

TOWN OF ALTON PLANNING BOARD  
MINUTES OF 2021  
TUESDAY, DECEMBER 21, 2021

*APPROVED AS AMENDED*

*January 18, 2022*

**Members Present:**

Drew Carter, Chairman  
Russ Wilder, Clerk, Master Plan Committee  
Roger Sample, Member  
Scott Williams, Member, ZAC Committee  
Virgil MacDonald, Selectmen's Rep.  
Lee Hillsgrove, Alternate

**Others Present:**

Jessica A. Call, Town Planner  
Trisha DeRoche, Planning Secretary  
John Dever, III, Code Official/ZAC Committee

**Call to Order**

Meeting was called to order at 6:00 P.M. +/-

**Appointment of Alternate**

Mr. Williams moved to appoint Mr. Hillsgrove as a full voting member. Mr. Carter requested that the appointment of a vice chair be postponed to January of 2022.

**Approval of Agenda**

Ms. Call announced changes to the agenda; she stated there were changes made to the agenda after it was posted under Other Business #1(c) *Board to review and recommend a Planning & Zoning Consultant Warrant Article to recommend to the BOS.* Also included was #3(b) *Board to discuss and approve an application for Jill Houser to sit on the Master Plan Committee;* and (c) *Letter dated the 15<sup>th</sup> of December, 2021 from John Dever III, Code Official to the Planning Board;* Ms. Call requested that the Letter be moved to the beginning of the agenda under *The Public Hearing for Zoning Amendments #1.* The last edition to the agenda is 4(b) *Memo dated December 14, 2021 from the Town Engineer, Mike Vignale, regarding the October 13, 2021 site walk on Ridge Road.*

**Mr. Williams MOVED to accept the agenda as amended.**

**Mr. Wilder seconded the motion, and it PASSED unanimously.**

**Discussion of December 15, 2021, letter from John Dever, III, Code Official:**

Mr. Dever came to the table to discuss the letter regarding the existing septic capacity of 6 Gilman's Corner Road, Tax Map 15 Lot 48 for Case #P21-29. Mr. Dever stated he was concerned about the Board's decision to which required a septic plan expansion for a new septic system (2005), which he stated was not old for a septic system; And given the circumstances as he understood them, one person in the house not operating at the level of a full Salon and not putting a heavy usage on the septic system. Mr. Dever stated in his opinion, the Planning Board did not have the authority to require a septic plan expansion. Mr. Williams interjected and stated it has been done before in other cases. Mr. Carter stated the Board's position was of the understanding there were other people living in the home on and off and rooms rented out from time to time and one day there may be a full family in the home making full use of the septic design for a three bedroom house on top of a Salon; Mr. Carter stated the Board made the correct decision in determining that a septic could be designed to fit on the property for its maximum potential usage as opposed to saying we would change the classification to a one bedroom house with a Salon or a 2 bedroom house with a Salon. Mr.

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Carter stated in his opinion, the Board made the right decision. Mr. Wilder followed up and stated that the decision made sense in that the house is occupied and there is a business on top of that; the decision did not state it had to be built, but to make sure the septic could accommodate the increased usage. Mr. Sample interjected and stated the only problem with obtaining a new plan is the cost (\$1500) and the fact it is only good for 4 years. Mr. Williams interjected and stated that the applicant would only need to reactivate it after 4 years instead of going through the entire process again.

**Public Hearing on Zoning Amendments 2022:**

The Chair read the Public Hearing Notice into the record. (See attached Public Notice)

1. **PLANNING BOARD PROPOSED AMENDMENT #1:** To amend Article 200 Definitions “Seasonal Cabin” and “Seasonal Use”, to include a “Winter Season”, and to amend Article 400 Zoning Districts Regulations, SECTION 401 D. 44. Permitted Uses - Table of Uses, to allow “Seasonal Cabin” in the Rural (RU) Zone by Special Exception.
2. **PLANNING BOARD PROPOSED AMENDMENT #2:** To amend Article 300 General Provisions, SECTION 328 B., C., & D. Height Restrictions, to allow an increase in the maximum height of “Boathouses/canopied boat slips” to 20 feet by Special Exception.
3. **PLANNING BOARD PROPOSED AMENDMENT #3:** To amend Article 300 General Provisions, to add a new section, SECTION 364 Lots in two or more Zoning Districts.
4. **PLANNING BOARD PROPOSED AMENDMENT #4:** To amend Article 400 Zoning Districts Regulations, SECTION 401 A. 5. Permitted Uses - Table of Uses, to strike “Garage, workshop, or shed” and insert “Non-habitable Structure” so it coincides with the definition listed in Article 200 Definitions and with SECTION 360 Non-habitable Structure as a Principal Building on a Lot.
5. **PLANNING BOARD PROPOSED AMENDMENT #5:** To amend Article 400 Zoning Districts Regulations, SECTION 401 D. 14. Permitted Uses - Table of Uses, to strike “or Repair Shop”.

**Comments:** Mr. Wilder interjected and stated the Public Notice went out as “Building, Trade or Repair Shop” and “Shop” was crossed out, and it should not be. Mr. Sample interjected and stated he was unclear as to what needed to be crossed out; Ms. Call replied that the word “Shop” was accidentally included to be crossed out when only “or Repair” was supposed to be crossed out so when the Warrant Articles are written, they will read correctly; “Building, Trade Shop”.

6. **PLANNING BOARD PROPOSED AMENDMENT #6:** To amend Article 400 Zoning Districts Regulations, SECTION 401 D. 45. Permitted Uses - Table of Uses, to strike “or Warehouse”.
7. **PLANNING BOARD PROPOSED AMENDMENT #7:** To amend Article 400 Zoning Districts Regulations, SECTION 401 D. 49. Permitted Uses - Table of Uses, to strike “Travel Trailer Park/”.

Open for public input. No comments. Public input closed.

**Mr. Wilder MOVED to vote on these amendments as presented at this Public Hearing for a ballot vote in March 2022.**

**Mr. Williams seconded the motion, and it PASSED unanimously.**

1. **Final Road Approval**

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Case #P03-07 Thomas W. Varney, P.E., Agent for Patricia Scribner, Owner	Map 16 Lot 19A Laura Lane	Final Road Approval/Subdivision Rural Zone (RU)
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Proposal: To obtain final road approval for the subdivision located on Laura Lane.

The Chair read the case into the record.

Mr. Wilder stated the only outstanding item that needed to be completed was the asphalt rubber chip seal coat and he asked if money had been set aside to cover this. Ms. Call stated money had not been set aside yet, so that is partly why the applicant is at the meeting, to request final Planning Board approval of the road construction. Ms. Call further explained the Board would potentially give the final road approval at tonight's meeting on the condition that they will put the money aside in an escrow account with that final condition being completed and inspected by the Town Engineer by Spring of 2022; at that point, the applicant would move forward to petition the Board of Selectmen to accept the road. Mr. Carter interjected and requested confirmation that the \$13,000 was for the final verification; Ms. Call responded and stated the \$13,608 was an estimate and there would be additional costs incurred. Ms. Call stated she included the submission of funds under the Conditions Precedent #2 in the Planner Review. Mr. Williams interjected and noted that under *Inspections/Road Construction Issues*, the utility poles outside of the right-of-way don't make much difference because the Co-op would get a blanket easement which allowed them to place the poles wherever they choose, not confined to the easement and he did not see this as an issue. Mr. Carter interjected and stated that the poles were a past issue and they are only focused on the asphalt rubber chip seal. Ms. Call mentioned the email submitted from Scott Kinmond which stated he agreed with the Town Engineer, Mike Vignale that were the Board to approve this tonight with the money in escrow, it was an acceptable process.

Board acknowledged that Virgil MacDonald arrived to the meeting....

Mr. Varney, Agent for Patricia Scribner addressed the Board and stated in October of 2021 they had a meeting on the site with the Road Agent and the Town Engineer and they identified improvements to the asphalt, two of those were repairs of road spots which were completed, the third item was a chip seal. He stated they attended the meeting tonight to ask if they can keep the process going by getting approval from the Planning Board before going to the Board of Selectmen to deal with their requirements which would involve some of this work. Mr. Varney stated that he can understand the Board's requirement to have an engineer inspect the chip seal but he feels the Board of Selectmen should instruct them on what steps need to be taken next; the Board could simplify this by turning over the money for the chip seal (\$13,000 plus).... Mr. Carter interjected and stated they have to follow the regulations which would require a Warranty unless there is an exception to that regulation; Mr. Sample inquired as to what decision the Board made in a similar situation with Hopewell Point Road; Ms. Call interjected and stated the Board requested a Bond and Mr. Williams agreed and stated the Board needed to be consistent, although he understood the applicant's point of view on the matter but if we have required this for one applicant, we have to remain consistent, unless we change the rules.

Mrs. Scribner addressed the Board and referred to the August 14, 2020 letter which showed they completed all of the requirements; then the Town of Alton changed Road Agents and he was the one who recommended the chip seal for the road. Ms. Scribner stated that was not part of any conversation regarding requirements. Mr. Williams interjected and recommended they revert back to what the plan stated for construction to determine if there was a call for a rubber chip seal; Mr. Wilder interjected and asked if the chip seal was

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approved in the original plan. Mrs. Scribner responded and stated no, it was never discussed; Mr. Varney interjected and stated paving of the one inch wearing course was the only thing included in the plan. Mr. Williams responded and agreed that the one inch wearing course needed to go in and not the chip seal and have to enforce what was approved in the plan. Mr. Wilder responded to Mr. Williams and stated the road currently has a base course on it and through discussions a chip seal was decided on to finish it off but what was approved was another inch of wearing course, so we would have to reverse the approval as most subdivisions are required to have the wearing course. Mr. MacDonald stated if the plan was approved with a one-inch wear course, then that is what should be followed. Mr. Varney interjected and stated that 2 inches of base and one inch of wearing course is standard for a road and that hasn't changed; the chip seal is for repairing roads. Mr. Williams stated he doesn't believe they have an option to make a change and Ms. Call agreed as well as Mr. Carter. Mr. Williams interjected and stated they have to go by the approved plan for the road. Mr. Wilder asked if the wear coat was already on and Mr. Varney replied, yes and stated that was all approved by the CMA Engineers, it's all done, everything on that road is done. Mr. Wilder interjected and reiterated what Scott Kinmond stated in his email about the road being cracked and more was needed for the top of the road. Mr. Williams interjected and stated that was an outline; Mr. Wilder stated the engineers have recommended the chip seal because the road has been sitting there for so long and it needs something in addition to the wear course.

Mr. Carter addressed what has already taken place on the road, the binder wear course was down, repairs were made to the wear course, and then the Road Agent recommended for the longevity of the road that a chip seal be applied to the road. Mr. Williams interjected and asked if this was the recommendation of the new Road Agent and Mrs. Scribner replied that the recommendation came from the new Road Agent because the former Road Agent, Ken Roberts did not recommend a chip seal. Ms. Call interjected and discussed the site walk that took place in August of 2020 with the former Road Agent, Ken Roberts; she stated there were questions about the condition of the road because the final wear coat was placed on the road in November of 2007 and from 2007 to 2020 the road deteriorated which was why they conducted another review of the road in 2020 which resulted in a new list of items that needed repair. Mr. Williams interjected and stated he was under the impression the wearing course was not placed on the road; Ms. Call responded it was placed on but it is such an old road so additional repairs were needed and have been completed and the only thing that remained was the rubber chip seal; however, the rubber chip seal was not part of the original approval. Mr. Wilder interjected and stated the applicant built the road in accordance with the approval and the repairs have been made so it would be up to the BOS to decide what to do with the Road Agent's recommendation. Mr. Williams agreed and stated they have met the design intent.

Ms. Call asked the Board to go over the Conditions Precedent included on page 4 of the Planner Review so they no longer have to submit funds for the asphalt rubber chip seal; Mr. Williams interjected and stated he agreed and stated the notes needed to be passed on to the Board of Selectmen so they are up to speed. Ms. Call agreed and read Condition Precedent #2 which was the submission of funds to be determined by the Town Engineer to be deposited into an escrow account for the warranty security preparation, construction observation; however, he would not need to prepare a report after the asphalt rubber chip seal has been completed so that section can be crossed off. Mr. Wilder interjected and stated that would be left up to the Board of Selectmen for their consideration; Mr. Carter agreed and stated they have narrowed down to the warranty. Ms. Call agreed and stated she has crossed out Conditions Precedent #1 and removed the section related to preparing the report for the asphalt rubber chip seal. Mr. Carter interjected and requested a motion from the Board.

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Open for Public Input.

Ms. Valerie Tribell approached the table and stated she is one of the residents on Laura Lane. She stated every crack in the road was filled this past summer and she was wondering if there was a way the Board of Selectmen can be recommended by the Planning Board to approve the road because they have seen school buses from the Town of Alton come up the road to make the circle to come back down the road into the Town. She stated she is aware they are supposed to use the triangle up at Gilford but the buses have a hard time doing that. Ms. Tribell stated they have explained to the bus drivers that is a private road and they have been paying for it and when the buses continually use the road, it wears on the road. Mr. MacDonald responded and stated that is part of the process, the Planning Board would send a letter of recommendation to the Board of Selectmen for review and approve. Mr. Carter interjected and stated the Planning Board would send confirmation that all items have been completed and as such the road should be approved. Ms. Tribell thanked the Board for their time.

Public input was closed.

After due hearing, Mr. Williams **MOVED** that the Alton Planning Board hereby confirms compliance with the approved subdivision plan and grants final Planning Board approval of the road construction for Patricia Scribner, Laura Lane, Map 16 Lots 19, 19-1, 19-2, 19-3, and 19-4, Alton, NH, with the following conditions:

**CONDITIONS PRECEDENT**

1. Submission of funds to be determined by the Town Engineer to be deposited into an escrow account for warranty security preparation, and a final site walk and preparation of a report at the end of the warranty security 18-month period.
2. Submission of warranty security as indicated above, in the form of a bond, or letter of credit to be approved by town counsel and paid for by the applicant, in an amount to be determined by the Town Engineer, and shall be held by the Town for a period of 18 months. This maintenance or warranty security shall be released by the Planning Board to the applicant after the 18-month period if the Town Engineer verifies that all of the subdivision improvements are without material defect and the security is ready to be released.

\*The Subdivision Regulations state that the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions precedent that are required prior to signing and recording the subdivision plat, but they do not provide the applicant with a timeline for completing conditions precedent when it comes to receiving final road approval. Completing conditions precedent shall be an administrative act, not requiring further action by the Board.

Mr. MacDonald seconded the motion, and it **PASSED** unanimously.

2. Design Review (Continued from November 16, 2021)

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<p><b>Case #P21-21 Scott Lawler, P.E., of Norway Plains Associates Inc., Agent for Jeffrey F. Hertel &amp; Van E. Hertel, Sr., Owners</b></p>	<p><b>Map 15 Lot 9-3 Hogdon Road</b></p>	<p><b>Design Review/Major Site Plan Residential Rural (RR) Zone</b></p>
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Proposal: To construct a Self-Storage Facility consisting of two (2) storage buildings.

The Chair read the case into the record.

Mr. Hertel along with Scott Lawler, P.E., agent, came to the table for discussion. Mr. Lawler gave a breakdown of the Design Review proposal for the Storage Facility located at Tax Map 15, Lot 9-3. He stated it has frontage on Route 28 Miramichie Hill Road and Hogdon Road; this lot is vacant but has had some logging operations clearing last summer at the northern end. The Wetlands and Test Pits were performed by Adam Doiron, CWS, CSS, in May of 2021. He stated the Hertel's are proposing two self-storage buildings, one building is 35 x 140, the second building is 45 x 140, around 11, 200 square feet of rental space; each building will have seven 20-foot-wide rental units in the building; they are proposing a 50-foot-wide paved access in between the two structures. To gain access to the facility, they are proposing a 24-foot-wide paved driveway off of Route 28 in the location formerly known as Hogdon Road. Back in September they received Planning Board approval for issuance of a Building Permit on a Class VI roadway and they have submitted an NH DOT Driveway Permit application for the upgrade of the intersection of Hogdon Road and approximately 230 feet up into the Class VI roadway; From that 25 foot wide paved roadway, they will have a 24 foot wide paved driveway onto the site and taking the recommendations of the Planning Board when they were present for Design Review in September of 2021, they have reconfigured the intersection depicted on the plan to be more of a T intersection to allow and accommodate the fire truck being able to access.

The changes they made to the site plan since were minor adjustments to the storm water management system to address the Town Engineer's comments; the storm water development will be captured and directed to a storm water management treatment consisting of a sediment 4 bay a pocket pond and a discharge. This facility will not have any employees on site, it is a 24 access facility, because there are no employees they are not proposing any parking spaces associated with the Use; there is however ample room at the end of the site to accommodate the site maintenance for Mr. Hertel or his assigns to conduct routine maintenance around the buildings. Because the building will not have any employees or any office space, they have not proposed any water or sewage connections to the facility; there will be no trash allowed to be stored on the property and as such the tenants will need to discard of the trash themselves. They have provided the Board with a lighting illumination plan that shows downcasted, wall mounted light fixtures; they have also amended the site plan to include a landscaping plan per the recommendations of the Planning Board; trees will be planted along the berm of the storm water management system in an area where the existing vegetation between the development and Route 28 is thinned down to help provide a little additional screening. They also have some landscaping shown around the proposed sign that will be installed. The applicant's property at the corner of Hogdon Road and Route 28, with the exception of the NH DOT Driveway Permit application, there are no other State Permits necessary for this project. Mr. Lawler stated they are seeking to move from the Design Review component to the Site Plan approval pending the Planning Board's recommendations.

Mr. Carter addressed Mr. Lawler and stated he appreciated the additional information provided; one of the things that caught his attention was the lighting plan regarding the wall packs mounted at 16 feet above finished grade and the wall heights are only 12 feet. Mr. Lawler responded and stated they can have the lighting

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analysis adjusted to lower the placement of the lights. Mr. Williams interjected and stated they are also trying to have the color of the lighting at 3000K which is a warmer color of light versus the bright daytime lighting.

Mr. Carter inquired about the paved area that goes beyond the buildings, what is the intended use of that; Mr. Lawler responded and stated the intended Use is that the Hertel's hope to come back before the Board for a third building and that paved area will provide the access to that third building. Mr. Lawler stated that when they prepared the storm water management analysis and application, they took into account this future building; if the Hertel's decide to move forward with the building the storm water management system that will be constructed will already be sized accordingly.

Mr. Wilder inquired about the drainage in the proposed pocket pond, it discharges through a spillway and then there is riprap outlet protection, so all of this will be discharged to the ditch line of Route 28, correct? Mr. Lawler responded, that is correct and stated that as part of their application to DES, they provided a stormwater management report. When the report was prepared, they analyzed it to ensure that they did not increase the rate of discharge so they would meet the Town requirements. The outlet structure has been designed to attenuate the peak of the rate of discharge in the various storm events in order to discharge the water at a rate that is equal to or less than the pre-development conditions. Mr. Wilder asked what sheet Mr. Lawler had that depicted the trees and the landscaping; Mr. Lawler directed Mr. Wilder to page L2, the second to last sheet of the plan.

Ms. Call interjected and asked Mr. Hertel if he had a business name; he responded and stated he will blanket it under Hertel Investment Properties d/b/a Hertel Self-Storage, same as the other business but he is not positive on that. Mr. Williams asked Mr. Hertel if he had a reason for writing down 12 square feet per sign; Mr. Lawler responded and stated that is the maximum allowed in the zoning district. Ms. Call asked for the location of the sign and Mr. Williams responded and stated the sign is down by the edge of the road in plain view.

Mr. Carter inquired as to Mr. Hertel's approach to fire protection and Mr. Lawler responded and stated there is no proposed fire suppression as the size of the units do not warrant it. Mr. Williams asked Mr. Lawler if he saw the Fire Department recommendation and he stated he did not see the recommendation. Mr. Williams addressed the Knox Box with master key request from the Fire Department to allow access in the event of an issue when no one is on the property. Mr. Hertel stated the only power to the building is for the lights, the tenants do not use of electricity inside of their units. Mr. Williams stated he would like some clarification as to the Fire Department's request that the building has a maximum length of a dead-end-corridor that exceeds 50 feet, he asked where is the dead-end-corridor located on the plan because no matter how you cut that is over 50 feet of travel distance and he doesn't think that would warrant a suppression system in there. Mr. MacDonald addressed the means of egress and stated they have more than 200 lineal feet according to the Fire Department; Mr. Lawler responded and stated the dead-end corridor would be a hallway through the building which they do not have inside the building. Ms. Call interjected and stated at the time of the Department Head Review, the Fire Department did not have building plans for elevation views or any other details to refer to when making the recommendations. Ms. Call stated she wanted to address the logging that took place on the property earlier in the year before the Site Plan approval; she stated the Planning Department is working with the Assessing Office on possible solutions to help assist applicants with awareness of the Site Plan Regulations before obtaining the Notice to Cut or starting other projects; Site Plan Regulation 1.03 addresses this issue and is as follows:

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*Site Plan Regulation 1.03 JURISDICTION states...*

*(C) A Site Plan Review application must be made and approved before any binding offer to sell, rent, or lease a proposed area or part thereof; before any construction, land clearing, or building development is begun; before any permit for the creation of any building may be granted.*

Mr. Carter stated he had another concern regarding the landscaping; he stated the plans show very light landscaping and he feels more effort could be made to increase the landscaping around the building. Mr. Lawler responded and stated he will touch base with the landscape architect to discuss adding more.

Mr. Carter addressed the Board regarding their thoughts on the lighting for this plan; he stated they are basically down to zero foot candles at the entrance of the driveway which means you don't see any light until you are halfway down the driveway; He also asked if the applicant intends to light the business sign and Mr. Hertel stated he never considered lighting his sign, but would not be opposed to putting some kind of lighting up Hogdon Road if they could work something out with the electric company.

Mr. Carter inquired as to the outdoor storage on the property and Mr. Hertel stated there would be no outdoor storage at his facility.

Mr. Wilder addressed the issue of possible traffic in the area as they are concerned with increased traffic; Mr. Carter stated the analysis showed 14 vehicles entering and exiting per site, per day. Mr. Hillsgrove interjected and asked if the land was originally under NRCS protection (National Resource Conservation Services); Mr. Wilder and Mr. Carter responded that NRCS is the source for the soil services.

Ms. Call interjected with a question regarding pavement; she stated it was not clear what the Board had in mind regarding submitting any formal road plans or if there would be any inspections by the Town Engineer. She stated when Mr. Hertel received approval from the Selectmen on the Class VI Road application, the Selectmen directed the Planning Board to talk about a Bond. Mr. Wilder agreed as it is still a Town Road but the Town doesn't maintain the road; however, if someone is using the Town road, then it has to be built to minimum Town standards and Bonded for the first year. Mr. Lawler directed the Board to look at page C6 on the plans as it is the road design plan and profile sheet which shows the profile and the construction specifications for the pavement. Mr. Wilder stated the plan shows a 24-foot-wide road with ditches and Mr. Lawler confirmed this. Ms. Call interjected and asked the Board if she will be contacting the Town Engineer to obtain an estimate for security and construction; the Board confirmed.

<p>Case #P21-33          Scott Lawler, P.E., of Norway Plains Associates., Inc., Agent for Keith Dube of Piperdube, LLC, Owner</p>	<p>Map 2 Lot 12          800 Suncook Valley Road</p>	<p>Design Review/Major Site Plan          Rural (RU) Zone</p>
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Proposal: To operate as a Contractor's Yard for a landscaping business, and construct a Self-Storage Facility consisting of two (2) storage buildings.

The Chair read the case into the record.



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Mr. Scott Lawler, P.E., agent, came to the table for discussion. Mr. Carter mentioned that there is a ZBA application for a Special Exception and he has concerns about discussing the application before it is heard by the ZBA; Mr. Williams interjected and asked if the application was classified as a Design Review and Ms. Call stated the application is a Design Review and historically the Board waits until the applicant goes before the ZBA. Mr. Wilder interjected and stated the Board should wait until the applicant has gone before the ZBA; Mr. Lawler interjected and stated when they initial submitted the application for the Design Review, it was strictly for the Self-Storage component and after discussion with the Town Planner and the Code Enforcement Officer, they amended the application to include both components. Mr. Lawler stated he understood the Board's position in not wanting to discuss items relative to the Contractor's Storage Yard but if the Board present their recommendations on the application so they could take them into consideration and work on the recommendations while they are waiting for the ZBA meeting regarding the Contractor's Storage Yard. When the applicant does receive the Special Exception from the ZBA, they can come back under another Design Review to discuss both the Contractor's Storage Yard and the Self-Storage Facility. He stated in the applicant's opinion, these are two separate items, granted on the same piece of property but the Contractor's Storage Yard has been there for better part of a year, where they are proposing the Self-Storage Facility.

Mr. Carter stated he understood, however, the applicant has a non-compliant, non-conforming use of the property right now and he feels the Board should allow the ZBA to sort through the application before they address the property as a whole. Mr. Wilder interjected and asked if the applicant does not get the approval for the Contractor's Storage Yard, could they still build the Self-Storage Facility? Mr. Carter responded and stated most likely they applicant could do so; Mr. Wilder interjected with a follow up question and asked if the Contractor's Storage Yard would impact the Self-Storage Facility design in any way, because if not, he feels the Board should move the applicant along instead of discussing this application twice. Mr. Williams interjected and asked what portion of the application would the ZBA address, the Contractor's Storage Yard is allowable or not; Mr. MacDonald interjected and stated if the applicant had a house there he'd be able to store his equipment there; Mr. Carter interjected and stated no, not for a commercial Contractor Use which is what it is currently being used for. Mr. Wilder stated he would like to find a way to have the Board assist the applicant by going through the Design Review process without impacting what the ZBA may do; Mr. Williams interjected and stated everything discussed in the Design Review is non-binding. Mr. Carter asked if the remaining Board members were in agreement, and they stated yes.

Mr. Dube and his wife came to the table for discussion; Mr. Lawler stated Piperdube, LLC owned Tax Map 2, Lot 12, 800 Suncook Valley Road, Route 28; it is a 3.33-acre parcel located in the rural zoning district, has frontage on an existing driveway on Route 28. The Dube's purchased the lot in 2020 at which point they constructed a garage with apartments and they were granted a variance from the ZBA to allow for an accessory unit, slightly larger than the zoning ordinance allowed. He stated there are garage apartments which are serviced by onsite well and septic systems, there is currently a gravel parking area and they asked Stoney Ridge Environment to do a wetlands delineation on the property and the land scopes from South to North, at the rear of the property, there is a snow mobile trail that bisects the property, although to date, they have not asked permission from the landowner to continue to use the trail. Mr. Lawler stated he will skip the component that addressed the Contractor's Storage Yard, they are requesting Design Review for two proposed Self-Storage buildings, one is a 20 x 180; the second is 30 x 120 which is approximately 7,200 square feet of rental space. He stated they are proposing a 20-foot-wide gravel access between the structures and circulating around the two buildings, storm water from the proposed Self- Storage buildings as well as the portion of the garage and parking area will be directed to a storm water management treatment system consistent of a sediment forbay and a pocket pond to provide treatment of the storm water before discharging off the

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property. The ponds are designed to attenuate and meet the post development rate of discharge; because the owners live onsite, there is no office associated with the Self-Storage Facility so there are no employees and no proposed parking for the project. The trash will not be allowed to be stored on site and has to be removed by the tenants as there will not be dumpsters on site. They have LED down shielded wall fixtures; The Self-Storage Facility will have unrestricted access, open 24/7 and they have requested a waiver from the landscaping plan as the facility has a wooded buffer between Route 28 and the development; the Self-Storage buildings are located to the rear and behind the existing garage, essentially becoming non-visible from the public ROW; they will require a NHDOT Driveway Permit for the expansion to a Commercial Use. There is a NHDOT Driveway Permit for shared driveway that the Dube's and the abutter to their West utilizes; there are no other State permits necessary. The longer building and the rear building will only have doors facing to the East, towards the smaller units, so there are no doors on the back of the building which faces the rear property line; the smaller of the two buildings will have doors on either side.

Mr. Williams asked if they were planning any screening on the Southwesterly side of the building that abuts the property line; Mr. Lawler stated they talked about it with Mr. Dube, because it is going to be a single building without any windows or doors, it becomes essentially its own screen; it's color is a dark grey that mimics the existing garage, so adding trees or a fence would not do much. Mr. Williams responded and stated he was thinking of the neighbor and emphasizes the 3000k or under. Mr. Dube responded and stated he is not opposed to putting up trees but feels a fence would be redundant; he stated he would prefer trees. Mr. Hillsgrove asked if there were any houses within site of the building; Mr. Williams stated the building is right beside a house. Mr. Hillsgrove looked at the plan and commented that from the highway, you can almost see the back of his boundary line and he has been on the property and you cannot see the house from that angle because it is wooded enough in between and doesn't see a need for additional trees. Mr. Carter interjected and stated that between the two buildings, it looks as though Mr. Dube is channeling everything toward the existing garage; he asked if there were a pocket of wetlands tucked in between the pocket pond and the gravel? Mr. Lawler responded yes; he stated the color rendering gives the darker greens which are the jurisdictional wetlands, the light green is the grassed area and the green in between are vegetative woods or brush. Mr. Carter asked if the 24/7 access to this is going right up by the garage and the apartment and if Mr. Dube was currently living there; Mr. Dube stated he is currently living there and his father lives in the downstairs apartment. Mr. Dube stated he would like to direct the traffic somehow to go around the perimeter, he doesn't want anyone speeding by his door if he can avoid it; he will install some type of a barrier. Mr. Sample asked if the State was okay with the shared driveway; Mr. Dube stated he spoke to George Gubitose and he stated as long as he doesn't build 100 units, he doesn't have a problem with the shared driveway; he stated they are only going to have about 50 units. Mr. Sample asked if Mr. Dube's Contractor Yard was his own site, and he stated he was under the impression that when he first brought the property that he only needed to put up a garage but he needed to also include a Contractor Yard, which after 25 years of being in business he had no idea of what a Contractor Yard was because he's always had the yard where he lives so he inquired about putting an apartment into the building for his father; he was told if he did that it would become a residence which would be the same as he has now. Mr. Dube stated at that time he didn't think much about it until things started to come about with this application, the Contractor Yard came up and he didn't understand why he needed a Contractor Yard because he doesn't conduct business on the property, he only parks vehicles and his equipment is never on the property.

Mr. Carter interjected and stated that being the current topic is more of a ZBA subject and the Agenda is full, he feels the Board needed to move off of that topic; he addressed the Board and asked if there were any additional comments regarding the Self-Storage Facility. Ms. Call interjected and asked if there were any fire

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protections in place; Mr. Lawler responded they have not proposed fire protection as this application is smaller than the past applications. Ms. Call inquired as to whether or not Mr. Lawler received the report from the Town Engineer; Mr. Lawler responded yes and they are working on addressing the comments before they come before the Board again. Mr. Wilder interjected and addressed the storm water drainage, he stated it looks as though it discharges out the back to the finger wetland and he was wondering if the design will increase flows; Mr. Lawler stated the rate of discharge would be the same because of the retention of the pocket pond. Mr. Williams interjected and followed up with the concerns regarding the traffic flow and Mr. Lawler stated they will address the traffic flow. Mr. Wilder interjected with a question regarding the amount of room for parking at each unit; Mr. Lawler responded and stated that each unit will have enough space to parallel-park. Mr. Williams inquired as to Mr. Dube’s plans to possibly pave; Mr. Dube stated that he has considered paving but has not made any plans yet because he doesn’t know what they are doing moving forward here and he doesn’t want to carve up what he just paid a lot of money for; Mr. Williams stated he asked because all the other Storage Units are paved. Mr. Lawler responded and addressed the water management and stated the water management analysis was done as if it was paved, but it will change some of the flows, speed and volume.

Open for Public Input-

Abutter, Joseph Gray of 86 Linwood Drive approached the table and expressed his concerns regarding the building of the storage unit; he is concerned about lights from the storage facility hitting the back of his house because the back of his home faces Mr. Dube’s lot. He also mentioned the snowmobile trail because the trail runs directly through the area in the proposal. Mr. Carter interjected and stated that’s done by a fairness and approval by the other landowners, we wouldn’t have to notify them; he asked Mr. Gray to clarify his location in regards to the snowmobile trail; Mr. Gray stated he is located on the other side of the snowmobile trail. Some of the Board members recommended planting Hemlocks to shield the lights from Mr. Gray’s house and Mr. Dube agreed Hemlocks would be good. Mr. Gray also agreed with the recommendation and stated it would help with the amount of noise and lights. Mr. Dube and Mr. Gray agreed to discuss moving the snowmobile trail more onto his property so as to not lose the trail.

Public input closed.

Ms. Call stated that she would like it noted that the Design Review is being continued to the January 18, 2022 Planning Board meeting for the Contractor’s Yard portion of the Design Review.

<p><b>Case #P21-34 Bradford Jones of Jones &amp; Beach, Agent for Dave Fuller of Route 28 Boat Storage, LLC, Applicant; and John Matarozzo, Owner</b></p>	<p><b>Map 9 Lot 6 436 Suncook Valley Road</b></p>	<p><b>Design Review/Major Site Plan Rural (RU) Zone</b></p>
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Proposal: To construct two (2) Boat Storage buildings, a small office building, and a gravel parking area.

The Chair read the case into the record.

Mr. Jones, agent for Mr. Fuller came to the table for discussion of the Design Review application. Mr. Jones stated the project looks much the same as the Board saw in its Conceptual form, the buildings were in that

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same location, so the plans for the Design Review tonight have more information; the property itself is on Route 28 and it is 436 Suncook Valley Road, Map 9, Lot 6. The property itself is 17.71 acres and it is located in a rural zone, it was previously a small wetland crossing that was approved for a common driveway to access the property and the remaining property is still wooded. He stated they are planning two Boat Storage buildings on the property, Building A is 110 feet x 240 feet (26,400 sq. ft), Building B is 230 feet x 380 feet (87,400 sq. ft); there will also be a small office building that is 20 x 20 (400 sq. ft) and that will be right on the access road as you come into the property. The office building will be connected to an onsite well and septic; the well is already installed but they still have to design the septic and send it to the State. Mr. Jones stated they did not show access from Emerson Drive on the plans, they did have this on their plans when they went before the ZBA; the abutters were concerned with that so they removed it from the plans. They are not opposed to creating emergency access from Emerson Drive with maybe a gated crash gate. He stated the traffic will only be active in the spring and the fall to haul boats in and out of the property. Mr. Fuller interjected and stated the Boat Storage will be long-term and not set-up as individual storage for each boat owner; they would bring their boats in the fall and leave them until the summer.

Mr. Wilder asked if the storage would be used by Marinas under contract to store boats; Mr. Fuller stated they considered it but they don't want to have multiple parties. Mr. Jones continued with the application discussion, he stated they showed on the plan 4 separate 7500 gallon tanks and they will have a fire pump on each building and each building would use the same cistern; this was chosen for insurance and safety issues. Mr. Carter asked if the fire pumps would require an emergency back-up generator; Mr. Jones stated they do not have back-up generators in the design. Mr. Williams asked if they planned on having water on site; Mr. Jones stated there is a well for the office so they could replenish the cistern. Mr. Jones stated they still need to apply for their AOT Permit and they have applied for a Change of Use for the DOT Driveway Permit; it was already approved for a Commercial Use, however they have sent plans and an application and they are waiting to hear back from the DOT. Mr. Jones stated all of the drainage will go to the pond at the rear of the sight, they will collect all of the storm water from the buildings which will get piped into a swale and then runs down into the bio-retention pond; the drainage proposal will have to be presented to AOT. He stated they did send a traffic memo to the Town recently; they agreed to not haul any boats until 8:45am and between 2:30pm & 3:00pm; the owner has agreed to this and they have submitted this to the DOT as well. He stated this was a concern when they went before the ZBA and they wanted to address this issue upfront. Mr. Fuller stated it's not a 24-hour service and they are not going to have employees sitting at the door waiting for the boats, it will be set up ahead of time and paid for in advance. Mr. Hillsgrove interjected and asked if there were two approved entrance ways; Mr. Jones stated there is a single entrance but it is common access.

Mr. Wilder interjected and referred to the Planning Review section that discussed the amount of boats submitted on the application, he stated initially they talked about 400 boats and now it says 740 potential boats; is there potential for traffic issues with this amount of boats? Mr. Fuller responded and stated he does not feel there will be any traffic issues because prior arrangements will be in place to drop off the boats. Mr. Wilder asked about the boat trailers after drop off; Mr. Fuller stated the owners will take the trailers home or they can store them in the gravel parking lot on site. Mr. Hillsgrove interjected and asked about hours of operation on Saturdays and Sundays; Mr. Fuller stated being open part of the day on Saturday would be a possibility but not on Sundays.

Ms. Call interjected and instructed Mr. Fuller to confirm hours of operation in the updated project narrative and on the plan and stated she did not see anything that indicated he would have a business sign or the location; Mr. Jones stated they have depicted a sign out front but they did not get into any detail about the sign

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on the plan. Mr. Carter stated the plan stated proposed sign with landscaping; Mr. Fuller stated they want a small sign, nothing large. Ms. Call asked if they had any plans for the building; Mr. Jones stated at the end of the application, there are some plans of the building. Mr. Williams interjected to address the lighting, he stated they should have for wattage the 3 column K Calvin, 5000 is daylight and 2500 is warm light.

Ms. Call interjected and asked if the Soil Test Pits were included on the plans, Mr. Jones stated they are not on the plans but they have them located; he stated they will have them with the next set of plans. Mr. Carter addressed the expired Wetlands permit that had expired; Mr. Jones stated the work has been done so they do not need the permit. Mr. Carter asked about the parking; Mr. Jones stated there are four spaces right off of the access road. Mr. Carter asked about the placement of the septic; Mr. Jones stated the septic location is on the C2 plan on Emerson Drive, right in the tree line. Ms. Call asked about the office space; Mr. Jones stated there is a 20 x 20 office. Ms. Call asked about parking for the office staff; Mr. Fuller stated it will not be a manned office, just a place to store files and keys. Mr. Carter interjected and stated the four parking spaces should suffice for that purpose; He also asked about gating the property. Mr. Fuller stated they plan to gate it by the office entrance. Mr. Carter stated they should look into back-up generators for the fire pumps. Ms. Call asked about the plans for snow storage and removal; Mr. Jones stated they will get that on the plans. He stated they also noted the drainage comments from the Board which they will complete and add to the plans.

Open Public Input. No Comments. Public input closed.

Board takes a 10 minute break...

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

<p><b>Case #P21-30 Steve Oles, LLS, of Norway Plains, Agent for William &amp; Ellen Quirk of East Side, LLC, and Andrew &amp; Jennifer Fuller, Owners</b></p>	<p><b>Map 11 Lots 27 &amp; 29 Dan Kelly Drive</b></p>	<p><b>Lot Line Adjustment Lakeshore Residential (LR) Zone</b></p>
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Proposal: To adjust lot lines for two (2) lots of record, with Map 11 Lot 27 adjusted from 43.138 AC to 40.801 AC, and Map 11 Lot 29 adjusted from 9.021 AC to 11.358 AC.

Meeting called back to order at 8:18pm.

The Chair read the case into the record.

Mr. Oles, agent for Mr. & Mrs. Quirk and Mr. & Mrs. Fuller for a lot line adjustment came to the table. Ms. Call interjected and addressed the waiver. Mr. Oles stated the original survey was done by RSL Survey in 1999, this is a revision to that survey; all the meets and bounds was done, the legal description has a complete meets and bounds description that was provided to the Board. The Board reviewed the waiver request.

**Mr. Williams MOVED to grant the waiver request to Section 7, F.7.E.**

**Mr. MacDonald seconded the motion, and it PASSED unanimously.**

**Mr. Wilder MOVED to accept the application for Case #P21-30 as complete.**

**Mr. Williams seconded the motion, and it PASSED unanimously.**

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Mr. Oles gave a breakdown of the proposal for the Lot Line Adjustment; He stated Mr. & Mrs. Fuller approached East Side, LLC and asked to acquire two plus acres of land to give themselves more of a buffer between their house and East Side, LLC because their house is right on the setback when it was originally developed back in 1999. Mr. Oles stated this is basically a land purchase swap but Lot Line Adjustment between two neighbors of 2.33 acres; both lots are conforming, both lots are over the land area, both have frontage.

No further comments from the Board. Open for Public Input. No Comments. Public input closed.

After due hearing, Mr. Williams **MOVED** that the Alton Planning Board hereby approves Case #P21-30 for East Side, LLC and Andrew & Jessica Fuller, for the above cited Lot Line Adjustment of Map 11 Lot 27 & 29, with frontage on Dan Kelley Drive, Alton, NH, with the following conditions:

**CONDITIONS PRECEDENT**

The following conditions precedent must be satisfied prior to the Planning Board Chair signing the plans:

1. Submission of revised plans in the number required by the Subdivision Regulations and *that include all of the Checklist corrections listed under PLAN REVIEW in this Planner Review, any corrections as noted at this hearing, and any waivers granted by the Board.*
2. Addition of a note to the lot line adjustment plan prior to plan signing as follows:  
"This subdivision plan is subject to the Conditions of Approval itemized in the December 21, 2021, Notice of Decision recorded in the Belknap County Registry of Deeds and on file at the Town of Alton Planning Department."
3. Addition of a note to the lot line adjustment plan prior to plan signing by the Planning Board Chair as follows:  
"This lot line adjustment plan contains a total of \_\_\_ sheets. (List number of sheets included with the plan). In combination, these plans constitute in their entirety the lot line adjustment plan as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department."
4. Bounds should be set on the final plat or a separate certification of bounds set will be required to be recorded at the Belknap County Registry of Deeds at the applicant's expense.

**SUBSEQUENT CONDITIONS**

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

1. The applicants shall comply with all of the Town of Alton's Subdivision Regulations.
2. Approval of the lot line adjustment by the Planning Board constitutes recognition that the lot configurations are in conformance with local land use regulations. To complete the lot line adjustment, deeds must be transferred and recorded and this is the applicant's responsibility.

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3. The approval is based upon the plans, specifications and testimony submitted to the Planning Board. Any alterations, additions, or changes to the plans are not authorized and require additional Planning Board approval.
4. A lot line adjustment which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications upon which the approval was based, or has materially violated any requirements or conditions of such approval.

Unless otherwise approved by the Board, the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions precedent that are required prior to signing and recording the subdivision plat. Failure to complete any conditions within the one (1) year timeframe shall invalidate the Board’s approval, unless an extension is approved by the Board under Section IX, A. 2. of the Town of Alton Subdivision Regulations.

Mr. MacDonald seconded the motion and it PASSED unanimously.

Case #P21-31 Paul Zuzgo, LLS, of Prospect Mountain Survey, Agent for Jeffrey A. & Clare M. Letendre, Owners	Map 10 Lot 26 Frohock Brook Road	Final Minor Subdivision Rural (RU) Zone
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Proposal: To subdivide Map 10 Lot 26 into two (2) lots of record. The parent lot would consist of 18.68 AC, and the subdivided lot would consist of 2.30 AC.

The Chair read the case into the record.

Ms. Call mentioned to the Board that the waivers need to be addressed. Waivers read into the record by Mr. Carter; VII, D.1. (b) Complete boundary survey, the lot has been surveyed before and we have only surveyed the lot to be subdivided off; VII, D.1. (c) (4) Location of all proposed and existing monuments, we did not locate all the monuments. We did locate the 2 on the lot being subdivided and will set the 2 needed; VII, D.1.(g) (1) Jurisdictional wetlands, there are no wetlands on the lot being subdivided. We ask that we not delineate wetlands on the remaining land; VII, D.1. (j) Show all jurisdictional wetlands. There were no wetlands shown on the original subdivision. We ask that we not show wetlands on the remaining land that may have been created by building retention ponds in the drainage easements; VII, D.1. (n) Show all areas with slopes in excess of 25% slopes. We show them on the subdivided lot, and ask we not show the remaining land.

Mr. Wilder wanted to address the waiver about the wetlands; he stated they need to at least have a soil report that claim there are no wetlands; Mr. Zuzgo stated the soil map is on the plan. Mr. Wilder stated he does not have a problem with any of the waivers.

Mr. Williams MOVED to grant the waivers on Case #P21-31, Section VII, D.1. (b), then (c) (4), (g) (1), (i), (j) and (n).

Mr. MacDonald seconded the motion, and it PASSED unanimously.

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Ms. Call interjected to mention a few things that were not indicated on the checklist; the driveway site distance analysis and future development. Mr. Zuzgo stated they are located right at the end of Frohock so there is plenty of site distance with the way the cars are going to be coming. He stated the owners plan on building on the remaining land and sell the current lot.

**Mr. Wilder MOVED to accept the application, Case #P21-31 as complete.  
Mr. Williams seconded the motion, and it PASSED unanimously.**

Mr. Wilder stated he noticed the driveway looked to be very steep; Ms. Call addressed Mr. Zuzgo and referred to their conversation regarding who was in charge of maintaining the drainage easements; she stated she did research on the subject and found that the responsibility lies with the homeowner to maintain the drainage easement. Mr. Zuzgo stated he did not see this on the plan and Mr. Call stated in was listed in the Notice of Decision. Mr. Zuzgo asked if the new owners would be in charge of the drainage easement once the deeds are filed, Ms. Call confirmed the owners would be responsible. Mr. Wilder interjected and stated there was a test pit in the lower right corner of that 4k area; Mr. Zuzgo stated they didn't want to cut down trees to get up any further, it's just to prove the lot is buildable and he stated the 4k is on the plan per state which they applied for but have not gotten a response yet. Mr. Wilder asked if there was a test pit and Mr. Zuzgo stated there is no need for a test pit on the remaining land, just for the 4k. Mr. Zuzgo stated there is no ledge on the lot but there may be some on the remaining land.

Mr. Sample asked about the 20 feet of drainage, he wanted to know if that was the easement that goes up and then comes back down; Mr. Zuzgo stated it goes up to the first drainage easement right behind the lot, the drainage easement behind the two-acre lot has a retention pond and then it goes down the hill.

Mr. Wilder asked about the monumentation; Mr. Zuzgo stated there are two on there and then they will go out and set the other two; Mr. Wilder asked if they would be posts and what kind because granite pins are needed on the road for the subdivision; Mr. Zuzgo stated that too many granite pins would be very expensive and he was under the impression they were not needed at every turn. Ms. Call stated granite bounds are required at the front lot corners or a waiver should be requested for an alternative bound. Mr. Zuzgo stated he will request a waiver. Mr. Carter stated they did not have the official Regulation number but they do need a motion and a vote on the waiver.

**Mr. Williams MOVED to approve the iron rebar as the street side monumentation.  
Mr. MacDonald seconded the motion and it PASSED unanimously.**

Open Public Input. No Comments. Public input closed.

Ms. Call interjected and stated before a motion is made to approve the application, the Board needs to come up with active and substantial development for building. Mr. Williams asked if 12 months would be suitable to set the iron rebar; the Board confirmed.

**After due hearing, Mr. Williams MOVED that the Alton Planning Board hereby approves the above cited application for Case #P21-31, Jeffrey A. & Clare M. Letendre for a Final Minor Subdivision for a two-lot subdivision of property located at Map 10 Lot 26, Frohock Brook Road, Alton Bay, NH, with the following conditions:**



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CONDITIONS PRECEDENT

The following conditions must be satisfied prior to the Planning Board Chair signing of plans:

1. Submission of revised plans in the number required by the Subdivision Regulations and *that include all of the Checklist corrections listed under PLAN REVIEW in this Planner Review, any corrections as noted at this hearing, and any waivers granted by the Board.*
2. Addition of a note to the subdivision prior to plan signing by the Planning Board Chair to state the following:  
“This subdivision plan contains a total of \_\_\_ sheets: [this is to be listed and dated by the applicant on the subdivision plan itself]. In combination, these plans constitute in their entirety the subdivision as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department.”
3. Addition of a note to the subdivision plan prior to plan signing by the Planning Board Chair to state the following:  
“This subdivision plan is subject to the Conditions of Approval itemized in the December 21, 2021, Notice of Decision on file at the Town of Alton Planning Department.”
4. Addition of a note to the subdivision plan prior to plan signing by the Planning Board Chair to state the following:  
“Best Management Practices shall be utilized during any timber cutting on site.”
5. Submission of NHDES Subdivision approval.
6. Submission of sample deeds.

SUBSEQUENT CONDITIONS

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

1. All subdivision improvements are to be completed as per the approved subdivision plat.
2. The applicant shall comply with all of the Town of Alton’s Subdivision Regulations.
3. The approval is based upon the plans, specifications and testimony submitted to the Planning Board. Any alterations, additions or changes to the plans are not authorized and require additional Planning Board approval.
4. A subdivision plan which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications upon which the approval was based, or has materially violated any requirements or conditions of such approval.
5. Once any and all conditions of approval have been met and the Chairman of the Planning Board or his designee signs a subdivision plan, the applicant has twelve (12) months from the

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date of signing to start construction and, unless a different schedule is approved by the Board, must complete construction within thirty-six (36) months unless an extension has been formally requested and granted by the Board. Normally the Board shall not grant more than one extension per project, shall only grant an extension for reasonable cause, and shall normally not grant an extension for more than six months.

**ACTIVE AND SUBSTANTIAL DEVELOPMENT OR BUILDING AND SUBSTANTIAL COMPLETION OF IMPROVEMENTS**

1. Within 24 months after the date of approval, the following items must be completed in order to constitute "active and substantial development or building" pursuant to RSA 674:39,I, relative to the 5-year exemption to regulation/ordinance changes:  
Set rebar, in accordance with the waiver granted for Section VIII, M. 2. Monuments; and submission of sample deeds.
2. The following items must be completed in order to constitute "substantial completion of the improvements" pursuant to RSA 674:39,II, relative to final vesting:  
Set rebar, in accordance with the waiver granted for Section VIII, M. 2. Monuments; and submission of sample deeds.

Unless otherwise approved by the Board, the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions precedent that are required prior to signing and recording the subdivision plat. Failure to complete any conditions within the one (1) year timeframe shall invalidate the Board's approval, unless an extension is approved by the Board per Section XI, C. 2. of the Town of Alton Subdivision Regulations.

Mr. Wilder seconded the motion, and it passed unanimously.

Case #P21-32 Denise Pickowicz, Agent for Dean Puzzo of JOBEAN, LLC, Owner	Map 26 Lot 10 Homestead Place	Final Minor Site Plan Residential Commercial (RC) Zone
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Proposal: To change the use of the existing building to a Medical Center or Medical Laboratory use to offer chiropractic care.

The Chair read the case into the record.

Ms. Pickowicz, agent for Mr. & Mrs. Puzzo came to the table to discuss the Final Minor Site Plan. Ms. Call stated that there were changes made to the plans since the initial application, as Ms. Puzzo would now only be using half of the building; so the original plans that were submitted were the ones that were available to the Department Heads to comment on, and for the public and abutters to view. The new plans that Ms. Call distributed are less intrusive, so there is no increase to the Use, so it would be within the Board's discretion to determine whether that is a fair representation of the plan. Board reviewed application for completeness. Mr. Carter stated he didn't have an issue with the changes and would leave it up to the Board. Mr. Wilder stated the building was originally a restaurant and now, according to the plan, it will become office space; Ms. Call

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stated that is what the applicant is proposing and stated there are no waivers. The Board reviewed the application for completeness.

**Mr. Wilder MOVED to approve the application for Case #P21-32 as complete.**

**Mr. Williams seconded the motion, and it PASSED unanimously.**

Mr. Carter asked if there were comments from the Fire Department; Mr. Wilder stated they have to move the smoke detectors around. Mr. Carter stated he was of the understanding the Fire Department did not get a copy of the new plans. Ms. Call confirmed and stated the other side is not being addressed at this time. Mr. Williams stated they are approving office retail tonight; Mr. Carter stated they may be required to install a fire separation between the two and Mr. Williams stated there should be a five eights fire wall on each side. Mr. Carter stated this may need to be addressed once a new occupant moves in; Mr. Carter asked if there was an existing fire alarm in the building; Mrs. Puzzo stated there is a hard wired fire alarm. Mr. Williams recommended more lighting on the parking lot side of the building; Mr. Carter stated they have to have minimum one-foot candle in the parking lot as well.

Ms. Call interjected to address a comment of the front page of the site plan; she referenced the applicant's request at top left hand corner, the request is to allow either the current 40 seat restaurant use for a split chiropractor office/office retail use; she stated that Mr. Puzzo has a concern because he currently has a use for a restaurant and he would like to be able to have the option to turn it back into a restaurant in the future. Mr. Williams stated as long as the septic is loaded correctly Mr. Puzzo would be able to keep it as an office or turn it into a restaurant. Ms. Call agreed and stated as long as it is not more of an impact, they would not have to come back before the Board with another amended site plan for a restaurant. Mr. Carter asked about the amount of parking spaces available for the office; Mrs. Puzzo stated they have 14 spaces total and they do have overflow. Mr. Williams asked Ms. Pickowicz about the amount of employees she will have and Ms. Pickowicz stated it is only herself right now; Mr. Williams stated that six spaces are more than enough in addition to the overflow. Ms. Call interjected and stated she discussed the two conflicting hours of operation with Ms. Pickowicz but she was not sure which hours of operation she decided on; Ms. Pickowicz stated probably the evenings during the week until 9pm and then the weekends; Ms. Call recommended she revise that on the plan and Ms. Pickowicz stated they will use the hours of 7am-9pm Monday through Sunday.

Open Public Input. No comments. Public input closed.

**After due hearing, the Alton Planning Board hereby approves Case #P21-32 for Dean & Teresa Puzzo of JOBEAN, LLC/Denise Pickowicz for a Medical Center or Medical Laboratory use to operate a chiropractic office located at Map 26 Lot 10, Homestead Place, Alton, NH, with the following conditions:**

**CONDITIONS PRECEDENT**

**The following conditions must be satisfied prior to the Planning Board Chair signing of plans:**

- 1. Submission of revised plans in the number required by the Site Plan Review Regulations that include all of the checklist corrections listed under "PLAN REVIEW", any corrections as noted at this hearing, and any waivers granted.**
- 2. Amend hours of operation on the plan, which are located in two (2) separate areas, to reflect**

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the same times.

3. Indicate on the plan, the additional lighting requested by the Board located in between the existing lighting situated at the front of the building on the two (2) existing overhead doors.

**SUBSEQUENT CONDITIONS**

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

1. All site improvements are to be completed as per the approved site plans, prior to the issuance of any Certificate of Occupancy per this Notice of Decision and Section 1.22 of the Site Plan Review Regulations.
2. The approved hours of operation for the proposed chiropractic office shall be 7:00 A.M. - 9:00 P.M., Monday - Sunday.
3. The applicant shall comply with all of the Town of Alton's Site Plan Review Regulations to be in conformance with construction standards and specifications, and the Zoning Ordinance.
4. The approval is based upon the plans, specifications and testimony submitted to the Planning Board. Any alterations, additions, or changes to the plans are not authorized and require additional Planning Board approval.
5. A site plan which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications upon which the approval was based, or has materially violated any requirements or conditions of such approval.
6. No site may be occupied or used until a Conditional or Permanent Certificate of Occupancy Permit has been issued by the Code Official in accordance with Section 1.22 of the Site Plan Review Regulations.

**ACTIVE AND SUBSTANTIAL DEVELOPMENT OR BUILDING AND SUBSTANTIAL COMPLETION OF IMPROVEMENTS:**

1. Within 24 months after the date of approval, the following items must be completed in order to constitute "active and substantial development or building" pursuant to RSA 674:39,I, relative to the 5-year exemption to regulation/ordinance changes:  
Installation of additional lighting, and installation of the business sign.
2. The following items must be completed in order to constitute "substantial completion of the improvements" pursuant to RSA 674:39,II, relative to final vesting:  
Installation of additional lighting, and installation of the business sign.

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

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timeframe shall invalidate the Board's approval, unless an extension is approved by the Board per Section 1.14 of the Town of Alton Site Plan Review Regulations.

Mr. MacDonald seconded the motion and it PASSED unanimously.

Case #P21-35 Bradford Jones of Jones & Beach Engineers, Inc., Agent for Raymond & Eva Donita Dezenzo, Jr. and Dean & Cathy Sedler, Owners	Map 80 Lots 7, 8, & 9 Big Barndoor Island	Lot Line Adjustment Lakeshore Residential (LR) Zone
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Proposal: To adjust lot lines for three (3) lots of record, with Map 80 Lot 7 adjusted from 37,900 SQ FT to 57,120 SQ FT, and Map 80 Lot 9 adjusted from 35,500 SQ FT to 55,460 SQ FT, eliminating Map 80 Lot 8. Applicant requested a continuance to the January 18, 2022, meeting.

Other Business:

1. **Old Business:**

- a. Review and recommend the Master Plan Consultant Warrant Article to the Board of Selectmen.

Ms. Call stated this was the same Warrant Article they reviewed at the last Board meeting; the Board had questions about some of the language about the sum coming out of the unassigned fund balance, it was recommended to leave it as is and allow the Board of Selectmen to decide how they would like to fund the Warrant Article. Mr. MacDonald stated he is concerned about the money coming out of the unassigned fund balance. The Board reiterated that the Board of Selectmen has the authority to choose which account it comes out of for payment.

**Mr. Wilder MOVED to approve the wording for the Warrant Article for a Master Plan Consultant and recommend it to the Board of Selectmen for funding.**

**Mr. Williams seconded the motion, and it PASSED with Mr. MacDonald voting Nay.**

The Board would like to move to rejoin the Lakes Region Planning Commission. Mr. MacDonald will handle this with the Selectmen and Ms. Call will find out the amount of dues.

- b. **Master Plan:** working on the text of the plan and still looking for volunteers per Mr. Wilder he has also been appointed Chair in place of Bob Regan and Kelly Sullivan as vice-chair. Will hopefully have something for the fall.

**-Committee update**

Mr. Wilder stated they are working on the text of the Master Plan and they are looking for volunteers to assist; he stated he met with Carol Diveny and she will be assigned to the Natural Resources section. He stated he has been appointed to Chair of the committee due to Bob Regan's departure and Kelly Sullivan will be Vice-Chair. He stated they plan to start working with Tara Bamford to draft the Chapters through this next quarter; the idea is to have something completed by the fall and public input will be included.

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**-Consultant Invoice #2021-184**

Ms. Call stated the Board has a second proposal for a Warrant Article as a result of several conversations had regarding obtaining assistance with drafting up the Zoning Ordinances for potential Short-Term Rental/Open-Space Subdivision/Cabin/College Colonies; it was suggested to reach out to Tara Bamford because she has done a great job with the Master Plan. She stated the amount is a ball park estimate of how much it would cost to assist with those changes; she would attend via Zoom. Ms. Call stated if the amount was \$5,000 or less, she wouldn't have to put it out to bid.

Mr. MacDonald asked if the Town belonged to any committees that could assist with this; Mr. Williams stated they are not members of Lakes Region Planning Commission. Mr. MacDonald stated he is concerned about the money coming out of the unassigned fund balance. Mr. Carter interjected and stated they need to look at what Tara Bamford has already accomplished for the Master Plan Committee; Mr. MacDonald stated he is concerned about constantly using the unassigned fund balance because they will end up running out of money. Ms. Call interjected and stated just as they discussed the process for the former Warrant Article, it is up to the Board of Selectmen to decide how it will be funded. Mr. Carter interjected and stated they need to consider the return on investment, \$5,000 for experienced guidance is priceless. The Board reiterated that the Board of Selectmen has the authority to choose which account it comes out of for payment.

**Mr. Wilder MOVED it onto the Board of Selectmen, Planning & Zoning Consultant recommend Warrant Article.**

**Mr. Williams seconded the motion and would like the Board of Selectmen to decide how to fund it. Mr. MacDonald opposed to additional warrant article.**

**The Planning Board MOVED to ask the Board of Selectmen to submit a Warrant Article to rejoin the Lakes Region Planning Commission.**

**Mr. Williams seconded the motion, and it PASSED unanimously.**

Mr. MacDonald stated he will handle this and mention it at the Monday night Board of Selectmen meeting and Ms. Call will find out the amount of dues.

**2. New Business:**

- a. **Approval of Minutes:** Planning Board Meeting minutes of October 19 & November 16, 2021

**Mr. Wilder MOVED to approve both sets of minutes.**

**Mr. Williams seconded the motion, and it PASSED unanimously.**

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

- a. **Approve 2022 Meeting Schedule for the Town of Alton Planning Board.**

**Mr. Williams MOVED to approve the Meeting Schedule.**

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Mr. MacDonald seconded the motion, and it PASSED unanimously.

- b. Discuss and approve application from Jill Houser's request to sit on the Master Plan Committee as a Citizen Member.

Mr. Williams MOVED to approve Jill Houser as a Master Plan Committee Citizen Member.

Mr. Wilder seconded the motion, and it PASSED unanimously.

- c. Letter dated 15 December 2021 from John W. Dever, III, Code Official, to the Planning Board.

4. Correspondence for the Board's information:

- a. Drew Carter and Russ Wilder are up for reelection in 2022. January 19<sup>th</sup> through January 28, 2022, is the timeline to file with the Town Clerk.

Mr. Carter stated he will run again, and Mr. Wilder stated he is stepping down from the Planning Board.

- b. Memo for Ridge Road Site Walk.

Mr. MacDonald broached the topic of passing the Warrant Article that addresses changing the language of a former vote which stated a site walk constituted a Town meeting.

**Any Other Business to Come Before the Board (Continued from November 16, 2021)**

The Capital Improvement Program (CIP) Committee and the Master Plan Committee to discuss the Town's capital building needs based upon the input of the Town of Alton's Department Heads.

Mr. Carter briefly discussed the building needs to the Board; Ms. Call stated the purpose of listing this on the agenda tonight was to obtain recommendations from the Planning Board to provide to the Board of Selectmen so they could start reviewing all of the comments submitted by the Department Heads; Ms. Call stated this will be added to the CIP Plan eventually. She stated Mr. Wentworth was tasked with forming a Buildings Committee to start discussions of putting money aside for these needs.

Mr. Carter interjected to recap the discussion; Ms. Call is requesting that the Planning Board move this to the Board of Selectmen for review and potential action. Ms. Call agreed and stated it is recommended by the CIP Committee and the Master Plan Committee as well. Mr. Wilder interjected and stated it is a good starting point.

Mr. Williams MOVED to approve the request to pass the Building Needs discussion to the Board of Selectmen for review and potential action.

Mr. MacDonald seconded the motion, and it PASSED unanimously.

**Public Input on Non-Case Specific Planning Issues**

TOWN OF ALTON PLANNING BOARD  
MINUTES OF 2021  
TUESDAY, DECEMBER 21, 2021

*APPROVED AS AMENDED*

*January 18, 2022*

No Public Input.

Adjournment:

At 9:31pm, Mr. Williams MOVED to adjourn.  
Mr. Sample seconded the motion, and it PASSED unanimously.

Respectfully Submitted,

Trisha DeRoche  
Planning Secretary



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**ALTON PLANNING BOARD**  
**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the **ALTON PLANNING BOARD** will hold a **PUBLIC HEARING** on **TUESDAY, DECEMBER 21, 2021**, starting at **6:00 P.M.** in the **ALTON TOWN HALL, ALTON, NH**, to consider proposed amendments to the Alton Zoning Ordinance for 2022 ballot vote, as follows:

1. **PLANNING BOARD PROPOSED AMENDMENT #1:** To amend Article 200 Definitions “Seasonal Cabin” and “Seasonal Use”, to include a “Winter Season”, and to amend Article 400 Zoning Districts Regulations, SECTION 401 D. 44. Permitted Uses - Table of Uses, to allow “Seasonal Cabin” in the Rural (RU) Zone by Special Exception.
2. **PLANNING BOARD PROPOSED AMENDMENT #2:** To amend Article 300 General Provisions, SECTION 328 B., C., & D. Height Restrictions, to allow an increase in the maximum height of “Boathouses/canopied boat slips” to 20 feet by Special Exception.
3. **PLANNING BOARD PROPOSED AMENDMENT #3:** To amend Article 300 General Provisions, to add a new section, SECTION 364 Lots in two or more Zoning Districts.
4. **PLANNING BOARD PROPOSED AMENDMENT #4:** To amend Article 400 Zoning Districts Regulations, SECTION 401 A. 5. Permitted Uses - Table of Uses, to strike “Garage, workshop, or shed” and insert “Non-habitable Structure” so it coincides with the definition listed in Article 200 Definitions and with SECTION 360 Non-habitable Structure as a Principal Building on a Lot.
5. **PLANNING BOARD PROPOSED AMENDMENT #5:** To amend Article 400 Zoning Districts Regulations, SECTION 401 D. 14. Permitted Uses - Table of Uses, to strike “or Repair”.
6. **PLANNING BOARD PROPOSED AMENDMENT #6:** To amend Article 400 Zoning Districts Regulations, SECTION 401 D. 45. Permitted Uses - Table of Uses, to strike “or Warehouse”.
7. **PLANNING BOARD PROPOSED AMENDMENT #7:** To amend Article 400 Zoning Districts Regulations, SECTION 401 D. 49. Permitted Uses - Table of Uses, to strike “Travel Trailer Park/”.

Copies of the full text of the 2022 Zoning Ordinance Amendments proposed by the Planning Board are available free of charge from the Planning Department during regular business hours, are posted at the Post Office and Town Hall for viewing purposes only, and can be found on the Town of Alton website [www.alton.nh.gov](http://www.alton.nh.gov).

If inclement weather or lack of a quorum necessitates cancelling the public hearing, then the public hearing will be continued to Tuesday, December 28, 2021, starting at 6:00 P.M. in the ALTON TOWN HALL, ALTON, NH. A notice shall be posted on the front door of Town Hall announcing the meeting cancellation and the continued meeting date.

12/10/2021 ALTON PLANNING BOARD