreed with the recommendation.

- Distribution of the Planner Review

Nic Strong stated that the planner review document had the following statement at the end that put everyone on notice that there were items that may have been discussed at the hearing that hadn’t been mentioned in the planner review: “There may, therefore, be items discussed at the hearing that have not been mentioned as part of the planner review or that are in direct contradiction to information contained herein.”. This document gets sent to the Applicant, and not just to the Planning Board, and because it’s a very open procedure the planner review is kept strictly to technical details with the review of regulations. If there was anything that needed to be “private” to the Planning Board, she would have to put that in a separate memo. Also, there were always opportunities for the items in the planner

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review to be changed because the things that come up in the hearing are not known.

- Role of the Planner and participation in meetings
Nic Strong stated that because the planner review went into all the details based on the regulations and the checklists, and the things that came up in the hearing were directly based on the Board's discretion and their decision making process, she doesn't inject herself into the conversation very much. Scott Williams stated that he noticed she does not. Nic Strong told the Board that if there were times they felt like she should, that they should just go ahead and speak up. The public perception of the Planning Board should be that they were the ones making the tough decisions and hopefully the planner review gives the Board all the information needed to make proper decisions. Tom Hoopes and Dave Collier stated that they usually ask Nic Strong if she has anything further to add.

Nic Strong asked the Board if it would be helpful to email the planner review document in advance of the meeting so they could review it and write down any comments and be ready for the meeting, in addition to having a hard copy in the Planning Board member packets. Dave Collier stated that he thought it was a good procedure. The Board agreed.

Completeness of applications

Nic Strong pointed out that in the application packet, there was a checklist that applicants have to abide by, and if the items were all checked off, it would be apparent if the application is complete or not. She also mentioned that under State law, it was very clear that it was up to the Planning Board to determine whether the application was complete or not.

Conditional Approvals/Project Deadlines/Inspections/Covenants Restricting Lot Sales/Five Year Exemption/Project Security

- Inspections
Nic Strong mentioned that inspections needed to be addressed. Bill Curtin stated that at the Dunkin Donuts site, the driver was still backing in to the parking lot. Peter Bolster stated that the driver should be pulling around the back of the building, which was why the parking lot was set up like it was. Scott Williams stated that the concrete "escape route" that was built has an 8" curb so when a prospective customer's front wheels get over the concrete, their car is pretty much marooned in the middle. Dave Collier asked Nic Strong if she could let John Dever, III, know and have him address the issue of the delivery truck backing in, because it was part of the approval of the new site plan that they don't back in. Nic Strong stated that the plan shows a truck where it was supposed to go, but the issue was that the Management or whoever was accepting deliveries hadn't passed that on to the truck driver. Dave Collier asked Nic Strong to inform John Dever to write a letter because the Board had the right to revoke their approval. Peter Bolster stated that he had seen a lot of people coming out of the entrance.

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Nic Strong stated that subdivisions had regimented inspections, but as far as site plans go, she had not seen any inspection milestones, not even for a major site plan. For example, Dunkin Donuts; Nic Strong stated that she would like for them to submit an as-built, but since it wasn't part of the conditions, she was not sure how to enforce it because it wasn't part of the conditions. She further stated that there was an underground drainage structure that no one watched get put in, she was not quite sure that the grade on the loop-around was according to plan, the "escape" ramp was not designed properly; the problem with the truck backing in to the driveway was on the plan, but not on the decision, plus there are wetlands located out back of the building, and no one monitored erosion control. Nic Strong stated that there should be milestone inspections. Currently the construction observation guidelines do say that for major site plans and subdivisions there should be construction observations. That document was newer than the regulations and she was wondering if there was some disconnect with making sure they matched. Tom Hoopes asked if that meant an engineer needs to get involved. Nic Strong stated that there are some options, like set up some milestone inspections and run them the same as a subdivision road construction, and at those milestones the Board would require that the design engineer would send an as-built of that portion and a certification so that it was their responsibility to send it in and rely on their official seal. Tom Hoopes and Nic Strong both agreed that there should be a pre-construction meeting before any major site plan gets put in place. Also there should be some kind of monitoring throughout the construction process. Russ Wilder thought there should be some compliance report required, if that was the way the Board determined to move forward. Nic Strong was asked by the Board to add to the regulations, the fact that there should be a compliance report submitted at major milestones throughout the project.

- **Covenant Restricting Lot Sales**

Nic Strong believed that this document was created to assist the Board in their decision making process, but it was not apparently a legal option. She went on to explain that there were two (2) statutory options when building a subdivision: First the subdivision was built and when the developer got to a certain point in the project, a surety would be provided to the town, and then they would be able to pull permits; second, a surety would be provided to the town right from the beginning, which would allow the developer to pull permits right away. The lot sales restriction was ok at the time and was helpful, but that is now not a legal option. Nic Strong stated that the State statute read that the building inspector cannot withhold a building permit if the project has been bonded, but if the project wasn't bonded, a permit shouldn't be issued. Scott Williams pointed out that many times in the past the town attorney was before the Board and he stated that having the developer provide a bond was the only way to go. Tom Hoopes stated that it wasn't a bond the town attorney wanted, that in fact he requested a letter of credit because a bond could be pulled by the bank and the town would not have the means of finishing the project.

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- **Security**
Nic Strong stated that using the bond estimate sheet from the Construction Observation Guidelines as a standard for every project would be beneficial for the town because there would be a standard number, which is usually based on the New Hampshire Department of Transportation weighted averages and not a number for that particular project. Nic Strong pointed out, for instance, if the developer knows the gravel guy who is giving him a break and an engineer comes up with a bond estimate based on the cost of the construction, the developer's bond estimate should not be based on the exact cost of materials that particular developer is using. Scott Williams pointed out that a lot of the programs out there that can configure what the bond amount should be after entering in certain criteria, overprice the projects and aren't very efficient. Nic Strong thought that the design engineer goes through the plans and runs the numbers and then has a conversation with the town engineer to review the numbers and that would be when things would get resolved. She also stated that by using the bond estimate sheet from the Construction Observation Guidelines, it would make it easier to come up with some standard amounts with the town engineer which could be made into a spreadsheet estimate. The Board was concerned that the review of the estimate would end up costing more than the preparation, but agreed with the proposal.
- **Site walks at design review**
Nic Strong mentioned that conducting a site walk at the design review level was probably not a good practice because at that stage of the application, the Board hasn't accepted the application as complete and doesn't have jurisdiction over the application and nothing was binding. The Board agreed.
- **Town Engineers**
Nic Strong stated that, in her opinion, the town should only use one consulting engineer. She further stated that the town engineer should be out for bid with all of the requirements that that person would be doing and that would give consistency across all the projects. Scott Williams stated that in the past the town used one company for engineering purposes and they were too expensive. He also stated that it should be up to the applicant to choose who they wanted to use. Nic Strong stated that she was told by the former Planner that it was up to her to pick, on a rotating basis, out of the three engineers that the town currently uses. She then stated that however the Board wanted to go about this process, it should be written down in the regulations. Peter Bolster asked Nic Strong what exactly her objection was to having three engineers. Nic Strong stated that she would like to see only one, but if the Board wanted three, then they should put this out to bid; this way the three engineers would have similar pricing. She further stated that the Board should also have a contract put in place, because there currently aren't any. The Board agreed to revisit this after the town meeting in March.

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- Consider creating development agreements
Nic Strong believed it would be useful to have a development agreement as part of the approval process. She explained that such an agreement captured the conditions subsequent of an approval; the applicant would sign it saying that they agree to the conditions and that would get recorded. The agreement also had a statement in it stating that it would go with heirs, successors, and assigns, so if a project got sold, it transferred to the next person. For commercial site plans it would be helpful for someone in charge to sign it, instead of just receiving the Notice of Decision in the mail. The Board agreed.

2. New Business:

3. Approval of Minutes: October 18, 2016, Planning Board Meeting

Roger Sample moved to approve the Planning Board minutes of October 18, as written.

Tom Hoopes seconded the motion, and it passed with Bill Curtin, Peter Bolster, Scott Williams and Dave Collier abstaining.

4. Correspondence for the Board's action/review/discussion:
No correspondence.

5. Correspondence for the Board's information:

- a. Zoning Amendment Committee minutes from their September 27, 2016 meeting.

Nic Strong stated that she passed out the minutes from the last few Committee meetings so the Planning Board would be thoroughly informed of all the proposed 2017 amendments that will be presented at the public hearing meeting on December 20, 2016.

- b. Drainage Review for Case # P16-31, Victor Perin (Self-Storage), Tax Map 9, Lot 1

Nic Strong stated that she sent the review off to the design engineer, but hadn't heard back from him as of yet.

6. Any Other Business that may come before the Board:

PUBLIC INPUT ON NON-CASE SPECIFIC LOCAL PLANNING ISSUES:

Dave Collier opened the meeting for public input on non-case specific local planning issues. There was no one present in the audience. Dave Collier closed the public input session.

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ADJOURNMENT

**At 9:10 p.m. Scott Williams moved to adjourn.
Bill Curtin seconded the motion and it PASSED unanimously.**

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Jessica A. Call
Planning Secretary

Minutes approved as written: December 20, 2016