

Members Physically Present:

Drew Carter, Chairman
Virgil MacDonald, Selectmen's Rep.
Roger Sample, Member
Scott Williams, Member
Bill O'Neil, Alternate

Members Appearing Remotely:

Bob Regan, Vice-Chairman, Home Alone
Tom Hoopes, Member, ZAC, Home Alone
Russ Wilder, Clerk, Home Alone

Others Physically Present:

Jessica A. Call, Town Planner
Josh Monaco, IT Department
Tom Lee, ZBA, ZAC
John Dever III, Code Official (ZAC)

Others Appearing Remotely:

Amelia Cate, Planning Secretary

Call to Order

Chairman called the meeting to order at 6:05 p. m.

Preamble

As Chair of the Alton Planning Board, due to the COVID-19/Coronavirus crisis, and in accordance with Governor Sununu's Emergency Order #12, pursuant to Executive Order 2020-04, this Board is authorized to meet electronically, and these reasons shall be reflected in the minutes.

The Town of Alton has moved from "in-person" meetings to "remote audio participation meetings" until further notice, therefore, there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

a) Providing public access to the meeting by telephone:

Members of the public wishing to attend this meeting electronically may call the conference call number from home. Follow the instructions listed under "News and Announcements" on the town's website: www.alton.nh.gov.

b) Providing additional public access by video or other electronic means:

We are utilizing the Zoom platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through the link that is listed under "News and Announcements" on the town's website: www.alton.nh.gov.

c) Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to abutters and the public of how to access the meeting via telephone conference and by using Zoom.

d) Providing a mechanism for the public to alert the public body during the meeting that a member of the public wishes to speak or be recognized during public input at a public hearing:

If you are calling in by conference call, press the “star” sign and then “9” to “raise your hand” to request to speak to the Board. If you are using a computer, use the “raise hand button” to request to speak to the Board. Several members of the public may be conferenced in, and requests to speak will be handled sequentially, one at a time. The Zoom Moderator will allow you to speak when the Board opens public input.

e) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:

If anybody has a problem accessing the meeting, please call (603) 507-1002.

f) Adjourning the meeting if the public is unable to access the meeting:

In the event the public is unable to access the meeting via conference call, or there are difficulties with the Town’s equipment, the meeting will be adjourned and rescheduled to Tuesday, December 15, 2020, at 6:00 pm at the Town Hall.

You may call the Planning Department at (603) 875-2162 between 8:00 AM to 4:30 PM for more information, and for the Dial-in Code and Meeting ID for each Planning Board meeting.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote. Let’s start the meeting by taking a Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is also required under the Right-to-Know law.

Assignment of Alternate

No assignment of alternate

***Reminder: Any Other Business to Come Before the Board and Public Input on Non-case Specific Planning Issues have been put on hold until further notice, as voted on at the May 12, 2020, meeting. If the public does have any input on those two items, they should contact the office to be scheduled at a future meeting.**

Approval of Agenda

Mr. Carter asked Ms. Call if there were any changes to the agenda since posting. Ms. Call stated, yes, the first addition to the Agenda was under Old Business, b., to set up two subcommittees, one to update the Board’s Regulations and one to assist in drafting an ordinance for cabin colonies, and since a member of the ZAC Committee was present, they could elaborate on it. Ms. Call asked if the discussion on that subcommittee could be moved after the presentation on the Proposed Zoning Amendments to the Zoning Ordinance by the ZAC committee. The other addition was number 4, **Correspondence for the Board's review/discussion/action**, there were three (3) applications for the Board to consider for the Master Plan at large member. Mr. Hoopes stated he thought there was one more change, the By-Laws. To add some changes into the By-Laws from the meeting with Attorney Sessler. Mr. Carter stated he thought that would

be discussed during the Regulation discussion. Ms. Call stated she that was not intended to be under the Regulation discussion. Mr. Carter stated, yes, then that should be added under New Business, e., changes to the By-Laws discussion.

**Mr. Williams MOVED to approve the November 17, 2020, agenda, as amended.
 Mr. MacDonald seconded the motion.**

Mr. Carter called for a roll call vote:

Roger Sample, Aye; Scott Williams, Aye; Virgil MacDonald, Aye; Russ Wilder, Aye; Tom Hoopes, Aye; Bob Regan, Aye; Drew Carter, Aye.

Joint Meeting with Zoning Amendment Committee (ZAC)

The Alton Zoning Amendment Committee will present their recommendations for proposed amendments to the Zoning Ordinance to the Alton Planning Board. Copies of the draft proposed zoning amendments are available from the Planning Department.

Mr. Carter handed the lead to Mr. Lee, who was a ZBA member as well as the ZAC Committee Chairman. Mr. Lee stated it was very successful overall. He stated the Committee was not looking to add to the verbiage of the amendments but to clarify what was already written. He went on to state that everyone was well aware of the warrant articles from last year getting misconstrued and many of the voters did not understand the definitions, so that needed clarification this year. He went on to present the Proposed Zoning Amendments.

The amendments to the Alton Zoning Ordinance proposed by the Alton Planning Board are outlined below. **Additions** are shown in **red bold italic text** and the deletions are shown in ~~strikethrough text~~.

Amendments #1 - #6 are substantive amendments submitted for the voters' consideration.

PLANNING BOARD PROPOSED AMENDMENT #1:

To amend Article 400 Zoning Districts Regulations, Section 401:D., 1. & D., 2., to expand the permitted uses, "Amusement Use - Indoor" and "Amusement Use - Outdoor", in the Rural Residential (RR) and Rural (RU) Zones by Special Exception; and to amend Article 200 Definitions.

D.	Retail Business and Service	R	LR	RC	RR	RU	RS	Notes
1.	Amusement Use: Indoor	N	N	E	NE	NE	N	See definition in Sec. 200 (added by ATM 3/11/97)
2.	Amusement Use: Outdoor	N	N	E	NE	NE	N	See definition in Sec. 200 (added by ATM 3/11/97)

Definition:

"Amusement Use: Indoor – *Commercial recreational uses conducted in indoor settings such as, pinball/video arcade, dance hall, bowling alley, movie theater, tennis center, and gymnasium.*"

“Amusement Use: Outdoor - *Commercial recreational uses conducted in outdoor settings such as, Miniature golf, drive-in theater, circus/carnival, batting cages, zip lines, and go-kart track.*”

Rationale: Currently, these uses are only permitted by Special Exception in the Residential Commercial (RC) Zone, which is at full capacity. The intent is to increase opportunities to expand these activities in other zones that have more open space.

DISCUSSION:

Mr. Lee explained that the ZAC Committee really wanted to clean this definition up and give an explanation so it was not confusing to anyone. Mr. Dever explained that the zones these activities were allowed in were expanded but would have to come in front of the ZBA to receive a Special Exception for the request. Mr. Lee also explained that the Town Attorney was reviewing these for his input. Ms. Call explained that the Board could move the Amendments forward to a public hearing, but include language in the motion referring to Town Counsel’s recommendation. Mr. Lee asked if there were any questions. The Board agreed that they could review all of the Proposed Zoning Amendments and if there was a stumbling block they could come back to it.

PLANNING BOARD PROPOSED AMENDMENT #2:

To amend Article 400 Zoning Districts Regulations, Section 401:D., 18., to remove “Firewood Processing” as a permitted commercial use in the Residential Commercial (RC) Zone; and to amend Article 200 Definitions.

D.	Retail Business and Service	R	LR	RC	RR	RU	RS	Notes
18.	Firewood Processing	N	N	E N	E	E	N	(added by ATM 3/11/03)

Definition:

“Commercial Fire Wood Processing Site and/or Facility – *A structure and/or site used for the commercial processing of logs into fuel wood intended for sale. Such site or structures include, but are not limited to, wood splitters, saws and wheeled vehicles used for moving the logs for processing*”.

Rationale: A commercial use such as this needs space for operation. It must also have ample space to minimize the impact on neighboring residential properties. Unless the Residential Commercial (RC) Zone is expanded substantially, there is no area available to accommodate this commercial use nor does it fit the intent of the Residential Commercial (RC) Zone. **This amendment DOES NOT restrict the personal processing and consumption of firewood.**

DISCUSSION:

Mr. Lee stated this was a pretty contentious amendment last year and that the Committee wanted this to be clarified. He stated they added the word “commercial” to the amendment to clarify that this was not going to affect personal or residential use. There are no lots large enough in the Residential Commercial (RC) Zone to accommodate a commercial use of this nature.

PLANNING BOARD PROPOSED AMENDMENT #3:

To amend Article 400 Zoning Districts Regulations, Section 401:D., 27., to permit “Lumber Yard” in the Residential Commercial (RC) and Residential Rural (RR) Zones by Special Exception; and to amend Article 200 Definitions.

D.	Retail Business and Service	R	LR	RC	RR	RU	RS	Notes
27.	Lumber Yard	N	N	NE	NE	Y	N	

Definition:

“Lumber Yard - An establishment where the general public can purchase building supplies, *such as a home center or hardware store.*”

Rationale: Presently, “Lumber Yard” is only allowed in the Rural (RU) Zone. We feel it would be appropriate to increase the use to allow it by Special Exception in the Residential Commercial (RC) and Residential Rural (RR) Zones. **This use DOES NOT allow the processing of raw materials to take place on site.**

DISCUSSION:

Mr. Lee stated that by adding “home center” or “hardware store”, the Committee thought that would clarify the use a little better. Mr. MacDonald asked why the need for the Special Exception in the Residential Commercial (RC) Zone, he thought it should be an allowed use. Mr. Dever stated that at the present time, it was not allowed, and the only place it was allowed at present was the Rural (RU) Zone. Mr. Williams asked if there was some way it could specify that people already in business were not subject to change. He stated he just did not want the townspeople to think the Board was targeting a specific business. Mr. Dever stated that even if a commercial lumber yard wanted to come into Alton they would have to come in front of the ZBA to get approved. The Board suggested to add to the definitions of each amendment that the changes would not affect pre-existing businesses. Mr. Dever and Mr. Lee agreed.

PLANNING BOARD PROPOSED AMENDMENT #4:

To amend Article 400 Zoning Districts Regulations, Section 401:D., 39., to remove “Outdoor Recreation” as a permitted use in the Residential (R) Zone, and continue to allow it in the Residential Rural (RR) and Rural (RU) Zones by Special Exception; and to amend Article 200 Definitions.

D.	Retail Business and Service	R	LR	RC	RR	RU	RS	Notes
39.	Outdoor Recreation	EN	N	N	E	E	N	Min. 20 acres

Definition:

“Outdoor Recreation - Commercial recreational uses conducted in a *minimum of 20 acres in a natural or semi-natural setting, such as hunting preserves, cross country skiing, mountain biking, horseback riding, and paintball games.* Outdoor Recreation does not include uses defined in this Ordinance as Amusement Use - Outdoor.”

Rationale: Presently, the use is permitted by Special Exception in the Residential (R), Residential Rural (RR), and Rural (RU) Zones. The note on the Table of Uses requires that the lot containing the use be a minimum of 20 acres in size. **There are no known lots of that size in the Residential (R) Zone compatible for that zone.**

DISCUSSION:

Mr. Dever explained this was all clean up. If it did not make sense to be allowed in that zone, then taking it out and adding it to a zone that was more sufficient made more sense.

PLANNING BOARD PROPOSED AMENDMENT #5:

To amend Article 300 General Provision, Section 327:A., 1. & 2. Setback Requirements, to clarify the “shoreland setback” and “roadside setback”; and to amend Article 200 Definitions.

SECTION 327 SETBACK REQUIREMENTS

- A. Building and structures, excluding septic systems, wells, and fences shall be setback a minimum of:
1. ***30 feet (50 feet on lots created after March 14, 1995)*** ~~50’ feet (30’ on lots created before March 14, 1995)~~, from the shore ***or “reference line” (which is the Mean High Water Mark)***, of any river, perennial stream, lake, pond, ***or*** impoundment, ***as determined by the New Hampshire Department of Environmental Services under the authority of the Shoreland Water Quality Protection Act (RSA 483:B, as amended)***, excluding boathouses and wharves. ~~Reference RSA 483:B~~
 2. 25 feet from the right of way line of any street or highway, whether public or private, ***or the property line adjacent to the street or highway, whichever is more restrictive.***
 3. 10 feet from all property lines not regulated by subsections 1 or 2 above, in all zones except the Rural zone.
 4. ***10 feet from the property line in the Rural zone (20 feet on lots created after March 11, 2003).*** ~~20 feet from the property line (10’ on lots created prior to March 11, 2003) in the Rural zone.~~

Definition:

“Reference Line - ~~As defined in NH RSA 483-B:4, as amended.~~ (Mean High Water Mark)

1. ***The surface elevation as listed in the Consolidated List of Water Bodies of all lakes, ponds, and artificial impoundments greater than 10 acres in size, subject to the Shoreland Water Quality Protection Act (RSA 483:B, as amended), as determined by the New Hampshire Department of Environmental Services.***
2. ***For rivers and perennial streams, the ordinary high water mark.”***

Rationale: The purpose of this amendment is to make clear what is considered the “shore” in Section 327:A., 1., and to make clear where the roadside setback is measured from in Section 327:A., 2. The amendment to Section 327:A., 4., is administrative in nature to coincide with the wording in other ordinances to pertain to “after” instead of “before”.

DISCUSSION:

Mr. Dever stated there were no physical changes to this, and that it was only wording to clarify what these definitions were referring to. Mr. Williams stated that he thought the State referred to the lakes as great ponds. Mr. Dever stated he took the definition right out of the Statute. Mr. Wilder stated that when he was on the Planning Board in Windham they came up with a definition on how to determine the high water mark and he sent that to Ms. Call. Mr. Carter stated that he looked at it and that was the exact definition. Mr. Wilder suggested the Board use it because it was verbatim per State Statute. The Board agreed.

PLANNING BOARD PROPOSED AMENDMENT #6:

To amend Article 300 General Provision, Section 320:J., a., Non-Conforming Uses, Structures, and Lots, to clarify the threshold of increasing the number of bedrooms.

SECTION 320 NON-CONFORMING USES, STRUCTURES, AND LOTS

- J. Replacement of Nonconforming Structures that are Voluntarily Removed: Replacement of nonconforming structures that are voluntarily removed may be permitted if a Special Exception is approved by the Zoning Board of Adjustment if replacement complies with the following, in addition to the criteria outlined in Section 520:
- a. There is no increase in the number of bedrooms *beyond a minimum of two (2) bedrooms*;
 - b. There is no increase in the nonconforming aspect of the structure;
 - c. The replacement structure shall not create a new nonconforming aspect to the structure;
 - d. The replacement structure shall be allowed to expand only within the building envelope as defined in Section 200 of this ordinance;
 - e. The replacement of a nonconforming structure voluntarily removed shall be relocated, to the extent feasible, to reduce the nonconforming aspect of the structure; and
 - f. "In kind replacement" shall not permit conversion from seasonal use to year-round use without installation of a year round domestic water supply and installation of a septic system approved by the NH Department of Environmental Services.

Rationale: The purpose of this amendment was to clarify that if a one-bedroom home was increasing to a two-bedroom, this would not mean that the septic system needed to be increased because septic systems are normally approved for two-bedrooms.

DISCUSSION:

Mr. Lee explained that this came up because of an application that went before the ZBA. The applicant wanted to expand their one (1) bedroom camp to a two (2) bedroom, but the ordinance did not state that the minimum number of bedrooms that a septic could accommodate was two (2) bedrooms. The Committee wanted to specify that there was no septic approval through the State for a

one (1) bedroom, the assumption was that the septic system would accommodate for a two (2) bedroom. Mr. Lee explained that the ZBA was familiar with this language but as a layperson these definitions could be like a foreign language.

***This amendment is only administrative in nature.**

To amend Article 200 Definitions to relist existing Child/Day Care Uses to make them easier to locate.

Child/Day Care Uses: *(Relisted all Child/Day Care Uses, 9 March 2021)*

Day Care, Home - (Family day care home) An occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for up to **six (6)** children from one or more unrelated families. The **six (6)** children shall include any foster children residing in the home and all children who are related to the caregiver except children who are 10 years of age or older. In addition to the **six (6)** children, up to **three (3)** children attending a full-day school program may also be cared for up to **five (5)** hours per day on school days and all day during school holidays.

Family Group Child Care Home - A child care program operated in a home in which the provider resides. In a family group child care home, one provider and one family child care worker or assistant may care for **seven (7)** to 12 preschool children plus up to **five (5)** children enrolled in a full-day school program. The number of children younger than 36 months of age that may be cared for is limited.

Group Child Care Center - A center-based child care program that cares for **one (1)** or more children ages **three (3)** to **six (6)** years of age, up to **four (4)** of whom may be younger than **three (3)** years of age, plus **five (5)** children enrolled in a full-day school program.

Infant/Toddler Program (Child Care Nursery) - A center-based child care program that cares for **five (5)** or more infants and toddlers under three **(3)** years of age.

Night Care Program - A center-based, family, or family group child care program that provides care during the evening or nighttime hours between 7:00 PM and 6:00 AM. The type of center-based family will determine the limits on ages and numbers of children or family group child care program license issued.

Preschool Program - A center-based child care program that provides care and a structured program for children **three (3)** years of age and older who are not attending a full-day school program. Preschool programs can care for children up to **five (5)** hours per day.

Residential Child Care Program - A residential child care program that provides 24-hour care for **one (1)** or more children unrelated to the operator of the program and apart from the parents. Residential child care programs are required to have a qualified program director and may be licensed as a Group Child Care Home, Child Care Institution, or Independent Living Home.

School Age Program - A family or family group child care program that elects to care for **six (6)** or more school age children who are enrolled in a full-day school program, or a center-based child care program that cares for **six (6)** or more children ages **four (4)** years and **eight (8)** months of age or older who are enrolled in a kindergarten program or full-day school program. School age programs can care for children up to **five (5)** hours before or after school and all day during school vacations.

***This amendment is only administrative in nature (waiting on Town Counsel to confirm).**

To amend Article 400 Zoning Districts Regulations, Section 401:B., 2.:

1. To remove “Kindergarten” as a separate use. As of 2009, “Kindergarten” had been mandated to be offered in all elementary schools in the State of NH. This use is regulated by the Department of Education and local SAUs, and the use falls under the existing definition of “School”;
2. To amend the use “Home Day Care” to mimic the existing definition, “Day Care, Home”; and
3. To remove the use “Nursery” from this section. “Nursery” is listed under Section 401:D., 32., and according to the definition, it refers to “A place where young trees or other plants are raised for transplanting elsewhere or for sale.”.

TABLE OF USES

B.	Institutional Uses	R	LR	RC	RR	RU	RS	Notes
2.	Kindergarten; Home-Day Care, Home; Preschool Program; Infant/Toddler Program (Child Care Nursery) or Nursery	Y	N	Y	Y	Y	N	(Amended 8 March 2016)

DISCUSSION:

Mr. Lee stated that Ms. Call really put in a lot of work in cleaning up the Child/Day Care Uses. Mr. Carter stated that it took three (3) spreadsheets taped together to include everything from this section. Ms. Call stated it was eye opening on how different every use was. She stated there was not any one use that could be taken out or excluded. She stated that these administrative changes were basically to clarify the wording a little more. She stated when looking at the Table of Uses there was a section that listed “Other Child Care Uses”, but when you went to the Definition section they were all over the place. The suggestion was to make one section that listed all the childcare definitions. Mr. Williams stated this would be great especially with Covid we could see many smaller centers pop up all over the place. Mr. Dever also stated that most of the definitions came from the DHHS website.

Mr. Lee asked the Board if they had any further questions. No further discussion.

Mr. Williams MOVED to forward the 2021 Proposed Zoning Amendments and their rationales with changes, including Attorney Sessler’s recommendations, to a Public Hearing to be held on December 15, 2020.

Mr. MacDonald seconded the motion.

Mr. Carter called for a roll call vote:

Roger Sample, Aye; Scott Williams, Aye; Virgil MacDonald, Aye; Russ Wilder, Aye; Tom Hoopes, Aye; Bob Regan, Aye; Drew Carter, Aye.

As amended on the agenda, the following discussion took place on creating a subcommittee to assist in drafting an ordinance on Cabin Colonies:

2. Committee to assist in drafting an ordinance on Cabin Colonies:

Mr. Carter informed the Board that the ZAC Committee was really interested in exploring the tiny home/cabin colony developments but did not have the time to get anything together for this year. The ZAC Committee thought a subcommittee to pursue that would be a better way to proceed and may be able to have something ready for next year. Mr. Williams volunteered for the committee. Mr. Lee stated that the committee had done some research and was very interested and thought the community would benefit from this, but just did not have enough time or manpower to get it off the ground before the end of year. He went on to state that there definitely needed to be a good amount of time to gather information and draft a warrant article for 2022. The ZAC Committee talked about this subcommittee meeting once every quarter to start but then as the year went on, possibly adding more meetings to accommodate the work flow. Mr. Williams discussed getting a public member involved. Mr. Regan stated he would like to see this also be worked into the activities of the Master Plan committee. The Board agreed that would be a great idea. Mr. Lee noted that Mr. Larochelle also stated this should be part of the Master Plan.

Ms. Call asked what they thought the name of the Committee should be. Mr. Dever thought it should be the Alternative Housing Committee. The Board agreed. Mr. Carter asked if this was something the Planning Board had to approve and how would it get up and running. Mr. Williams suggested having a Selectmen’s Representative. Mr. Hoopes suggested that Mr. O’Neil join the Committee because he had some skills that would match up with this Committee. Mr. O’Neil volunteered to be on the Committee. Mr. Williams suggested seven (7) members and a member at large. The Board told Ms. Call to go ahead and post an ad in the newspaper. Scott Williams, Roger Sample, and Bill O’Neil would be representatives from the Planning Board. Tom Lee from the ZBA, and he suggested that Paul LaRoche be the Selectboard member on the Committee and then two (2) members of the public would make a good size committee.

1. Conceptual Consultation (Continued from October 20, 2020)

Case #P20-14 David M. Dolan, LLS, of David M. Dolan Assoc., PC, Agent for Wentworth Cove Realty, LLC, c/o Michael Cikacz, Owner	Map 12 Lot 2 Wolfeboro Hgwy (NH Rte. 28)	Conceptual Consultation/ Major Site Plan Residential Rural (RR) Zone
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Mr. Carter read the case into the record.

Mr. Dolan joined the meeting via Zoom as agent for Wentworth Cove Realty.

The property was located on Tax Map 12 Lot 2 and was a 32 acre lot, which was part of a subdivision that had been approved back in 2005 that was never completed, Baywinds Subdivision. Mr. Dolan stated that there were 19 lots that surround a 2 ½ acre storage building that was located on Wolfeboro HWY about 1,200 ft. south of the intersection with Bay Hill Rd. Mr. Dolan stated the frontage was divided into two (2) fragments by the storage building and there was 1,300 ft. of frontage.

The applicant was contemplating a self-storage facility consisting of five (5) buildings approximately 50' x 150'. The facility would be a condominium type of facility where each unit would be individually owned. There would be condominium regulations drawn up that would restrict the kind of use allowed. There would be no commercial use or office space use, nor would it be for any kind of dwelling. It will be for high end storage like for a collection of specialty cars, boats, motorcycles, etc. It would also be a place where owners would have the ability to work on or clean said items. The units would be heated and in certain units there would be a washroom or plumbing of some kind, but no cooking facilities. Mr. Dolan specified again that they would not be used as dwelling units.

Ms. Call stated that initially she had a hard time finding Lot 2 that Mr. Dolan presented on the plan. She went on to state that was because that lot was part of a subdivision that was never finished. Mr. Williams stated that was correct but that the developer came into the Planning Board for a reversal. Ms. Call stated there was no record of that and asked if anyone knew when that may have taken place. Mr. Williams stated it had been a couple years ago. Ms. Call stated that when Nic Strong, former Town Planner, was here, there was another revocation but that had been for a James Spain. Mr. Williams stated he thought it was the one in question but he wasn't positive. Mr. Hoopes did not recall this. Ms. Call stated that the original subdivision had been recorded at the registry and had not been revoked and that was why the Town's Tax Map still reflected the subdivision. Mr. Sample stated that he thought that was the same for the subdivision he started and never finished but his was revoked and should not reflect the single lots on the tax map however it still did. Mr. Williams believed that when Ms. Penny was the Town Planner she erred and had the subdivision recorded making it official. Mr. MacDonald stated that should not have happened; Mr. Williams agreed. Mr. Sample asked if that was what happened with his. Ms. Call stated she captured some background from her research and had attached it to Page 2 of the Planner Review for the Board's review. Ms. Call stated that just for clarification she wanted to let everyone know that before anything else happened on this application that the recorded subdivision would have to be revoked at the Registry. Mr. Williams suggested asking Mr. Dolan, the agent, if he knew about said subdivision. Mr. Dolan stated he was not aware but whatever they would need to do to get this project in motion they would. Mr. Dolan stated that was why they were in front of the Board, to see what if any obstacles would be in the way for the project presented. Mr. Williams stated that if anyone would like to view one of these facilities, up by Ella Coya Barn and Grille there were some units over there. Mr. Dolan stated that there was also a facility in Gilford over by Glendale called, The Toy Box.

Mr. Wilder asked Mr. Dolan if on the plan where it showed a drainage way, was that a perennial stream or drainage from the highway. Mr. Dolan stated it had been determined to be a jurisdictional wetland and that they would have to address that at the State and local level. Mr. Wilder also suggested that they should arrange the buildings so that they would not impact that area. Mr. Dolan stated that they also would need a NHDOT Curb Cut for the proposed access. Part of the previous subdivision, the access was designated on

the opposite side of the existing storage building and that actually would have resulted in a greater impact to the wetlands. Mr. Hoopes stated he thought that had been required by the State. Mr. Dolan stated that may have been correct and they would be working with the State in trying to make this work as the alternative and that was one item they'd like to resolve before they went too far with the Planning Board. They would also appreciate the Board's thoughts on this as well. Mr. Hoopes stated he believed they would need a deeded access from Route 28 and the only deeded access to that property was through that driveway by the storage building, that was what he recalled. Mr. Dolan stated, yes, the State would dictate where the curb cuts would be allowed. Mr. Williams stated that if the retaining walls would be over four (4) ft., they would have to be engineered. Mr. Dolan stated that with the total impact area they would need engineering, grading, drainage, erosion control plans, AOT permit, septic design approval, etc. A lot of work needed to be done prior to submitting an application.

Mr. MacDonald asked if there would be storage of any kind outside. Mr. Dolan stated, no, it would be all inside self-storage with a gated entry so there would not be any transient activity. He stated that these storage facilities targeted collector type consumers. Mr. Carter stated that he had seen these type of facilities in Massachusetts and they were laid out so that someone could spend the day at their unit and have a grill, bathroom, etc., and he asked if that was what this facility would be geared towards. Mr. Dolan stated, yes, that the facility would have septic and bathroom areas but they were not to be used as a dwelling. He referred to the units in Gilford and stated it would be like a big kid's toy box where someone could show off their collection of whatever it may be.

Mr. Wilder stated that going back to the access of this property that it may be that the same entrance may have to be utilized sharing the access with the existing facility. Mr. Dolan stated that they wanted access to be in a different location than the current access point because of the runoff into wetland areas. He was not sure how sharing the current access would work because of how the adjacent site had been developed and graded. Mr. Wilder suggested that Mr. Dolan look into that. Mr. Carter asked if they had an approximate number of units. Mr. Dolan stated that they were looking to have about eight (8) units per building, five (5) buildings of various sized units, which could be a potential of 40 units. Mr. Wilder stated that he looked at the units at the Toy Box in Gilford and had wondered if that was what these would be designed to look like. Mr. Dolan stated, yes, that was the concept they were going with. He stated that it sounded like the major concerns of the Board were access location, impact to wetlands, and properly designing the site for drainage and storm water management, as well as being esthetically pleasing. The Board stated that was a pretty good summary. Mr. Carter stated that also the septic design and lighting/landscaping needed to be kept in mind.

Mr. Carter opened for comments. No comments.

Mr. Carter stated that also the subdivision revocation needed to be taken care of. Mr. Dolan and Ms. Call agreed.

2. Completeness Review of Application and Public Hearing if Application is Accepted as Complete

Case #P20-18 Paul Zuzgo, LLS, of Prospect Mountain Survey, Agent for William L., Thomas M., and Nancy C. Moore, Owners, and James & Allison R. Brown, Applicants	Map 9 Lot 35 Moore Farm Lane	Final Major Subdivision Residential Rural (RR) Zone
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Mr. Carter read the case into the record.

Mr. MacDonald recused himself and stepped away from the table and sat in the audience.

Mrs. & Mr. Brown and Paul Zuzgo, LLS, Agent, attended via Zoom from the remote location.

Ms. Call stated to the Board that they would have to deem the application complete. She included some background starting from the original Conceptual Consultation that took place back in November of 2019 so the Board had some idea of what has occurred up to today. Ms. Call asked the Board to go to Page 3 in the Planner Review and stated that where the Roads Workshop was referred to, was exactly what has occurred in the Office since the meeting in August where the Board had deemed the Final Minor Subdivision application as incomplete.

Ms. Call informed the Board that the day after the Road Workshop, Mrs. Brown and her father came in and met with her to go over what needed to take place and what applications needed to be submitted. At that time, Mrs. Brown expressed she was leaning more towards filing for a Minor Subdivision. With that said, Ms. Call informed Mrs. Brown that they would need to fill out an application for a Variance with the ZBA because she lacked the road frontage required in the Town's Zoning Ordinance.

Mrs. Brown submitted a ZBA application. The applicant had been instructed to go in front of the ZBA and ask for a Variance because they lacked the road frontage, but upon review of the application it was not clear what they were asking for. Mr. Dever, Code Official, met with Mrs. Brown due to the confusion of the request in the application. Mrs. Brown informed Mr. Dever that in fact they were going to build the road. Mr. Dever informed her that she now would not have to go in front of the ZBA because they were constructing the road. Ms. Call stated after that point, Mrs. Brown submitted a Final Major Subdivision application. Ms. Call again had explained the process to Mrs. Brown that a Design Review application would be where to start in accordance with the Major Subdivision Regulations, especially with the amount of waivers that had been submitted. Waivers had to be addressed at the Design Review phase, not during the Final Major Subdivision application. Ms. Call stated that she emailed Mrs. Brown letting her know again that she needed to file a Design Review application. During the timeframe of Ms. Call emailing Mrs. Brown about the correct application and the filing of the correct application, the agenda needed to be posted. Ms. Call stated the Final Major Subdivision application had to be put on the agenda because the agenda had to be posted by a certain date.

Ms. Call stated she consulted with Town Counsel on this whole process to see if the Board of Selectmen would have to answer to the waiver request for the Brown's, asking for the paving on the road to be waived, or if the Brown's would need to come before the Planning Board for conditional approval before being seen by the Board of Selectmen. Town Counsel determined it be best to go in front of the Selectmen first because it made no sense to come in front of the Planning Board and then be denied the waiver request. Ms. Call went on to state that in the meantime, the Brown's submitted the Design Review application, however, it was past the application submittal deadline date and would be heard at the next Planning Board meeting after the Selectmen heard and made a decision on the Brown's Waiver.

Mr. Williams asked for clarification on the waiver. Ms. Call stated the waiver was requesting that paving of the road be waived. She stated that the waiver fell under the Highway Policies and that fell under the Board

of Selectmen, so it was the Selectmen that got presented with those types of waivers. Mr. Williams stated that would be something that needed to be looked at and fixed at another time. Ms. Call stated that her recommendation would be to deem this application incomplete because the applicants kind of jumped ahead a little, but there was a light at the end of the tunnel. The meeting date would all depend on what the Selectmen determined on the waiver request and when that meeting was scheduled for.

Mr. Williams asked if the Board would be hearing from the applicants. Ms. Call stated that this portion of the meeting was only for determining the completeness of the application. Mr. Regan asked that if the Selectmen granted the waiver, how much time would there be between the Design Review and the Major Sub division application being approved. He clarified that he was wondering if they would be able to have both heard at one time. Ms. Call stated that the requirement was that a Design Review had to be heard separately from the Final application.

Mr. Carter asked if anyone had any questions. Mr. Hoopes stated that he thought Ms. Call explained it very well. Mr. Williams stated that he just wanted it be known that he felt bad that this process had been so confusing and taken much longer than normal. Mr. Carter agreed. Mr. Sample thought that the Board could move this along quicker if they skipped right to the Final application and not have a Design Review meeting. Ms. Call and Mr. Carter stated that the Design Review phase for a Major Subdivision was a requirement.

**Mr. Wilder MOVED to determine the application for Case #P20-18, as incomplete.
Mr. Hoopes seconded the motion.**

**Mr. Carter called for a roll call vote:
Roger Sample, Aye; Scott Williams, Aye; Russ Wilder, Aye; Tom Hoopes, Aye; Bob
Regan, Aye; Drew Carter, Aye.**

3. Design Review

Case #P20-19 Peter W. Howard, P.E., of Steven J. Smith & Assoc., Inc., Agent for Christian Camps & Conferences, Inc., c/o Rob Strodel, Owner	Map 18 Lot 15 34 Camp Brookwoods Road	Design Review/ Major Site Plan Lakeshore Residential (LR) Zone
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Mr. Carter read the case into the record.

Mr. MacDonald joined the Board back at the table.

Mr. Williams stated that he wanted to state that he thought this was an excellent run project and place that Christian Camps has up there.

Mr. Howard and Mr. Strodel joined the meeting via Zoom.

Mr. Strodel introduced himself as the Executive Director of the Christian Camps and Conference Center. He stated they ran Camp Brookwoods and Camp Deer Run. He stated he had been on staff as the Director since 1994 and had worked with the Planning Board many times and he appreciated all the support he had

received from the Town of Alton. Mr. Strodel went on to explain this building was called the Falcon Cabin. It would be another cabin for the girl's camp. Mr. Strodel wanted to be very clear that they were not expanding the camp at all, this was an issue of quality for the camp. They explained that they were moving some kids from the back where the older cabins were to put them in the Falcon Cabin where there would also be a meeting room. These girls were involved in the camp's leadership development program. He stated the Falcon Cabin would be across the parking lot from the Deer Run Lodge, which had ample access for emergency vehicles. The total acreage of the Christian Camp and Conference Center was 475 acres. He stated the building would never be seen by many of the abutters due to the vast amount of land and that it was at least half a mile away from any of the abutters. This Cabin was also closer to the emergency fire pond that was installed when the Camp constructed their dining hall. He stated the architecture would also match all the other buildings on the property and would fit in nicely. It would mostly consist of bunk beds.

Mr. Carter apologized for the interruption, but the Board needed to go back and address the Waiver requests that had been submitted.

Mr. Carter read the following waivers into the record:

- *Section 4.01 (F) 7. Boundary survey showing all metes and bounds showing dimensions to the hundredths of a foot, bearings to at least minutes, and curve data;*
- *Section 4.01 (F) 9. Topography shown by 2' contour intervals.*
- *The Planning Board may grant a waiver of any portion of the Site Plan Review Regulations only if the Board finds, by majority vote, that:*
 1. *Strict conformity would pose an unnecessary hardship on the applicant and waiver would not be contrary to the spirit and intent of the regulations; or*
 2. *Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate the waiver will properly carry out the spirit and intent of the regulations.*

**Mr. Wilder MOVED to grant the Waivers for Section 4.01 (F) 7. and Section 4.01 (F) 9.
Mr. Hoopes seconded.**

Mr. Carter asked for any comments. No Comments.

Mr. Carter called for a roll call vote:

Roger Sample, Aye; Scott Williams, Aye; Virgil MacDonald, Aye; Russ Wilder, Aye; Tom Hoopes, Aye; Bob Regan, Aye; Drew Carter, Aye.

Mr. Strodel continued to state that the building would be paid for with the donations received by members of the camp family. In the off season, the building might be used on weekends by school groups, church groups, for conferences, or a retreat. He stated that because of the current Covid pandemic, the weekend retreat business had disappeared, but they were hopeful that one of these days everything would get back to normal. Mr. Strodel introduced Mr. Stevens who had worked with the Camp on a few different projects. Mr. Stevens joined via Zoom.

Ms. Call stated that she had not received any comments from the Fire Department, and the other departments had no comments. She stated that there were a few updates that needed to be added to the plan that were listed under "Plan Review".

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Mr. Williams asked what the capacity of occupants was for the building. Mr. Stevens answered, no more than twenty-five people. Mr. Wilder asked about the room numbering on the plan and if those referred to dorm type rooming. Mr. Stevens stated it would be a multi-service function building. He made the reference of using the rooms for private quarters, or the walls between the rooms could be taken down. He went on to state that they wanted to be able to house functions as well as smaller separate rooms for campers. Mr. Stevens stated that going back to the Covid pandemic, they tried to make it easy to be able to distance guests while at the camp.

Mr. Wilder asked if the eight (8) rooms shown on the plan were specifically designed as bedrooms; Mr. Stevens said, that was correct. Mr. Wilder then asked if the rest of the space would be for meeting rooms; Mr. Stevens said, that was also correct. Mr. Wilder stated the building was very attractive and a very nice feature. Mr. Stevens stated that it was designed to match the major pavilion across the way. They would also be using an existing well for water but they would be installing a new septic for this building. He stated that they were also investigating a different area than what was indicated on the plan for the septic due to the varying soils on the property.

Mr. Williams asked what the life safety plans were. Mr. Stevens stated that the architect had taken all that into consideration when designing the building and that the Camp put in their own fire pond nearby. This building was also located right off the same parking lot that had access to another facility at the camp. Mr. Wilder asked if Mr. Williams was referring to the bedrooms located on the 2nd floor of the plan. Mr. Williams stated that no he was wondering if the meeting rooms would also be used as dorm rooms, the rooms in the basement. He was referring to that being below grade and that would be a challenge. Mr. Stevens stated the space in the basement had a walkout to the same level as the parking area. Mr. Carter stated that edge may have to be graded. He also asked if there were any accessibility requirements, like ramps or an elevator. Mr. Stevens stated the Camp does not have requirements for elevators through the American Camping Association, but that they do have requirements for access in and out. They based the need on the topography but that many of the buildings on the camp grounds had complete access, some did not because of the topography.

Mr. Wilder stated he saw the stormwater controls and he did not think they would need a special stormwater management plan because they were located far enough back in the woods. Mr. Stevens stated he submitted a report outlining the methods they thought would be adequate for sediment and erosion control both during construction and post construction. He also stated they would be using drip edge for groundwater recharge along both sides. He stated the volume of storage was good for a two year event. They would also have infiltration along with storage, he stated it would be similar to rainwater coming from the woods. Mr. Wilder stated that it looked good.

Mr. Stevens stated to Ms. Call that an abutter listed as 44-42 was inadvertently listed on the plan and he was not sure how that happened but that he would take it off the list because they were not an abutter. Ms. Call noted that. Mr. Williams asked how many gallons a day were proposed for the septic system. Mr. Stevens stated 625 gallons per day. That would include 25 residents max at 25 gallons per day. Mr. Stevens also stated that they wanted the Board to keep in mind this was not a dining facility, this was just for accommodations otherwise. Mr. Wilder asked if there would be any laundry facilities in the building; Mr. Stevens stated, no. Mr. Stevens also stated the 25 gallons per day was taken from the State's NHDES guideline.

Mr. Carter asked if there were any more comments.

Mr. Stevens wanted to give a head's up in reference to the septic system on the plan and that it showed a pump but that they were going to move it to under the parking lot and use gravity so there would be less disturbance behind Falcon Cabin. The Board stated that would be a plus. They also agreed this would be a nice addition to the Camp.

No one had any further comments. Applicants were going to submit a Final Major Site Plan application.

Other Business:

1. **Old Business:**

- a. Updating the Alton Construction Observation Guidelines, Site Plan Regulations, and Subdivision Regulations

2. **New Business:**

- a. Update from the Master Plan Committee

Mr. Regan stated the Master Plan Committee had their second meeting on October 28, 2020, and at that time they welcomed two (2) members at large; Paul LaRochelle would be representing for both the Selectmen and ZBA; and Paul Monzione would also be representing for the ZBA.

Mr. Regan also stated that the Committee had interviewed three members of the public. The Committee's first meeting was primarily an introduction. Mr. Regan stated the Committee discussed two (2) items, one being the fact that additional funding may need to be requested during the year of 2022 in order to complete the Master Plan, and at this point it was not a probability it was a possibility. He further stated that the Committee members were each given sample copies of RFPs from various communities that were similar to Alton for members to review and comb through to come up with an RFP for Alton to send out. The next meeting would likely have a significant amount of discussion on drafting the RFP. Mr. Wilder stated he thought the at large members that they interviewed would make a great asset to this Committee.

- b. Case #P03-07, Patricia Scribner for Final Road Approval on Laura Lane, Map 16 Lot 19A

Mr. Carter read the case into the record. Ms. Call stated this case would be continued until December because there were still outstanding items that needed to be submitted. Mr. Sample asked why the Final Road Approval was on the Agenda at the end here and not up above listed with the rest of the cases. Mr. Williams stated it was because the case did not involve public input.

- c. Case #P19-11, David R. Hussey 2007 Rev. Trust, David R. Hussey, Trustee, Suncook Valley Road, Map 5 Lot 72-7, Extension request for Final Major Site Plan approval dated May 21, 2019

Mr. Carter read the case into the record.

Mr. Wilder was asking if they were looking for an eighteen month extension. The Board agreed they had no problem with that. Ms. Call stated that Allen and Shawn, Mr. Hussey's Agents, had joined via Zoom and would be happy to answer any questions the Board may have. Mr. Carter stated he did have a few questions. He asked if his assumption was correct that the AOT permit and all the other permits would also need to be extended. Mr. Carter asked Ms. Call if the ZBA had put any extensions on said project. Ms. Call stated that the ZBA had determined that the work that been completed satisfied them and that an extension was not required at this time, but the ZBA had agreed it did need to be heard by the Planning Board. Mr. Carter asked if eighteen months was a standard time extension and Mr. Williams stated that it was usually twelve months but that this was such a large project that eighteen months would be acceptable.

Mr. Williams MOVED to approve the eighteen month extension for Case #P19-11.

Mr. Sample seconded the motion.

Mr. Carter called for a roll call vote:

Roger Sample, Aye; Scott Williams, Aye; Virgil MacDonald, Aye; Russ Wilder, Aye; Tom Hoopes, Aye; Bob Regan, Aye; Drew Carter, Aye.

- d. Set up two (2) subcommittees: 1. For updating Planning Board Regulations; and 2. For drafting an ordinance on Cabin Colonies for the 2021-2022 ZAC Committee

1. Committee to update Planning Board Regulations:

Ms. Call stated at the last meeting, Mr. Wilder mentioned the Board should start up a Committee for updating their Regulations and now that the other subcommittees had ended that was now possible. Mr. Hoopes asked Ms. Call if that meant all the Regulations ex: Zoning, Site plan, everything. Ms. Call stated no it was only letter a. from "Old Business", above, the Construction Observation Guidelines, Site Plan Regulations, and Subdivision Regulations. She stated that this was just a discussion and wanted to know what the Board's priority was. Mr. Williams stated that he personally thought a workshop would be the way to go; Mr. Carter agreed. Mr. Williams suggested scheduling one for two weeks from now. The Board agreed and noted that everyone needed to be in attendance. The Board discussed a potential date for the meeting. Ms. Call stated she would check on the dates and reach out to the members to schedule. The Board discussed a meeting every two weeks. They decided on December 1, 2020. Mr. Regan asked if it could be a Zoom meeting as well. Ms. Call stated, yes, they could do that meeting the same as the ZAC and CIP meetings had been held and just suspend public comment. Ms. Call also stated it would be a much simpler meeting. The Board also agreed to another workshop on January 5, 2021, and to schedule them as a rule of thumb, 2 weeks before the Board's regular scheduled meetings. Mr. Williams also informed the Board that he would not be in attendance for the month of February's meetings.

e. Discussion on updating the Planning Board's By-Laws and Rules of Order

Mr. Carter stated he had paper hand-outs for everyone and that they could update the By-Laws now. He stated that he had put together three (3) proposed additions to the By-Laws from the meeting the members attended Friday night for a consultation with Town Counsel:

1. Members shall arrive at meetings on time and prepared by having read through all meeting materials prior to the start of the meeting.
2. Members wishing to speak shall address the Chairperson.
3. All discussion shall only be directly related to the case currently before the Board. Disagreements or conflicts shall never be directed at an individual whether a member, staff, or the public. Members shall respectfully listen, with an open mind, to others when they are speaking.

Mr. Carter stated the floor was open for thoughts or discussion. Mr. Williams pointed out that the first sentence was part of Robert's Rules. Ms. Call stated she would add these to the By-Laws and would present them at the next Board meeting. The Board was satisfied with that. Mr. Carter stated at the next meeting the new By-Laws would be presented and then the Board would vote and then the adoption would occur. Ms. Call stated she was not sure if this meeting would count as a public hearing. Mr. Hoopes stated, yes, this would be the first meeting. He suggested the two public hearings so that people did not think something was being shoved at them without any thought, and then vote at another meeting so that any concerns had time to be addressed. The Board agreed this would be the first meeting. Mr. Carter asked Ms. Call to make sure his hand-out was emailed to the other members that were present via Zoom.

Mr. Williams MOVED to add the changes discussed to the By-Laws of the Planning Board.

Mr. MacDonald seconded the motion.

Mr. Carter called for a roll call vote:

Roger Sample, Aye; Scott Williams, Aye; Bill O'Neil, Aye; Russ Wilder, Aye; Tom Hoopes, Aye; Bob Regan, Aye; Drew Carter, Aye.

3. **Approval of Minutes:** Planning Board meeting minutes of September 15, 2020, and October 20, 2020

Mr. Hoopes stated that on Page 4, third or fourth line down, starting with Mr. Wilder and then the next line down started with "wetland butter". He thought that it should state, "abutter". Ms. Call stated it should actually state, "buffer". The approval of the October 20, 2020, minutes was continued to the next meeting.

Mr. Hoopes MOVED to approve the minutes of September 15, 2020, as amended.

Mr. Williams seconded the motion.

Mr. Carter called for a roll call vote:

Roger Sample, Aye; Scott Williams, Aye; Bill O'Neil, Aye; Russ Wilder, Aye; Tom Hoopes, Aye; Bob Regan, Aye; Drew Carter, Aye.

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

- a. At-Large Master Plan Committee member applications for consideration from Ron Rubbico, Aimee Terravechia, and Kelly Sullivan

Mr. Carter stated that the Board had three (3) applications in front of them that they talked about earlier in the meeting. Mr. Regan stated that he and Mr. Wilder interviewed all three (3) of the applicants and they had a discussion about how many at-large members the Committee wanted because they were only looking for two (2). Mr. Regan stated that they thought as long as all three (3) applicants were acceptable then they saw no reason not to have all three (3) members on the committee. Mr. Regan stated that they all brought very great and different qualities that would bring a lot of diversity to the table. Mr. Wilder agreed and though they all were very energetic and that all three (3) were very enthused about the Committee and that was what the Committee wanted. Kelly Sullivan was on the line and was introduced to the Board in the event they had any questions. The Board thought the three (3) members would be an asset.

**Mr. Williams MOVED to approve Ron Rubbico, Aimee Terravechia, and Kelly Sullivan to be at-large members of the Master Plan Committee.
Mr. Sample seconded the motion.**

Mr. Carter called for a roll call vote:

Roger Sample, Aye; Scott Williams, Aye; Bill O'Neil, Aye; Russ Wilder, Aye; Tom Hoopes, Aye; Bob Regan, Aye; Drew Carter, Aye.

Adjournment

**Mr. Williams MOVED to adjourn.
Mr. Sample seconded the motion.**

Mr. Carter called for a roll call vote:

Roger Sample, Aye; Scott Williams, Aye; Bill O'Neil, Aye; Russ Wilder, Aye; Tom Hoopes, Aye; Bob Regan, Aye; Drew Carter, Aye.

The meeting was adjourned 8:30 +/- p.m.

Respectfully submitted,

Amelia Cate, Recording Secretary

Minutes approved as presented: March 16, 2021