

Call to Order: Cynthia Balcius called the meeting to order at 7:02 p.m.

Members Present: Bruce Holmes, Chris Blackstone, Jeremy Dube, Cynthia Balcius, Jeanne Crouse, and Tom Varney

Appointment of Alternates: None to appoint

Approval of Minutes: November 15, 2005; November 22, 2005
11/15, Page 7, six lines from bottom, “were” should be “where”, Page 3, Alan Sherwood, “So this could get to the Committee”, Page 9, Alan Sherwood, “Mother lot”, Page 10, should be “why isn’t”, Page 12, first line, “boundary line”, line 4, should be 1.5 acres, Tom Hoopes, should be looking at a map, page 11, surveyed at 50 ft. swat, page 17, I know that some towns, Alan Sherwood, “once or twice”, page 16, Bofinger, “has met the”, Page 21, four lines from the bottom, end of the line, Dufresne and Henry,
Motion Tom Varney moved to approve the minutes of November 15, 2005 as amended. Seconded by Jeremy Dube, vote unanimous.

November 22, 2005 cannot be approved without only three members from that meeting at the December 20, 2005 meeting.

Approval of Agenda:

K Menici spoke on cases - regarding their putting off, received a memo from the submission deadline for the meeting, the court decision required them to provide additional information to the Board. The attorney explained they have been in court regarding a boundary line dispute with an abutter. Matthew LaPointe. Recommendation to the Board to dismiss without prejudice and resubmit once the boundary dispute is resolved.

Tom Varney will step down from this decision

C Balcius: asked for any input regarding this case.

B. Holmes: asked if they need to reapply with fees.

K. Menici confirmed yes.

J. Crouse: agrees with Kathy Menici

Motion Dismiss application on Cases 04-45, 04-61 without prejudice and to submit a new application once a boundary line dispute is resolved.
Made by J. Dube. Seconded by B. Holmes, Vote unanimous.

Motion J. Dube moved to approve agenda. Seconded by B. Holmes Vote unanimous

Motion P05-83 continue to the January 17, 2006 meeting. Made by J. Dube. Seconded by B. Holmes. T. Varney and C. Balcius stepped down. Vote unanimous.

Motion P05-77 continue to the January 17, 2006 meeting. Made by J. Dube. Seconded by B. Holmes.

T. Varney and C. Balcius stepped down. Vote unanimous.

Public Input: No public input.

Applications for Public Hearing:

K. Menici read the case into record.

**Case #PO5-88
Heather Welch**

Map 3, Lot 24-1

**Conceptual Review
Prospect Mountain Road**

Request submitted by Donald Voltz, Lindon Design Associates, for design and scoping input for proposed subdivision. The property is located on Prospect Mountain Road and in the Rural Zone. Cynthia Balcius recused herself. Bruce Holmes taking over as chair. Heather and Brian Welch present and Donald Voltz

D Voltz: Stated the owners would like to subdivide a two plus acre lot out of their tract of land. Some of the questions they would like to discuss with the Board regard to the access to the rear of the lot and that has to do with why they are showing this proposed lot where they are. The Welch's home is several hundred feet back from the property driveway coming off Prospect Mountain Road to it. There is also a fairly extensive wetland complex that goes from Prospect Mountain Road and then widens out into the property. They would like to show this one lot subdivision to reserve the area on the New Durham side of this property for a future road. The reason they would like to do this because that is where the narrowest section of wetlands is. When they go the Wetlands Bureau in the future, should the owners want to put a road there that would be the only place the Wetlands Bureau would allow it to go? It leaves an unusual configuration with two sections of frontage on Prospect Mountain Road, but there reason to do this is because of the existing driveway and the narrow section of wetlands that would have to be filled for a future road.

B Holmes: inquired as to the frontages.

D Voltz: proposed lot is about 200 ft. and well over 200 ft for the remaining frontage added together.

B. Holmes: the remaining lot will still have over 200 ft but it is separated.

K. Menici: asked for Mr. Voltz to indicate where they anticipate that future access to be on the plans.

D. Voltz: Looking at the town line there is a 5 acre lot, a neighbor lot (lot 24-1-1), the future access would hug that property line. They show a rectangular building on the Welch's property. This is an existing shop. Between the shop and the lot mentioned is where the future road would go.

T Varney: Can you clarify what you are proposing?

D Voltz: Before submitting a formal application for this subdivision, they would like to go over it's location with the Board and explain why they would like to put the road where they have indicated. The shape of the wetlands boxes what can be done.

K Menici: Stated the question in front of the Board tonight is how they would consider a subdivision

plan where one of the lots does not have 200 ft of continuous feet of frontage. Typically, that is something that the Board has not approved.

D Voltz: In that case what they are asking for, because of the extenuating circumstances, because of the driveway and because of the location of where a future road would have to go, they are asking the Board to allow two separate sections of frontage considering that it is a peculiarity of this particular piece of property.

J Crouse: Would be inclined to say no because of no continuous 200 feet.

T Varney: Does not have a problem with the 200 feet being broken up, although it might hurt by doing so.

J Dube: Would be inclined to think this is possibly something the Board would not go for.

D Voltz: If they had the opportunity to move the frontage over by the wood shop area and move the proposed lot over, it would cut off part of the driveway to the rear house.

J Dube: Feels that more information may be helpful since several Board members are not present.

K Menici: Make a suggestion for design review before doing a formal application.

H Welch: Unclear what a design review would need to provide other than what they have provided here tonight.

K. Menici: Design review would let the Board look at more detail with conceptual consultation.

D Voltz: If the frontage were to cross over the entrance driveway – is that allowable with an easement?

B Holmes: Yes, with an easement.

D Voltz: Is that something that the Board would approve?

K. Menici: Confirmed that had been done recently.

J Crouse: Can you move the driveway?

D Voltz: No, because of topography.

C Blackstone: If the drawing had actual dimensions – this is nothing that has happened before and would make a decision easier.

D Voltz: If the lot had an easement for the driveway going to the existing home and a separate driveway going to the new house, would that be less of a problem?

T. Varney: No, it actually looks worse. You would hurt yourself doing that. You have a large parcel of land and tying the drive up in a knot by doing this. Would go for the way you have suggested before doing any easements.

J. Crouse: Concern regarding having 200 feet of frontage once the new road is put in.

K Menici: Inquired to the total frontage figure.

J Crouse: You could have 200 feet if you ran the road on the right side of the proposed new lot and then back 200 feet. Cautioned being careful of having the house on an approved building lot.

D Voltz: The frontage where the shop is is over 200 feet of frontage, approximately 220. The new lot would have 200 feet of frontage and going to the house would have 170 feet, which would meet the requirements.

K Menici: Mentioned she met with the Welch's based on the information there may need to be some shifting of the boundary lines.

D Voltz: Total 579.4 feet of frontage.

K. Menici: Based on the input from the Board tonight the Planner can get with applicant's and see if changes can be made regarding concerns raised tonight.

J Crouse: Those concerns would be to have 200 feet where a potential road might go someday to the rear of the property and then the 200 feet for a new lot.

B. Holmes: Okay.

Case#P01-02 **Map 20, Lot 2** **Compliance Hearing – 4-Lot Subdivision**
Walter M. Garland III/ Sleepy View Properties, LLC **Mt. Major Highway (NH Rte 11)**
Planning Board to review a previously approved 4-lot subdivision for compliance with conditions of approval as approved by the Planning Board at its February 12, 2001, meeting. Compliance concerns relate to the mitigation of drainage problems on an abutter's property. The property is located in the Rural Zone.

Kathy Menici reported the issue before the Board tonight is in response to a complaint that the Town and the New Hampshire DES Wetlands Bureau from abutters, Anne and Kim Kroeger regarding the changed in drainage patterns on their property following the timbering and construction activities on the subject parcel. The Planning Board performed a site inspection on November, 2 2005, identifying an area on the Sleepy View Properties' parcel where skidders (and possibly other construction vehicles) went in through a wetland area creating depressions and causing the alteration of water flow on to the Kroeger property. Subsequent to that site inspection, the Wetlands Bureau issued a statement dated November 17, 2005, based upon observation to both properties and discussions with Cindy Balcius, it appears that activities in the Garland property may have altered the hydrology and run-off flow patterns in the vicinity and may be contributing to what the Kroeger's have stated regarding the increased water flow on to their property. As a result of that inspection and the Board's contact with the Wetlands Bureau, the Wetlands Bureau has agreed that they need to correct the problem and that any work that is done within the jurisdiction of wetlands that is done solely to repair the rutting that may have occurred through the timbering activities

would not require a wetlands permit.

C Balcius: stated she talked to Maryann Tilton, who at the time was the immediately supervisor of the first enforcement inspector on this site, which was Earl Chase of the DES Wetlands Bureau. Maryann, Randy Pelletier, and Ridge Mock, and herself discussed the issues that we saw when they went on the site walk, coupled with what saw when he was out there. There has been an ongoing issue since the timber cut and feels it is a simple fix. Ordinarily this is a big ordeal, but she was able to get the DES to agree to try to fix this the easiest way possible for all parties involved. To do that they issued a letter she referred to which basically eliminates the need for any kind of permit; it just requesting a supply of pictures during remediation and send them in once it is completed. Also stated the DES is willing to cooperate on this.

J. Crouse: Inquired as to who was involved.

C Balcius: Rene Pelletier, Ridge Mock from Site Specific and Maryann Tilton who is now the Wetlands Bureau Assistant Administrator.

K Menici: Informed newer Board members that this is a problem that dates back to 2001 when the subdivision approval was first granted for the Sleepy View Estates. As part of the approval, condition number 5 states that the applicant's are to work closely with the owners of the Kroeger parcel to mitigate the drainage problem. Apparently, that condition has sort-of slid by.

T Varney: Inquired as to how this is going to be the enforced.

C Balcius: Intent is to have Walter Garland go out repair this area and indicate what might be done in conjunction with the DES.

T. Varney: Asked if they are the agreeable with that?

C. Balcius: Stated that is why they are here tonight.

C Blackstone: Wants to make sure time is allowed for the abutters to be satisfied with the final completion of the project through several changes in season regarding how the land is affected.

C Balcius: Confirmed this will be done, but needs to be done with an agreed ending date.

T. Varney: Regrading sounds like this would be the solution and inquired if Mr. Garland is agreeable to that.

C.Balcius: inquired to the Town Planner if anything was held in escrow on this.

K.Menici: Stated not on this. There was escrow for the construction of the road but that would not be applicable to this.

Walter Garland: Stated some of this information given to him tonight is the first time that he has heard this. Stated he wants to reasonable do what he can to do to resolve this problem. He does not believe that the rutting is the problem. There is a sink hole at the apex of the Kroeger's property. (The back of

their property is triangular in shape) Feels the sink hole there is serving as a head for the water. He and Earl Chase went in there and he received explicit instructions from him as to what he could do and could not do, what he should and should not do and he has documents that he will share regarding this. Again, confirmed he is not trying to shirk responsibility. Confirmed the skidder indeed did go into there, there was damage but was not done at his request. Stated he gave the logger strict instructions that there was to be a 200 foot screen. There were only going to clear the area up on the ridge where there were views. Was not interested anything down where the wetlands were located and did not want him near there. The logger did go down there at the neighbors request because he went across the road and cut down a couple of trees on the abutter's property. Being the owner of the land he took responsibility for clearing the wetlands. He distributed a document to the Board. Stated the Kroeger's property sits on solid ledge. Stated he can indicate on the right hand side, by his retention pond, solid ledge. This also can be shown on the bottom of the channel that this is solid ledge. The rock behind their shed is another indication of solid ledge. He believes that the source of that problem is the sink hole that is partly on his property and partly on abutters. When Earl Chase was on site, he asked if he could fill the sink hole. Feels that if the sink hole was filled with impervious material that is might abate the problem somewhat. Given the nature of that lot that any fix at this point in time is going to be temporary. He understanding of the Compliance Hearing is whether he is in compliance with his plat. In 2001 he entered into an agreement with the Town of Alton, and the reason that number 5 is on there, is because there was some concern that they might have caused that problem. Even though several engineers, at the time, said no. This was put on the plat and he agreed to it. On page 1 (of the documents he distributed) stated this is a letter from Alan Sherwood, who was then the Chairperson of the Planning Board where he received his plan of action, thanked him for it, accepted it and then signed his plat. Page 2 is a letter from Garwood to Mr. Sherwood, at that time, based on information provided to him by the DES, by his engineer at the time, who was on site by a Wetland's scientist and he put together the letter which was his plan of action. Mr. Sherwood accepted this plan on behalf of the Town of Alton. There are basically five points of action in there. 1. The drywell, put in along side of the Kroeger's property, at no expense to them. Stated there was a slight misrepresentation on their part when they said they had never had a water problem before and they uncovered two failed dry well along the edge of the driveway right in front of the garage. After speaking with his engineers, the logger and various others there is some doubt as to whether his activity in there caused the problem or is a natural process with the sink hole that exists behind the Kroeger property. Mr. Chase spent a lot of time on the site with him and the site was reconstructed the site to his specifications. Mr. Chase was on site and saw the ruts. They cleared the channel to the best of their ability. The channel was sitting on bedrock. Stated the skidder never went through the Kroeger's property.

C. Balcius: Confirmed that it did not.

W Garland: Stated that his five points of action presented to Alan Sherwood and was accepted by the Planning Board has done everything in there according to this plan. The only thing not done is the paving. The Town has appropriate security for the final paving to go on the driveway. The Kroeger's driveway is also included in this as part of the project and this will be offered at considerable savings to them. He is not going to pay for the driveway to be paved. Stated again he has completed his five points in his plan of action. The third letter in his documents distributed was Garland's letter to Earl Chase where he illustrated to him that the elevation in the bottom of the sink hole is higher than the elevation in the channel, so according to his instructions, he could not fill the sink hole. This letter was sent along with pictures and other documentation stating that they went back into the wetlands and reclaimed it.

Stated that the skidder went down there on the Kroeger's request to cut down a tree on their property and then went across the street to cut down a couple more trees on another neighbor's property and went out through that avenue to get there. They did cut down some tree while they were there for him. He did clean up the wetlands according to the DES instruction and Mr. Chase's agreement with him was that it was not that rutting that occurred up above the Kroeger's property that was causing the problem; he thought it was also the sink hole.

C Balcius: Wanted to address a couple of issues. The DES sent Ridge Mock out, who is an engineer specializing in drainage issues and she also went out there and agreed with Mr. Mock on a few items. The other thing she noticed when she was out there was the wetlands on the plan did not match up to where the wetlands were out in the field. The pin to the property is very apparent. When she used this to match up where the wetlands were they did not match. She is not so sure that sink hole is something jurisdictional and probably do something with it. The letter allows for a little latitude with trying taking care of the drainage problem. She did see the ruts in the higher rise and did see where the run off from the ruts was back coming down to the right hand side and filling that hole. There are a couple of things we can do to address this and take care of the issue. Stated it was obvious it Mr. Garland did try to mitigate things, but it is not solved.

W Garland: Stated his charge was not to solve, my charge was to mitigate. He is willing, if the Kroeger's take care of this sink hole and that did not fix the problem to a sufficient degree, he would then, under the auspices of the DES try to help ameliate this problem. Also stated every time he goes into those wetlands it costs him money. Feels he needs some assurance that he is not going to be liable for some further damage done in the wetlands trying to help ameliate this problem.

C Balcius: Confirmed that yes, they want to work with him to correct this. Also stated the pictures he referred to that were sent to Mr. Chase are not in the file. Stated Mr. Chase does not work for the same company anymore.

W Garland: Felt he has been in compliance and has done what he has been asked to do. Feels reluctant to go back down into the wetlands again.

C Balcius: Stated there are two things that can be done. One, to entail Garland taking care of the ruts which is directing hydrology down to that sink hole.

W Garland: Feel that because of the elevation that this run off from the ruts this is not the problem.

C Balcius: Feels that the expense is going to be a half a day with a machine, regarding, seeding and that's it.

W Garland: That does not bother him; he would rather not do that if it is not necessary. Again, he stated he does not want to go in and disturb the wetlands, and change the hydrology, but is willing to do it if they feel it is necessary. Just wants to let the Board know of his feelings.

C. Balcius: Confirmed that this may be necessary because of the hydrology is going towards the hole. So you are adding hydrology in there and confirmed Mr. Garland stated there is an issue with ledge, so if the hydrology can be changed, it may eliminate that problem and also work on an outlet for the sink hole to

get it back draining to the natural wetland.

W Garland: Stated the bottom of the sink hole is also impervious.

C. Balcius: Confirmed that she saw that the sink hole was blocked; constricted at the end where the elevation goes higher. The bottom line is there are things that can be done. Ridge Mock agrees with Cynthia, the DES agrees. They are giving you the option without having to go through the expense of getting a permit or doing a restoration plat and working this out by compromise to see if this can be worked out. Agreed also that there needs to be some parameters. Inquired if Mr. Garland is willing to work with them on this.

W. Garland: Yes, he is willing to work. It needs to be a guided process. Still feels he is in total compliance with his plat. His desire is to be a good neighbor. Feels that this has been a problem for a long time and if they need to put a machine through his property to correct it, he is willing to do whatever.

C Balcius: Agreed, and reminded Garland he has a letter signed by the DES that they are all aware of this and has given the authority for this. Also want to state the Board has different information on how long there has been a drainage problem. She then asked the Board if they want to hear from the Kroeger's again.

C Blackstone: Felt she did think it would be beneficial. Also, stated that there is a letter of August 11 that this needs to be resolved within sixty days. (Referring to a letter from the Town Manager).

W. Garland: Confirmed that he put that letter in showing that the Town Manager sent him a letter "threatening" him with legal action and that this letter was not copied to the Planning Board.

J Crouse: Asked if the bond is to do the driveway, you can't pull the driveway bond because of a different problem.

W. Garland: Stated it is not a bond, it's an escrow account for the final inch of pavement to go on the driveway when the other two houses get built or at a point they deem it is essential for the maintenance of the driveway. There are two houses presently in the subdivision, there are lots pending and have been sold. He is not the owner of record of this property; it was sold. He is in current contact with Ms. Muso, who is the owner and even though he has sold these properties, and he was the developer, he is here answering these questions. He does live in the subdivision and plans to stay there for a long time. He does have the current owner's permission to go in and do what is asked to be done. Lot number 2 on the upper range; not number 3 is the one that behind and encompasses the Kroeger property. Ms. Muso owns lot number 3 and lot number 2 is owned by another individual and feels they would be in agreement to help also.

C Blackstone: Stated again she would like to see if the Kroegers have anything they would like to add.

C. Balcius: Invited the Kroegers to come to the table.

Ken Kroeger: Stated he wanted this problem taken care of five years ago with a very simple process. Mr.

Garland and his partner came out at the time to fix a drainage problem, which 30 years prior, they did not have one. They did not put in a dry well; they put in a drainage pipe from the corner of his garage down to the turn-around in the driveway. Prior to that, 30 years ago, moved the garage from the base of the hill up to where it is located now, putting stone around it with a drainage pipe and it went down to the drainage by Route 11. That is the only drainage that has been on that property for 30 years until they logged over the property. They started to see the run-off in the fall because of the black water or the silt coming down the driveway. Bleakly did come on to his property but did not create any other skidder path. The skidder was up the other end. The skidders asked to cut down the other tree to help get a better view for the people on the hill and he did not have a problem with that. The amount of wetlands that is involved in this is ridiculous. The problem has been to set an end date to get this taken care of and has been referred to the Town, the State, and others and Mr. Garland states it is not his problem because Mr. Kroeger lives on a ledge. Behind the pin is drainage coming off the side of the mountain and you can hear the water flowing. There is approximately five feet of water there now and it drains for the rest of the winter. He has been after this for 5 years to get this simple project done. Felt he could have filled in the sink hole and that this water has been running for thirty years. They have not made changes until the loggers have come in with Bleakley, came across the wetlands and can still see the path. It's not Walter's problem, it's the loggers; it was Bleakley's decision to do that.

C Balcius: questions from the Board. Feels there is an amicable way to solve it.

W. Garland: Agreed.

K Kroeger: Stated he asked about being allowed to fill in the sink hole to Mr. Chase. Said Mr. Chase said it was a natural depression and also did not know how many trees above that site were cut down.

C. Balcius: Stated it contributes significantly to added drainage. They have the okay to do what needs to be done. If you agree, can a separately be set to go out to the site and determine what needs to be done. Is this agreeable?

W. Garland: Confirmed, yes.

K Kroeger: Stated the sink hole is partly on his property and the property of lot 3.

C. Balcius: Kathy can you set up this meeting if the Board is agreeable. Cindy, Tom and Kathy to sit down with Mr. Garland and Mr. Kroeger and discuss what the DES and the Board observed when they went to the site and discuss what to do to solve this and also set up an end point agreeable with all parties. Due to the season, this will have to be done in the spring and they can observe the hydrology at this time.

W. Garland: Stated they have permission any time to go out to the property.

Motion by Jeremy Dube to allow the applicant, Walter Garland to meet with members of the Board (Cindy Balcius, Tom Varney and who ever else was involved) to discuss the problems and fix the issues on Map 20, Lot 2. Second by Bruce Holmes, Voted unanimous.

Case#PO5-84

Map 34, Lot 37-1

Site Plan Review

Richard Saulnier, Harvey Cataldo, George Babcock

Mt. Major Highway (NH Rte. 11)

The application was submitted for the November 2005 meeting and was continued at applicant's request. Jeremy Dube recused himself.

K Menici: Distributed site plan and floor plan for the Board. Tonight they are coming under site plan review for a change of use. Current owner of the building is proposing to change the use from three commercial office areas as well as common areas to proposing to change the use immediately of one of the spaces. This building was previously Hunter Homes. The proposal is to convert the office space to a retail space, parking standards remain the same, and water usage would remain the same, no public restroom. They have been to the ZBA regarding the parking requirements. Parking is adequate to meet the needs of employees but not customers, and have been granted a variance. There is currently a one-bed apartment in the structure that is going to remain the same including reconfiguration.

Richard Saulnier, Harvey Cataldo are present and representing the case.

R. Saulnier: The following is a short narrative of our proposed use of property that we are located at 14 Mt. Major Highway in Alton Bay. The current use of this property is commercial office residential. We would like a change of use exemption to be able to use this property for commercial office retail residential. We feel that by allowing us to use space in our building for retail we will enhance the overall make-up of the surrounding area. In our general area and abutting us we have a marina, a boat service area, a general store, a retail wood working shop, miniature golf, photography shop, post office, ice cream shop, a diner, real estate office, gift shop and restaurant. All of which sell to the public. We are also within walking distance to the Alton Bay boat launch docks and the Mt. Washington tour boat, when it arrives in the Bay. By allowing us to incorporate retail space into our building we would be able to enhance the area by providing services to visitors to the town as well as local citizens. We are planning on having a jewelry gift shop as one tenant and we are actively seeking out a tenant that would fit the needs of the town. Maybe a vision center or Nextel type of business. Our building currently has four office rental units and we are planning to expend the square footage of the units and turn them into three retail office units. The footprint of the building would stay the same. We would just lose some square footage from the common area. You can see it on the attached plan. We are planning on using tasteful wooden signage attached to the building with town acceptable lighting shining at it where needed. We would work with the Planning Department on this. The current plans by the owners of the Pavillion, to revitalize that building and provide retail space would compliment our requested use also. Us having a row of shops in our building and the current existing shops to both sides of us will create a walkway of shops that would be a draw for people exiting the tour boat and visiting the Bay. We plan to aggressively advertise the space to find the right fit among our own tenants, and the existing businesses in the Bay. We realize that our current use as office space does allow us to use our building but feel having retail there would greatly enhance this area that we feel is the jewel of the town. We have had and will have future talks with other members of our condominium plat regarding trash removal, snow removal, septic use and parking. We currently require our tenants to be responsible for their own trash and do not foresee having a tenant that would create large amounts of trash nor do we plan on having a tenant that would be, by selling any type of food product, for on-site consumption. There is a site identified on our plan for an outside screened-in dumpster that is part of the pavilion project and we have spoken to the owners of that project relative to the shared use of this area in the future, if need be. We have also spoken with our condominium neighbors regarding snow removal and we have found someone to take care of that for us.

As far as snow removal, each of us paying our own fair share. Parking in this area is admittedly at a premium but feel we would get a lot of foot traffic in the summer months by people that this park in the town lot, then walk through the Bay area visiting multiple shops, stopping for ice cream, visiting the mini golf and arcade, etc. We expect to get traffic from the tour boat also. Providing us with this exception would not create any undo nuisance or hazards to pedestrians or vehicular traffic as we are set back in the parking lot and located among other retail type stores that currently seem to be operating in an acceptable manner to the Town. We feel that during the summer months we would attract people that are walking along the Bay from the town docks and Mt. Washington when it docks. People that are visiting our neighboring businesses would probably come in and browse and people drawn to our building would probably visit with our neighboring businesses. We would compliment each others. We are currently renting space as office space so that the change to the small retail shops would not tax the proper operation of our building. Employer and employee members would probably be similar. The only difference would be, hopefully, walk in business. There would be no increase in our water septic use because bathroom facilities would be locked accessible to tenants only. There are public restrooms directly across the street from our building. The former owners of our building gave it a total facelift that compliments the area and we will keep our property up to the standard that Brad and Susan Hunter started. We would hope that the way that we envision the use of our property will fit into the way that the Town of Alton envisions the future use of the Bay area. Thank you for your time and consideration in this matter.

C. Balcius: Questions from the Board? With the change from commercial to retail does not affect the septic as long they don't change it to a sit-down restaurant, is this correct, Tom?

T. Varney: It depends on the amount of employees.

R. Saulnier: They are allowed 300 gallons per day. The apartment is set up for a single tenant. The existing shops they would like to put in are most likely one-owner occupied businesses. Most likely once or twice each with hand washing.

H. Cataldo: The square footage of each spot is very small.

C. Balcius: Inquired about the requirement for retail.

T. Varney: The apartment is 300 gallons and the retail or office space is 12 gallons per person. But you are limited to the 300 gallons for the apartment.

C. Balcius: Inquired to how big the apartment is.

R. Saulnier: One bedroom, very small.

T. Varney: If it was changed to a studio apartment would change this for office space for three or four employees, 12 gallons per day.

T. Varney: When this was made into a condominium it was broken down. You will have to back to the State to change this in Concord. What you have on paper now does not work.

J. Crouse: How does this change? If this was for the apartment then and there are offices there now, how was this approved?

T. Varney: When it was set up, it was probably for no offices, just for the whole house.

J. Crouse: Is the use as apartment and offices an approved change of use or did it just occur?

T. Varney: Those things do occur, and we now have a spot light shining on this.

J. Crouse: Now this is changing this from apartment to retail.

T. Varney: Is just saying what he knows by memory. They have to have state approval for this and their type as it is.

R. Saulnier: Has never heard of 12 gallons per person.

T. Varney: Confirmed this was correct.

C. Balcius: Inquired if this case has been accepted.

J. Crouse: Asked if they need to know if the condominium regulations allow for a change of use to be changed into retail.

K. Menici: stated this application needs to be accepted for this type of discussion.

T. Varney: Stated they meet the check list as far as everything except for the soils waiver. The Condo documents are not in the check list.

C. Balcius: Asked for a motion.

Motion to accept the plan for Richard Saulnier and Harvey Cataldo, George Babcock, Map 34, Lot 37-1 as being completed and granted the waiver for the soils information. Second by C Blackstone, Voted Unanimously.

T. Varney: The bottom line is 300 gallons a day for Unit one.

C. Balcius: So based on what they are proposing perhaps they just need to show they can make it work with what they are allowed, gallons per day.

H Cataldo: If it would help, he stated he said in that whole unit is just one toilet and one sink.

C. Balcius: That state doesn't go by that, it's about how many bedrooms and the use, whether it's retail or whatever.

K Menici: With the change of use, wouldn't they have to apply to the State to have that change of use approved for the capacity.

T Varney: It's been done down there. The Pavillion changed it and the other building changes it, so they would change the septic permit to go from studio apartment to office space.

K. Menici: Stated this is something that could be a condition of approval.

C. Balcius: Stated this would be very specific, getting approval based on the new plan.

H Cataldo: Inquired to the difference based on a studio apartment and a one bedroom apartment.

C. Balcius: Stated it is the gallons per day.

H. Cataldo: What is the difference?

T. Varney: It's just the name.

H Cataldo: It is basically just a studio apartment.

T. Varney: Stated he can rearrange the septic gallons to what you are doing.

R. Saulnier: Inquired that they have to inform the State that they have a studio apartment and they want to have three retail shops and they just relabel it.

T. Varney: Added that they will give you approval for that.

C. Balcius: Also added the State is very familiar with this site.

R. Saulnier: Said they have all the documentation for that.

K. Menici: Stated that Mrs. Hoit, the present owner of the Pavillion, at one time owned all three of the buildings and is currently working on the condominium documents now to make modifications to accommodate the redevelopment of the Pavillion and believe she is incorporating language for the changes of use that they are proposing.

C. Balcius: It's about making your numbers work for septic.

C. Blackstone: Complimented the applicant on his wording that the Bay area is a jewel.

R. Saulnier: Has been a part-time resident for 30 years and am hoping that this building will work. He would like to bring his skills to this town.

C. Balcius: Opened this case to the public. No response from the public and closed the public portion of the hearing.

T. Varney: Inquired what is in the building now?

R. Saulnier: Purchased the building from Brad and Sue Hunter. They had it set up as a one bedroom apartment, which is still there and office spaces. Saulnier does not know what the Town approved for them.

T. Varney: Asked if anything has been approved for them yet.

R. Saulnier: No.

T. Varney: Inquired if they are just having three retail shops.

R. Saulnier: Confirmed yes. Three small shops.

H Cataldo: Stated they would like to make the tenants fit and compliment each other.

T. Varney: Inquired as to enough parking.

R. Saulnier: Does not know, is not sure of traffic but feels most would be walking traffic.

K. Menici: They have already received a variance for parking requirement. As the Pavillion will also have to do for their retail development, even though they have received this variance in the Zoning Ordinance they still have to go to the Board of Selectmen to get their authorization to use the Town parking as the additional parking that they would be required to provide on site.

C. Balcius: Inquired if the parking is State land.

K. Menici: Stated it is a strange configuration. The parking is the Town land and the drive through area is the State but is not sure on that.

T. Varney: Wonders how the parking will tie in with the Pavillion parking.

K. Menici: The site plan prepared by Richard Bartlett Associates, Mark Sargent was the surveyor, on this site plan there is designated parking for each of the buildings and that is going to be reflected in the revised condominium documents.

C. Balcius: Asked for more questions.

B. Holmes: Asked where employees will park.

K. Menici: Employees will park in front of the shop as this will not tie up Town parking for an entire day. Having the customers parking in the Town parking and staying for a small period of time, rather than all day.

H. Cataldo: The way they are set up from experience, most of these shops will have only one person present at a time, especially because of the space.

R Saulnier: He is the only person in his shop currently.

C. Balcius: More questions?

Motion by Bruce Holmes to approve Case P05-84 with the following information that we need to have as conditions: 1. Receive all their federal, state and local permits, particularly the septic approval. 2. A letter from the condo association that allows this kind of use, and 3. That the parking to be used by employees and the apartment in lieu of the Town parking. Second by Jean Crouse.

Discussion: Jeanne Crouse inquired if during the summer and the business owners feel that their clients have to park far away and they are parking in the wrong places how is anyone going to be checking this?

K. Menici: Stated that she believes in the summer parking is policed for two hours only.

C. Balcius: Asked for anymore discussion before calling for a vote. Voted unanimous.

Case#PO5-66

Map 19, Lot 38

2-Lot Subdivision

Joseph Whitehouse II

Drew Hill Road

Application submitted by Bryan Bailey, Turning Point Land Surveyors, on behalf of the property owner Joseph Whitehouse. Applicant proposes a 2-lot subdivision of Map 19, Lot 38. The property is located on Drew Hill Road within the Rural Zone.

K. Menici: Stated in November 2005 the case was dismissed and this action was submitted in May and was not accepted at that time as they were looking for additional information. Bryan went back, and at this point, added the additional information that the Board was looking for at that time. There are only three waiver requests in front of the Board for this application. Section 7.2.25 substandard lot, asking for this waiver as it is not applicable to the application. 7.2.29 Future Development and Section 9.14 for Parcel Size Ratio. At this point in time, the applicants have no future development plans for this parcel that is why none have been presented. The waivers requested from parcel size ratio because it is a very deep lot, however, it is primarily wetlands and undevelopable.

Brian Bailey and Mr. Whitehouse are represented in the audience.

C. Balcius: Inquired if the Board would like Bryan to review the parcel.

B. Bailey: This is a proposal to divide the 5 ½ acre tract of land from a large tract of land which is a very odd in its overall shape. The tax map shows how odd this overall tract of land is. There is a separate sheet that shows the overall property and the remainder lot being 45 1/3 acres that is being shown on sheet number 3 of 3.

C. Balcius: Interrupted Mr. Bailey to accept the application.

T. Varney: Asked if they are close to the parcel size.

B. Bailey: Confirmed they are close.

C. Balcius: Asked if there is a buildable area on the adjacent lot?

B. Bailey: Yes, that was one of the requests that a test pit be dug in a 4-K area be shown and those they are on the new lot, the 5 ½ acres. The remainder lot has the existing home on it.

T. Varney: Asked where the substandard lot comes in.

K. Menici: Informed this is a waiver requested because it is not applicable in this application.

C. Balcius: Asked if the Board feels they have all the information necessary to accept the application?

Motion by T. Varney to accept the plan for Joseph Whitehouse on Drew Hill Road as complete and we grant waiver for all three waivers that were requested. Jean Crouse seconded. Voted unanimous

B. Bailey: Continue by stating that in creating this 5.67 acres, during the initial deliberation it was required that they have the wetlands delineated as shown, and have been appended flags to map. Additionally they have contracted with a local excavator to dig a test pit and show the 4000 square foot area that is typically shown for the submission of a plan to Concord for their subdivision review and approval. This proposal does not have to go to Concord; it is in excess of five acres and exempt from their review and regulations. In preparation of the lot calculations, on sheet number 2 of 3, the wetlands and steep slope calculation which describes the entire area of the lot of 247,082 square feet. This tabulates the total wetland areas that are found on the property at 147,120 square feet. Additionally, it takes into consideration and subtracts, 3,600 square feet for steep slopes. These steep slope areas are at the rear of the property and are basically adjacent to and are the embankments of a small seasonal brook that runs out through that back corner, which leaves a total upland area of 96,362 square feet. The regulations allow for no more than 25% of the minimum two acres to be satisfied as being wetlands. The overall lot is over the 2 acres. They are in compliance and that's what the table is all about; to show you how it does comply. The total frontage is 204.02 feet. All the monuments have been set. We hope that everything is in order here today for your review. I apologize for not being here last meeting. There was confusion as to how the application status was going through because the project had been continued a number of times and as was mentioned earlier, when these things get continued for long periods of time, things get lost. I did not intentionally miss the last meeting. My last item request would be for the lot filing fee of \$150.00 per lot, which was paid initially and again, be waived for the second period of \$300 refunded on this application. We would bear the cost of notices.

C. Balcius: Although we don't have any requirement for contiguous upland in the location of the house and septic, would you say that there is at least an acre of contiguous upland up front?

B. Bailey: Confirmed, yes.

C. Balcius: Asked for questions from the Board.

T. Varney: Inquired about the driveway. Why is it not shown?

B. Bailey: Stated it was not shown; the driveway is physically out there. It goes right across the culvert

and into the woods approximately 50 to 75 feet and then it turns into the logging road. There is a travel trailer that is out there on the property about 75 feet back from the highway.

J Dube: Stated that the driveway is shown on the papers that came in the packet.

J. Crouse: Plans dated revised through September 23 but on the large plans, revised through October 5, the driveway is missing.

B. Bailey: It was shut off on the cad drawing, not intentionally.

C. Balcius: Asked about a question on a letter from Katie Surwick as to the reason for the letter.

B. Bailey: Stated it was just her report on her investigation.

C. Balcius: She noted the letter mentions hydric soil and jurisdiction and was wondering about any issues out there.

B. Bailey: The site was disturbed by reason of logging. It was a very difficult site.

C. Balcius: Asked the Board for any questions. Opened the case to the public. None heard. Public portion is closed.

C. Balcius: Stated is has been customary for most of the subdivisions, added they currently don't have it adopted yet, to have a 25 foot vegetative set back and have been asking applicants if they would consider that as part of their approval process for this subdivision.

B. Bailey: Stated he would comply with all the current regulations.

C. Balcius: Inquired the same question again.

B. Bailey: Stated Mr. Whitehouse would not encumber the lots beyond that which is the regulations.

C. Balcius: Directed a statement to Mr. Whitehouse that the lot is quite wet. Stated that the protection of wetlands is important to the Board. The Town of Alton, through a survey process, has identified it as an issue and would say 99.99% of applicants have agreed with the Board and have agreed to some type of vegetative buffer around the wetland, especially where this one is so tight. Stated that the applicant would do that same consideration through this process as well.

J. Whitehouse: Stated he would put a row of hedges.

C. Balcius: Confirmed, just a vegetative buffer to the wetland where you want to put the house in or the septic; you would put it in those other areas outside that.

B. Bailey: Stated the septic cannot go within 50 feet of it nor the home.

C. Balcius: Stated the home cannot go in wetland but in the vegetative buffer we don't want the home

built in the 25 foot vegetative buffer.

B. Bailey: Wanted to bring to the Board's attention that there are extensive wetlands out there. If you look at the proposed home site that is chosen, it does not comply with that 25 foot setback and there is typically 10 foot clearing around that house and doesn't think there is adequate area to leave a 25 foot buffer.

C. Balcius: Reiterated that this is why she is asking for this.

B. Bailey: Stated in response that that is why he answered it the way he did. He knows Mr. Whitehouse is anxious to get his approval.

C. Balcius: Stated they are anxious to give him the approval.

T. Varney: Agrees with Bryan that he answered the question with applying the applicable laws. Does not want to see putting signs on trees every 25 feet. Stated that this question does not make him feel very comfortable in asking this of applicants.

C. Balcius: Stated that as a Board they have been consistently asking this.

T. Varney: Stated he does not agree with that. Doesn't think this should be in here at all without being adopted. To ask this at the time we are approving a plan, would they do this is not appropriate.

C. Balcius: Responded that this has been asked of every single applicant.

B. Bailey: Understands her intention, but must respond that it would be very detrimental encumbrance on this tract of land because there are wetlands out there. They have no intentions of disturbing them, or going into them, but a 25 foot buffer adjacent to them is an untenable burden and you have no authority to extract it.

C. Balcius: Stated that Mr. Bailey needs to be careful when he states that because maybe this lot should not be approved because of that.

B. Bailey: Feels he stated all the facts, and they speak for themselves. He said he is not saying this is unbuildable and the State Law is not indicating it is unbuildable and that all things can be built out there appropriately. Said that her request that this land would entertain an additional 25 foot set back line or limitation to use of that property is going to be extremely burdensome of the land owner. Readily admits this is not a great tract of land, but also states that it is compliant. Would like to leave this final decision up to the land owner.

J. Whitehouse: States that the vegetation that is around it already stabilizes the ground that is there. It has not been logged heavily. The whole thing is a highly vegetated area.

C. Balcius: Replied that this is the whole point that they want to keep that vegetative state around the wetland.

J. Whitehouse: Informed that the spot where the house would be cleared would be the only spot.

C. Balcius: Stated that in the past they have approved as little as 10 or 15 feet in certain areas to comply and to work with the applicant at this point.

J. Dube: Stated they would have to encroach on that area anyway to put the well in on the southern side. Maybe they could work with something on the East side.

C. Blackstone: Stated that she is the Selectmen's representative she does want to commend the Chairman and asks for understanding in her defending the voice of the people who responded to this survey that the Town is going through right now about priorities and goals and what would be a mission statement of the Town; and part of this mission statement would be to protect the wetlands.

B. Bailey: Confirms that he understands and fully appreciates the Town's position, and yet feels the cart is totally in front of the horse; the voters have not spoken. Has seen many proposals defeated. States that this land owner should not be held hostage for the sale of property to his brother-in-law.

C. Balcius: States that in subdivision rules, they are allowed the leeway to say that this is an extremely wet site; through that we are asking you to consider that. It doesn't have to be all the way around, and acknowledges to Mr. Dube she sees where the well is. They are asking for the applicant to offer something. We are not trying to encumber the lot; realizing this is a viable lot, no matter who the buyer is, but are concerned about protecting the wetlands long term.

B. Bailey: Stated that the area behind the building site is of no concern or detriment to the land owner or a future land owner if a buffer were established from there back. He is looking out for the interest of his client and his use of the property. That which you asked would be severely impacted.

J. Whitehouse: The way it sits now there is currently a buffer there. The only thing that actually comes through here is a logging road. The rest is heavily forest.

C. Balcius: Explained what a vegetative buffer is. A vegetative buffer is an upland area adjacent to a wetland that permanently protects the wetland. The fact that the whole back end is vegetated is good. Basically, the Wetlands Bureau would never issue a permit to cross those wetlands to get access to that upland anyways. Concerned that given the close proximity to the septic, and the proposed house and driveway and you well, there is a lot of disturbance close to the wetlands. Again, asked for some consideration.

J. Crouse: Agree with Tom that if the Town agrees, once the warrant article is posted at the end of this month and become effective, then we should require it, but until that happens, regardless of what a few people answered on a survey, until this is approved it is not required and we should not hold them hostage, which is what I see happening here, I agree. It would be nice to do it but to force him to do this as a condition, I can't agree with it.

C. Balcius: Stated this is not being forced.

J. Crouse: Argued that it is being forced, otherwise it would already be approved.

B. Bailey: Asked that if the people who have been presented with this question before, if the Board had already approved their subdivision, would they have agreed to it?

C. Balcius: Felt most have agreed to it; actually thought that 99.9% have.

B. Bailey: Asked if this has been asked after the approval and not before, would they agree to it.

C. Balcius: Stated that it is not presented that way. Feels that they are looking at it by the way it affect the environment. The applicant's have been willing to work on this. Said we the Board are not forcing this and they can approve this but her point is to convince you to consider this.

B. Bailey: Stated that he is just looking out for the best interest of his client.

J. Whitehouse: Does not see that where this is not required, no then.

Motion Jeremy Dube moves that they approve Case P05-87, Joseph Whitehouse, Map 19, Lot 38 with the following conditions: 1. A note to be added to the plat stating erosion control will be in place prior to excavation or timber cutting. 2. A note on the plat stating the total acreage of each current use category for each lot number. 3. All necessary state, local, and federal permits be obtained prior to the beginning of excavation or timber cutting; copies to be provided to the Planning Department. 4. Conditions of approval to be added to the plat. 5. Driveway be shown on final plat. 6. The following notes are added to the Mylar and final plat sheets for recording: This subdivision plan contains one (1) sheet, which in its entirety constitutes the subdivision plan as approved by the Town of Alton Planning Board. This sheet is recorded at the Belknap County Registry of Deeds. This subdivision plan is subject to the Conditions of Approval itemized in the November 15, 2005 Notice of Decision on file at the Town of Alton Planning Department. Second by Jean Crouse.

C. Balcius: Asked for more discussion? Called for a vote. Vote unanimous.

Case#P05-81

Map 1, Lot 19

2-Lot Subdivision

Jeffrey, Kenneth, and Russell McKenzie

Muchado Hill and Africa Roads

The application was submitted at November 2005 meeting. Discussion of acceptance of the application was continued to the December meeting.

Kathy Menici: Asked the Board to see closures on the lot, more information regarding slopes, meets the requirements that the Board placed on it on the last meeting.

C. Balcius: Asked the applicants to come forward and review the additional information.

Chris Bofinger, representing McKenzie's on this project.
Nicole and Russell McKenzie represent the applicants.

C. Bofinger: Stated that what the Board had asked to see on the remainder 77 acre lot was that it was a

buildable lot meeting the criteria of the Town. Unfortunately, to the West of where he shows the 18 acre lot, there is a separate lot, Tax Map 1, Lot 18, so he could not do topography and wetlands on the adjacent two acres. He had to go to the other side of Tax Map 1, Lot 18 and show it in the detail on the lower left.

What he did was measure 2.06 acres of which 2.02 have not steep slopes or wetlands and measure 260.83 of road frontage. This meets requirement. You can see on the location map where that area of detail is.

C. Balcius: Basically only roadside drainage was found.

C. Bofinger: Confirmed yes.

Motion J. Dube moved to accept Case P05-81 and accept the following waiver section 7.2.2 margins.
Second by B. Holmes

C. Balcius: Asked for any more discussion? Voted Unanimous. Asked for questions to applicant from Board? Opened up to the public, hearing no requests closed public portion and referred back to Board members.

J. Dube: Asked if there was a 4K area shown.

C. Bofinger: Stated he did not. Stated he could offset the wetlands 50 feet and put one anywhere in there.

C. Balcius: Stated most the time the Planning Board relies on the fact when they do a subdivision under a certain size lot, they have to show the 4 K areas. The Town does not require it.

T. Varney: Asked where the house will be built on this lot.

C. Bofinger: Thought the applicant's have not decided yet.

K. Menici: States that the checklist requires that they pick they be depicted a 4K area and a well radius, Section 7.2.26.

C. Bofinger: States that he would be happy to do that; if this could be a condition of approval.

C. Balcius: Inquired of the Board do they want to see a test of the 4K area based on the subdivision requirements.

C. Balcius: Asked for any more questions.

J. Dube: Asked how the Mr. Bofinger felt about a wetland buffer.

C. Balcius: States she does not feel the need for a wetlands buffer on this lot, but will ask the applicant if they are open to this or not?

C. Bofinger: Stated no, they will get the test pit done and go on.

N. McKenzie: States they are not opposed to protecting wetlands. They have a forest manager that is

coming in to help them from Alton. They want to look at the whole piece. There is damage from the ice storm. They feel they are good stewards of the land. The only reason they would not agree with that is because it would be tying their hands behind their back. If there happened to be a couple of trees in the way of a view or something and that is why we would say no.

C. Balcius: Confirmed that it does not tie them to that extent.

R. McKenzie: Confirmed that they need to dig a test pit?

N. McKenzie: Stated, honestly, the huge parcel was bought by three family members. Each family member wanted its own piece. They have no intentions of building on this for probably ten years or more. They have no idea where they want to build. This was to basically get their lot in their names.

Motion T. Varney moved to approve Case the plans for Jeffrey, Kenneth and Russell McKenzie on Map 1, Lot 19, Muchado Hill and Africa Roads with the following conditions: 1. A note be added to the plat stating erosion control will be in place prior to excavation or timber cutting. 2. A note on the plat stating the total acreage of each current use category for each lot number. 3. A note added to the plat stating that Africa Road doe not meet subdivision frontage requirements. 4. All necessary state, local, and federal permits be obtained prior to the beginning of excavation or timber cutting; copies to be provided to the Planning Department. 5. Conditions of approval to be added to the plat. 6. The following standard notes be added to the Mylar and final plat sheets for recording: This subdivision plan contains one (1) sheet, which in its entirety constitutes the subdivision plan as approved by the Town of Alton Planning Board. This sheet is recorded at the Belknap County Registry of Deeds. This subdivision plan is subject to the Conditions of Approval itemized in the November 15, 2005 Notice of Decision on file at the Town of Alton Planning 7. The well radius and the 4K area be added on the plat.

Second by Jean Crouse. Voted unanimously

Motion by B. Holmes to continue beyond 10 p.m., Second by J. Crouse. Voted unanimously.

Case#PO5-85

Map 1, Lot 17-1

3-Lot Subdivision

Mark Pearson

Muchado Hill and Lockes Corner Roads

The application was submitted at November 2005 meeting. Discussion of acceptance of the application was continued to the December 2005 meeting.

Bruce Holmes recused himself from this case.

C. Balcius: Stated this purpose is looking for additional area to be mapped sufficiently enough to feel comfortable that there was a buildable area. They supplied the slopes and you have this land that has no wetlands on it.

Motion by T. Varney to accept the plan for Mark Pearson, 3-Lot subdivision, on Muchado Hill and Lockes Corner Road and grant waiver for the margins, Second by J. Dube, Vote Unanimous.

T. Varney: Asked for Mr. Bofinger to point out additional information.

C. Bofinger representing Mark Pearson: A two-lot subdivision of Lockes Corner Road, the parent tract has frontage on Lockes Corner Road and Muchado Hill Road. It's the lot on Muchado Hill Road that has the greenhouses, if you are familiar with that. The two lots that are being subdivided off are 3.26 acre lot and 3.36 acre lot are both with over 205 feet of frontage. One has 205 feet and 205.51 and the other 206.06. If you look at the end of zoning note, note 4 is where I address how much land each lot has after you exclude steep slopes and wetlands of which the minimal would be 1.5 acres, Lot 17-2 has 2.37 and Lot 17-3 has 1.78. In addition, after the last meeting, I went out and mapped out so much of the existing lot, 17-1, that will be remaining after these two lots are out to make sure that it conforms with your regulations, so measured 2.65 acres excluding steep slopes and wetlands it is 2.00 acres, and I measured 285.44 feet of road frontage doing that of which would conform with the zoning and subdivision regulations as far as that goes. I'd be glad to answer any questions.

T. Varney: Inquired as to State subdivision approval.

C. Bofinger: Stated he has applied but has not received answer.

C. Balcius: Opened to public, no response, closed public hearing and back to Board for questions.

J. Dube: Asked Mr. Varney if the 4-K area could be inside the setback.

T. Varney: Answered if there is only ten feet from the property line.

C. Bofinger: Stated he actually moved that. Thought that he understood that it could be right up to the right-of-way line and only had to be 10 feet from the abutting property line and the comment he received from the State was to move the one on 17-2 so that it is 10 feet off the road.

T. Varney: Inquired as to where the house is going to be placed on 17-2.

C. Bofinger: Confirmed yes, but referred to Mr. Pearson. Yes, straight in front of the driveway up east of the 4K area.

Motion by J. Crouse moved to approve Case P05-85, Muchado Hill and Lockes Corner Roads, Application of Mr. Pearson with the following conditions: 1. A note be added to the plat stating erosion control will be in place prior to excavation or timber cutting. 2. A note on the plat stating the total acreage of each current use category for each lot number. 4. All necessary state, local, and federal permits be obtained prior to the beginning of excavation or timber cutting; copies to be provided to the Planning Department. 5. Conditions of approval to be added to the plat. 6. The following standard notes be added to the Mylar and final plat sheets for recording: This subdivision plan contains one (1) sheet, which in its entirety constitutes the subdivision plan as approved by the Town of Alton Planning Board. This sheet is recorded at the Belknap County Registry of Deeds. This subdivision plan is subject to the Conditions of Approval itemized in the November 15, 2005 Notice of Decision on file at the Town of Alton Planning. Second by Tom Varney.

J Dube: Questioned Lot 17-2, notes that this site is a difficult site and wonders about a site visit and questions the Board as to their opinion.

C. Balcius: Stated she understands, members have asked to look at sites with tight fits. So it is your prerogative if you would like to ask the Board, we can certainly do that.

J. Dube: Stated he understands and was just inquiring.

C. Balcius: Called for a vote. Voted unanimous

Case #PO5-13

Map 10, Lot 27

3-Lot Subdivision

Robert Henderson

Alton Mountain Rd.

The application was accepted at the February 15, 2005 meeting and has since been continued.

K. Menici: Stated there is nobody here to speak on the case and it has to be dismissed.

Motion by Jeremy Dube move to dismissed. Second by Jean Crouse,

General discussion by the Board regarding continuing of applications.

C. Balcius: Called for a vote. Vote unanimous.

Open to the public:

Chuck Weston: Stated that on Monday (December 19, 2005) Ken Roberts met with Jim Lund and discussed about widening the road and the work to be done and today Jim Lund with plans and started to cut brush on the Henderson property in an effort to apparently start widening the road.

K. Menici: Stated to Mr. Weston that this is something to take up with the Road agent.

C. Balcius: Questioned if this is something that the Town Planner can convey to the Road Agent. He may be under the impression that this was approved and there is a go ahead. As a professional courtesy between town departments she suggests that this should be mentioned to Ken that this case was dismissed and that there is no approval. It is a town road, yes, but that is a private individual that is starting work on it and who is going to pay for it is the end result.

Other Business:

2. Old Business:

3. New Business:

4. Correspondence:

K. Menici: Reports that they have received a letter from Philip Lorian, who is representing the Alton Historical Society and is requesting on behalf of the Historical Society a work session with the Planning Board outside of their regular meeting. The old freight building, ownership was just transferred over to them and they have some ideas on what they would like to propose for the reuse of that building. It includes a museum, office space, general meeting space. Because of the redevelopment of the park area by the Down Town Revitalization Committee and what they are proposing to do with the freight building, the two are really pretty closely tied together and this will created a rather unique area down there and they want to opportunity to come before the Planning Board in a work session to discuss what their plans are. The lot that the building sits on is not much bigger than the building itself. Parking is going to

become an issue. They want to talk with the Board about looking at shared parking with the park. There is an area across the street in front of the police station that Ken Roberts uses for snow storage when he plows. Apparently, the State willing to deed over to the Town of Alton that piece of land. That would create some additional parking down there. They will be doing grant writing to get funding for the renovation of the building.

Board Discussion on scheduling a work session.

Motion Jeremy Dube moved that set the first public hearing for the zoning ordinances changes to be held on January 3 at 7:00 p.m. with a snow date of the 4th. Bruce Holmes Second. Voted unanimous.

Board Discussion setting a second public hearing and getting proper public notice.

Motion Bruce Holmes moved to hold the second public hearing on January 17, 2005 at 7:00 p.m. Second by Jean Crouse. Voted unanimous.

Motion Jean Crouse moved hold the Planning Board meeting January 24, 2005 at 7:00 p.m. Second by Bruce Holmes. Voted unanimous.

Board Discussion regarding the request that was brought up tonight to applicants regarding the 25 foot vegetation buffer.

Motion Bruce Holmes moved to adjourn. No Second. Vote unanimous.