

**TOWN OF ALTON PLANNING BOARD  
PUBLIC HEARING**

**Minutes**

April 16, 2013

Approved 5-21-13

**Members Present:** Scott Williams, Chairman  
Dave Collier, Vice Chair  
Roger Sample, Clerk  
Bill Curtin, Member  
Tom Hoopes, Member  
Raymond Howard, Member

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

**I. CALL TO ORDER**

S. Williams called the meeting to order at 6:00 p.m.

**II. APPROVAL OF AGENDA**

**B. Curtin made a motion to change the election of officers to before the second public input.  
D. Collier seconded the motion with all in favor.**

**B. Curtin made a motion to accept the agenda as amended.  
D. Collier seconded the motion with all in favor.**

**III. Public Input**

There was no public input at this time.

**IV. ADMINISTRATIVE ISSUES:**

<b>Case P11-04 Brad Hunter – Baywinds Subdivision</b>	<b>Map 12 Lot 2</b>	<b>Request for Time Extension Pearson Road &amp; Route 28</b>
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Brad Hunter is requesting a one year time extension to March 15, 2014.

Brad Hunter spoke on behalf of this application. He is asking for the extension because of the economic situation and would like to wait until the economy picks up.

K. McWilliams stated for the record that RSA 674:39 referred to as the Five Year Exemption has a provision which requires the development must start within two years of the approval. The approval date would be considered when the plat was recorded on December 8, 2008. The Planning Board has the ability to extend that time frame and the Board has been doing that. The other part of the RSA provides

that a subdivision is exempt from changes in regulations such as zoning and subdivision that could effect the approved subdivision for 5 years if the subdivision improvements are substantially complete. If the development has not been substantially completed at that point the Planning Board could consider that and revoke that plat. K. McWilliams discussed this in detail with B. Hunter. The 5 year time frame expires in December 2013.

**B. Curtin motion that the Alton Planning Board grant the one year extension of 365 days to March 20, 2014 before construction must commence on Case P11-04.**

**All other conditions of approval of the November 25, 2005, March 15, 2011 and March 20, 2012 Notices of Decision shall remain in effect.**

**T. Hoopes seconded the motion with all in favor.**

**V. CONTINUED APPLICATION:**

<b>Case P12-26 Spring Haven Campground LLC</b>	<b>Map 65 Lot 17</b>	<b>Final Site Plan Review 1702 Mt. Major Highway</b>
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A site plan for the Spring Haven Campground was approved by the Planning Board on January 16, 2007. The owners of the campground did not build the campground according to the approved site plan. After removing the units not approved in the campground and moving some other units to comply with setbacks, the Spring Haven Campground LLC is returning to the Planning Board to propose an alternative site plan for the campground. This application is for a Final Site Plan Review. The property is located in the Lakeshore Residential (L/R) Zone.

K. McWilliams stated that this Final Site Plan was before the Board on February 19, 2013. At that time the Board accepted the application as complete and then about 20 items not addressed were discussed. They reviewed the Planner Review on the items that still need to be addressed, #9, #12, #13, #19 and #20.

Pete Julia spoke on behalf of the drainage review. He stated that in the last three to four weeks, T. Varney and he have exchanged several communications in regards to the stormwater design for this parcel. There have been significant efforts by T. Varney to improve the information contained on the plan as well as the engineering documentation to support that work. As of their meeting this afternoon all of P. Julia's requests have been met and the project is within reasonable compliance and intent of stormwater regulations for the Town of Alton.

P. Julia also stated that B. Lynch already has the documentation that is required for the security. As long as there is a copy in the file, Pete will write a follow up review to the initial security review. The \$30,000 performance bond B. Lynch will be providing is more than adequate to cover a professional contractor to do all the work.

B. Lynch presented a letter to the Board from the electrician regarding the utility pole.

K. McWilliams read a portion of the letter, 'I have asked and visually inspected that an extension cord existing from the meter and disconnect serving camp site #15 be removed and sealed properly.' B. Lynch noted this has been done.

S. Williams opened discussion up to the public. There was none at this time.

S. Williams closed public input.

**D. Collier made a motion to approve Case P12-26 with conditions precedent.**

**Conditions Precedent before the Campground is permitted to open: The following conditions must be satisfied before the campground is allowed to open on or after May 1, 2013.**

- 1. Farmhouse Land Development is satisfied with and approves the stormwater drainage reports and plans; and**
- 2. Security for all the site improvements in an amount agreed upon by Farmhouse Land Development is submitted to the Planning Department.**

**Conditions precedent before the Planning Board Chair signs the Final Site Plan:**

- 1. A note needs to be added to the site plan that corner pins will be set. The setting of the corner pins and the setting of the pins at 50 foot intervals along the setback lines must be certified as complete by the surveyor who stamps the plan.**
- 2. The following note shall be added to the site plan prior to plan signing: This site plan contains a total of two sheets, which in its entirety constitutes the site plan as approved by the Town of Alton Planning Board. The two sheets are on file at the Town of Alton Planning Department.**
- 3. The following note shall be added to the plat prior to plan signing: This site plan is subject to the Conditions of Approval itemized in the April 16, 2013 Notice of Decision on file at the Town of Alton Planning Department.**
- 4. All roadway names shall be approved by the E911 Committee and the approved roadway names shall be added to the site plan prior to plan signing. The E911 Committee shall number the sites. The site numbers assigned by the E911 Committee shall be added to the site plan prior to plan signing. The site numbers need to be placed on a solid post on the end of the driveway to each site. The site numbers need to be a minimum of 3" high by 2 1/2" wide on reflective material.**
- 5. A licensed electrician shall inspect the electric utility pole located east of Site #15 at the applicant's expense. Any necessary corrective measures shall be completed by the applicant and certified as complete by the electrician doing the inspection prior to plan signing.**
- 6. The landscape plantings shown on the site plan shall be planted prior to plan signing.**
- 7. The fire pits located on Sites #20, #21 and #22 are permitted to remain within the setback. The electric utility for site #1 is permitted to remain within the setback. All other utility hookups located in the setbacks shall be removed prior to plan signing.**
- 8. The emergency access and gate as shown on the site plan shall be constructed prior to plan signing.**
- 9. The stormwater drainage improvements as approved by Farmhouse Land Development shall be installed prior to plan signing.**
- 10. The applicant shall enter into an agreement with Farmhouse Land Development for construction observations for the construction of the emergency access road, emergency gate, and the stormwater drainage improvements. The applicant shall submit the fee for the construction observation agreement to the Planning Department to be placed in an escrow account.**

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

- 1. The stormwater drainage features shall be maintained a minimum of two times each year. The property owner shall submit a copy of the maintenance report for each time the stormwater drainage features are maintained to the Planning Department.**
- 2. The applicant shall comply with all of the Town of Alton's Subdivision and Site Plan 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 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.**

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

**B. Curtin seconded the motion for discussion.**

T. Hoopes asked if they needed to have in the conditions a requirement of the deadline of having this work accomplished.

K. McWilliams stated that under condition precedent #2 in the first section there is a security to have all those site improvements completed. In the end it states that it has to be implemented within 365 days. If the Board wants to make that sooner that is up to the Board.

T. Hoopes stated that because there was a law suit and input from abutters there is a question on how soon the work needs to be done.

R. Sample stated that the drainage should be done before people live there. The drainage should be the only thing that causes any disruption. He asked B. Lynch if he intended to do the drainage before they opened.

B. Lynch stated no.

K. McWilliams stated that the security would be for the work being done before the 365 days. P. Julia would be inspecting the drainage improvements as they went in.

R. Howard asked how long it would take B. Lynch to complete the drainage problem.

B. Lynch stated that it would take them a month to complete.

B. Curtin suggested changing the days to November 30, 2013 to be done.

B. Lynch stated that was okay and he would have it done by then.

**D. Collier amended his motion that this approval will remain valid for implementation through November 30, 2013.**

**B. Curtin seconded the motion for discussion.**

**B. Curtin stated that on #4 the E911 committee will number the sites but the applicant is responsible for putting the numbers up.**

**All were in favor of the amended motion.**

**VI. Other Business**

1. Old Business – None
2. New Business –

K. McWilliams told the Board of a NHOEP Conference on Saturday, May 11, 2013. He recommended the new members participate.

K. McWilliams asked to set a meeting date for the zoning amendments that were not approved March 12, 2013.

The Board agreed upon the date of Wednesday, May 8, 2013 at 6:00 p.m.

3. Approval of Minutes, February 19, 2013, a regular Planning Board meeting.

**B. Curtin made a motion to approve the minutes of February 19, 2013 as presented.**

**D. Collier seconded the motion with 3 approving and 3 abstaining (TH, SW, RH)**

Approval of Minutes, March 19, 2013, a regular Planning Board meeting.

**B. Curtin made a motion to approve the minutes of March 19, 2013 as presented.**

**R. Howard seconded the motion with 4 approving and 2 abstaining (DC, TH)**

4. Correspondence – None
5. Any Other Business that may come before the Board – None
6. Election of Officers

**T. Hoopes made a motion to have Dave Collier as Chairman.**

**B. Curtin seconded the motion with all in favor.**

**B. Curtin made a motion to have Tom Hoopes as Vice Chairman.**

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

**B. Curtin made a motion to have Roger Sample as Clerk,**

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

## **VII. Public Input**

Don Kleeberg spoke regarding how the system of voting on amendments work. The Board explained the procedure of putting amendments on the ballot.

D. Kleeberg asked if the amendments could come back every year until it was approved.

S. Williams explained that if the Board feels it is of a good warrant they have the right to ask the public to think about it again if the Board didn't explain themselves very well the first time they may put it forward again. He also stated that if they feel they have explained it and the voters keep saying no, they will not put it on the ballot again.

B. Curtin stated that the way people interpreted it at the poles was not the Boards intent.

T. Hoopes asked for people to come to the public hearings because when there is an amendment to an existing zoning regulation they have to have public hearings. These are to inform people of what is being proposed and the reason it is being proposed. If there are any changes in that meeting there has to be another hearing.

S. Williams stated that he noticed the people that were at the polls that were challenging this item never attended any of the meetings.

B. Curtin stated that there were times when they had public meetings and when they got feedback they dropped the amendment.

S. Williams talked about the Conservation Subdivisions and stated that these are not mandatory but are an option to the developer.

D. Kleeberg stated he would not want it next to him and asked the Board if they would want it next to them and both D. Collier and T. Hoopes stated that they would.

S. Williams discussed the cost efficiency of this type of development to the developer.

D. Kleeberg stated that the people of Alton came here because of the way it is and if they wanted these types of subdivisions they would have moved to Manchester.

The Board explained the open green space and how this will protect that space from further build up.

D. Kleeberg stated that the way the amendment read that if the development doesn't take care of this land it would go to the Town.

The Board all stated no and explained how it is taxed to all the property owners.

R. Howard stated that other subdivision developers were against this development because of the cost of developing and they are already in a situation asking for extensions because they cannot market their lots at the cost it is going to take to develop them and asked if it was fair to bring something into the Town to make it cheaper for another developer to develop.

S. Williams explained that they need to let the market take care of itself. The Town is not the one to determine what the lots are going to cost.

T. Hoopes stated that they are changing the zoning to make a better design for the Town.

R. Howard stated that the changes are made when the supply is low and the demand is high. He spoke about how there are too many lots in the town.

S. Williams stated that this is not because of the type of subdivision but because of the growth of the economy.

Gail Kleeberg spoke regarding the economy being bad. She stated that none of the subdivision ordinances make any sense to her.

### **VIII. Adjournment**

**T. Hoopes made a motion to adjourn. The motion was seconded by D. Collier and passed without opposition.**

The Public Hearing adjourned at 7:09 p.m.

Respectfully submitted,

Randy Sanborn, Recorder, Public Minutes