

**TOWN OF ALTON
ALTON PLANNING BOARD**

MAY 20, 2008

Members Present: Cynthia Balcius, Chairman
Tom Hoopes
David Hussey
Timothy Roy
Scott Williams (joined meeting at 7:33 PM)

Others Present: Sharon Penney, Town Planner
Stacey Ames, Planning Assistant
Members of the Public

I. CALL TO ORDER

C. Balcius called the meeting to order at 7:02 PM. She introduced the members of the Planning Board.

II. APPOINTMENT OF ALTERNATES

There was no appointment of alternates.

III. APPROVAL OF MINUTES – APRIL 15, 2008

C. Balcius recommended moving the approval of the minutes to the end of the meeting.

Motion:

T. Hoopes motioned to change the agenda to move the approval of minutes to the end of the meeting and T. Roy seconded the motion. There was no other discussion. The motion passed by unanimous vote.

IV. APPROVAL OF AGENDA

There were no additional changes to the agenda.

Motion:

D. Hussey motioned to approve the agenda as previous amended and T. Roy seconded the motion. There was no other discussion. The motion passed by unanimous vote.

V. PUBLIC INPUT

There was no public input.

VI. CONTINUANCE

**Case #P08-08
R. Heath**

Map 8, Lot 25

**Site Plan
82 Frank C. Gilman Highway**

C. Balcius asked for an update on this continuance and reported she had read the review from the engineer. She asked if they had received any additional materials back.

S. Penney responded that they had not received back additional materials, to her knowledge. S. Penney reported she was reviewing the itinerary of what had transpired. S. Penney reported that T. Varney had submitted additional materials on May 2, 2008, which they transmitted to the third party engineer on May 5, 2008. She reported that on also on May 5, 2008, a third party engineer, Farmhouse Land Development, submitted an initial compliance review. She reported that some of the items that had been changed would be the secondary submission on that Friday, that were not looked at by the engineer heretofore, so the engineer's report does not reflect that secondary submission. She spoke about the cover letter she had written to Mr. Julia and noted the changes that had been made to the plans, and stated a secondary cursory review is needed. She reported there was an updated traffic assessment from Norway Plains. She reported that Mr. Julia had indicated that he didn't feel a full-blown traffic study was warranted.

C. Balcius reported the Board had received a boundary survey by J. Green, licensed land surveyor. She opened the floor to Ryan Heath, applicant, and Melissa Gulbrandsen, attorney. She briefly discussed the protocols for all submittals, stating that all submittals must go through the Planning Department to avoid confusion. She noted that it also included contact with the town attorney when it went through the Planning Department. She asked how they were doing with time on the application and S. Ames responded that they needed to ask the applicant for a letter of extension because the application had expired.

M. Gulbrandsen reported that the next step would be to have a meeting with the outside engineer and T. Varney. She felt this was the most productive step in the process. She noted that Jeff Green was present to answer question.

C. Balcius asked the Board members if they had any questions on what had been submitted so far. There was discussion about what had been removed. R. Heath noted that the removal of the maintenance building. M. Gulbrandsen pointed out where a building and the maintenance building was moved and felt this pulled the look of the complex off the road. R. Heath felt this accommodated the comments made by some of the abutters and felt it downsized things a bit.

C. Balcius asked about the status of the landscaping plan. M. Guildbrandsen reported they did not have a plan, per se. C. Balcius stated that the landscaping plan was something that was requested at a previous meeting, especially in lieu of the clearing that took place on the land. R. Heath asked if they were looking for a landscaping plan regarding the buffers or the entire site and C. Balcius responded that they wanted a plan for the entire site. She spoke about the buffers and plantings they look for on a site and stated that screening is of the utmost importance. R. Heath spoke about his knowledge of elderly housing and the need for cluster housing so that the elderly felt safe. He stated he didn't want to place thick plantings in the center of the development. C. Balcius spoke about the need to please some of the abutters, who have some concerns, as well as accommodate the people living in the housing. She spoke about the use of natural vegetation and stated that because of the cutting that had been done on the property that planting would compensate. T. Varney felt a landscaping plan would be a benefit to the abutters and the Board. He spoke about the buffering of the boundaries. R. Heath spoke about the need for community areas on the property, such as picnic areas.

C. Balcius stated she had had a copy of their Forest Wetlands Minimum Impact Application that had been submitted after the site walk. She spoke about question #3 on the application which asks if the land is being cleared in preparation for subdivision, development, or conversion to non-forestry use. She reported that R. Heath had responded with "No" on that question in April, after the site plan had been submitted. She stated that response was very incorrect. R. Heath responded that the application had been submitted by the logger, himself and he had only signed off on the application. He spoke about the timber cutting and stated it was his understanding that the only crossing of the wetlands happened in the winter months when it was snow covered. He stated that it was submitted for them to do the chipping. C. Balcius suggested they contact Vanessa, Forestry Applications, DES Wetlands Bureau, to correct that information and to let them know what their plan of action would be. C. Balcius reported she had spoken with the DES Wetlands Bureau about the applications and told them that R. Heath would be contacting them. M. Guildbrandsen requested a copy of the application.

C. Balcius spoke about specifics of the septic system design that were mentioned in the letter from the engineer. She asked if the plans would be submitted to the town's engineer for approval in the near future. R. Heath noted this has not been submitted yet. C. Balcius asked when they anticipated all of their state submittals. R. Heath stated that at the last meeting he had reported they would be submitted when they were submitted because he felt it had been made clear to him that any changes or alterations would require him to resubmit the forms. C. Balcius stated that changes were usually just amendments. M. Guildbrandsen noted they wanted to meet with the outside engineer before submitting the septic design.

C. Balcius stated that a letter was needed to allow the Board to continue the case. She stated they needed to set up the meeting with the town engineer and town planner. She stated that either she or Bruce Holmes and a representative of the Planning Board would be present at that meeting as well. She noted that they do need a landscaping plan.

There was discussion about drainage comments that had been made on the engineers review. C. Balcius stated this was something that could be discussed with the town engineer. The deadline for submittal for information for the next meeting will be May 30, 2008 for the June 17, 2008 meeting.

T. Varney has a water supply plan and it will be submitted to the engineer and then to Dick Quindley for review.

C. Balcius opened the hearing to the public.

Bob Bergeron, 785 Frank C. Gilman Highway, asked about the snow mobile crossing from the Mt. Major Snow Mobile Club. R. Heath responded that he had noticed there was a permit to run ATVs over that piece of the property. B. Bergeron stated this was not something they were requesting but that they would like to continue to have permission, like they had from the previous owner of the property, to cross that section of land. He asked if that could be a part of the plan. C. Balcius noted this should be worked out with the applicant and the snowmobile club. M. Guildbrandsen felt it wasn't fair to incorporate that into part of the process with the site plan. B. Bergeron stated it was something that was routinely done and towns like Gilmanton made this a practice. A member of the Board felt this was something that should be taken up with R. Heath, not with the Board. There was discussion about special easements. B. Bergeron stated the ATVs were not part of this request and had nothing to do with the Mt. Major Snow Mobile Club.

There were no other comments from the public.

S. Penney noted information on question from the public last meeting on by-laws and she presented this to town counsel and reported he stated these by-laws are not sufficient. She stated they needed a Declaration

of Covenants/Restrictions for the property as well as review of the lease/deeds, as appropriate. She reported she had spoken to someone at NH Housing Finance and stated that this was unusual protocol with regard to the Senior housing age limit. There is no way to make sure the 62-and old range is monitored other than due diligence. She stated that the town attorney had stated the by-laws were a good start but wasn't a stand-alone document. M. Guildbrandsen spoke about possibly having a draft of the lease available for the Board to review at a future meeting. The determination of qualifications for lessees was discussed.

Public input was closed.

There were no comments or questions from the Board.

Motion:

T. Hoopes to continue Case #P08-08 until June 17, 2008 and D. Hussey seconded the motion. There was no discussion. The motion passed by unanimous vote.

T. Hoopes stated that to anyone listening to this case, this was their notice of the continuance; it would not be in the paper.

S. Williams joined the Board at this time 7:33 PM.

**Case #P08-07
Byrne Development Co.**

Map 15, Lot 17

**Subdivision
Route 28A**

C. Balcius noted site walk was recently held and reported there was some questions on erosion control, and grading. She reported they requested that a section of wetlands be looked at on the site walk. There was a comment about DOT, as well.

The Board reviewed the plans for the subdivision. B. Jones, of Jones & Beach Engineers, Inc., spoke on behalf of Byrne Development Company. He reported that Farmhouse Engineering had given them some comments about three weeks ago and the new site plan reflected those comments. There was a site walk a few weeks ago with most of the Planning Board and some of the comments were incorporated in the new plans. He reported that they had submitted the plans back to Farmhouse Engineering and they waiting for comments back. C. Balcius noted that all plans should be submitted through the Planning Department Office to avoid confusion.

B. Jones reported that they walked the entire site was walked, including the driveways, which were staked out. He reported they went down to the lower end, by Route 28A, to review some of the state culverts under the road. He reported that they have confirmed they have a DOT permit but he hadn't had a conversation with Steve from District 3 about the culverts. T. Hoopes stated that B. Jones, Kenney and District 3 should sit down. He spoke about his concerns for the culvert that crosses Chestnut Cove Road. There was discussion about drainage and culverts on the land. D. Hussey noted that the existing problem with drainage should be corrected before any other work should be done. B. Jones noted question on the ownership of the roads by this property, if they were either state or town. B. Jones confirmed that the biggest concern is Chestnut Cove Road and not Route 28A.

C. Balcius reported that they had asked for driveway grading plans for some specific lots and B. Jones responded that this had been noted this has been shown on the lots on the right. C. Balcius noted they were looking for 20-scale or 30-scale lots to show the sediment erosion control. There was discussion with the applicant on the box culvert. B. Jones noted the detail of the box culvert plan on D-2 and also a toe wall

and a head wall on top. It was noted that the engineer needs to review recent plans. There will be a meeting with DOT, Ken, and Sharon on driveway lots for 3, 4, and 5. B. Jones noted the view easement is shown on the plans (A-3), three feet below the concrete foundation of the existing home. The easement is in favor of Map 15; Lot 11. This will affect lots 7 and 8.

C. Balcius asked about a drainage ditch on the left side of the road and asked if it was being culverted. B. Jones noted this is not culverted – it is the low point in the road and will go into the swale and then the culvert as shown on C-1 sheet – black line.

C. Balcius opened the floor to the public for input.

Darlene LaCrosse, 662 Eastside Drive, Map 15; Lot 19. She spoke about her concerns of the grade of the lot behind her property and the “natural” spring that comes out of the ground. She stated she knew they weren’t supposed to disturb natural bodies of water and noted it bubbles out of the ground in the spring. She stated she didn’t know about the retention ponds and felt that when the land was cleared there would be run-off.

C. Balcius noted this is a concern of the Board and that is why drainage plans are being presented to the engineer. She reported that the run-off is not allowed to be any greater. B. Jones noted where there are two major ponds and swales on the left side and that there is a new pond added to the end of lot 1, which was recommended for drainage. C. Balcius suggested that this be presented to K. Roberts and discuss this plan with B. Jones, S. Penney and Mr. Roberts. S. Penney spoke about the suggestion from DES that lots 2 and 3 be combined into one lot. T. Roy asked about the spillway on the detention pond on lot one. B. Jones stated the plan for this is layout on P-1 and noted on A-3 there is an easement for this pond. C. Balcius noted a drainage question on Lot 13 and does this need an easement. B. Jones noted that on the lots they have a 20-foot easement.

There were no other comments from the public.

There were no other questions from the Planning Board. C. Balcius noted they do need an extension letter from the applicant. There was discussion about the layout of the property, cul de sac, and grading of the property.

Motion:

T. Hoopes motioned to continue Case # P08-07 to the June 17, 2008 meeting and T. Roy seconded the motion. The motion passed by unanimous vote.

S. Penney noted that any additional materials were needed by May 30, 2008.

VII. PUBLIC HEARING

Case #P08-17
Nancy P. Nordberg

Map 8, Lots 24-1 & 26

Boundary Line Adjustment
Frank C. Gilman Highway

C. Balcius asked Steven Smith of Steven Smith & Associates, Inc. to explain the project and the requested waivers.

S. Penney stated that this is straightforward boundary line adjustment; the owner to the owner's trust or vice-versa. There are two abutting parcels owned by the same party. The smaller of the two parcels, lot #26, is 0.79 acres with a free-standing garage. There was a trailer on the parcel and it has been removed. The frontage on lot #26 is 175 feet and may be grandfathered. The BLA calls for an expansion of the dimensions of this lot #26 to a total of 8.07 acres by appropriating 7.20 acres from the abutting parcel, which is lot #24-1. After the fact, both parcels meet the two acre minimum. Lot #24-1 has an existing residence which infringes at this time on the 25 foot roadway setbacks. There have been three waivers requested: 7.2.24 Soils; 7.2.27 Elevations and 7.2.33 Wetlands. The reason for the request is that there is no new construction or soil disturbance or additional sewer capacity is being proposed. According to the application, the majority of the back lot, transferred from lot #24-1 to lot# 26, is at a zero to 8% grade with only one wet area on the westerly side.

T. Hoopes stated that when you changed boundary lines that you were creating a new lot and therefore would need to have a variance because of the frontage. C. Balcius noted they do need to show elevations due to zoning and also wetlands.

S. Smith, representing the applicant, reported this is a boundary line adjustment. He spoke about the history of the two front lots were subdivided out of the back parcel and the original line is where the stone wall is indicated on the tax map. This occurred in 1985 and has plans from that transaction, including topography. Noted the request for waivers since they are not creating any new lots, just making a small lot larger and there will be no construction. C. Balcius noted that in the future this may be built on and they need to make sure this is conforming. S. Smith reported that the idea is to downsize in the future to eventually build on the new lot because the current house was very large.

T. Roy asked is the septic is state approved and S. Smith noted this was approved for a trailer. He estimated that the town and the state would suggest a redesign of the system. T. Roy noted that a different radius would be need for the well and the easement would need to be changed. S. Smith spoke about what might need to be changed and the restricting the owners might be faced with if they decided to make changes in the future. C. Balcius stated that because they are making a new lot, they will need to meet the current standards. She noted they want to make sure this new lot will be buildable in the future to today's standards.

T. Hoopes noted that they need to see that on Map 8; Lot #26 that they would be able to get through it. He spoke about issues with another situation where someone needed to go through a preexisting lot and then had asked for accessibility to the lot by going through wetlands. C. Balcius stated that the applicant needed to show meets the criteria for a "buildable area". S. Smith spoke about going to the ZBA first to get the area variance.

Nancy Nordberg noted there is an existing driveway that goes to the back of the property and felt the Board wasn't clear on the layout of the land. S. Smith showed the Board where the driveway was on the map.

C. Balcius stated that they should consider this a conceptual meeting at this time. S. Williams asked if their fees would still be intact. S. Penny responded they would have to pay for the re-notice but not for a second application fee.

**Case #P08-18
AJB Holding Co. LLC**

Map 29, Lot 74

**Site Plan
Route 11 Main Street**

S. Penny presented the case. This is a 0.14 acre parcel and had a history of mixed residential/commercial use in a residential/commercial zone. The first floor of the building will be renovated to become a gym and the floors above will not be renovated. There is on-street parking and some parking in the rear of the lot. There's driveway on both ways of the building. The site plan engineering did not include an actual new survey but reiteration of existing boundaries, not subject to change. The structure occupies 50% of existing lot and renovation of the first floor will require normal building permits and inspections with the code officer from Alton. She noted that the application had provided quite a bit of information in the narrative.

C. Balcius asked if this should be considered a change of use. T. Hoopes felt this was no different than changing a lawyer's office to a candy store and noted they hadn't had to review full-blown site plans. S. Penny noted that waivers have been requested. S. Penny noted you have to live at the property for a minor site plan and C. Balcius felt this was something that should be put on the workshop agenda. C. Balcius asked about the police and fire chiefs and if they had responded. S. Ames responded that she hadn't heard back from them.

Paul Boisvert, representative of the applicant, Alex Boisvert, introduced himself. There was a question if there would be an impact on the bathroom. There would be no showers or Jacuzzis. C. Balcius felt they should accept the waivers before continuing the review of the application.

MOTION:

T. Roy motioned to accept waivers that have been requested: 7.2.9; 7.2.24; 7.2.26; 7.2.27; 7.5.1.3 and T. Hoopes seconded the motion. There was no discussion. The motion passed by unanimous vote.

MOTION:

T. Roy motioned to accept the application with waivers and T. Hoopes seconded the motion. There was no discussion. No discussion. The motion passed by unanimous vote.

P. Boisevet felt that the septic is new and fairly large; and wouldn't have a problem with the new use. C. Balcius asked if they have looked at the State regulations to make sure this falls under the state guidelines. S. Williams noted that Brian Boyers would be able to look into this to make sure this is falling within the state guidelines. S. Penny stated that she would work with him on this.

C. Balcius asked about hours, participants and peak hours. Ms. Boisvert stated they were considering 6:00 AM – 10:00 PM, with peak hours 6:00 AM – 9:00 AM and 4:00 PM – 7:00 PM. She stated they were hoping to get about 100 members.

C. Balcius asked about parking problems in light of the other businesses in the area. Ms. Boisvert stated that there is a small parking lot in the back where you can get five to seven cars comfortably. Realistically they do not anticipate having more than seven members in the gym at a time. T. Roy asked if there will be dedicated parking for residents and Ms. Boisvert responded that they would have dedicated parking for residents. There are two apartments upstairs.

C. Balcius noted capacity would be up to the fire chief and there was discussion about the layout of the gym, machines and exercise areas that have been planned.

P. Boisevert noted that the basement is very well reinforced and reported that the building was the post office for the town, at one time. There was discussion about developing the business.

Ms. Boisvert spoke about having gym members using the exit in the back of the builing, not the front to enter and exit the building.

C. Balcius opened the meeting to the public.

John Edgerly, 38 Main Street, felt that there will be serious problems with parking. Noted that Miss Pat's Salon has a lot of elderly parking and had concern for taking spaces in front of her business. C. Balcius noted any concerns about parking down town should be presented to the Board of Selectmen and noted the town does need a better parking plan. J. Edgerly spoke about problems with parking at a gym where he works out in Wolfeboro. C. Balcius noted that issues with parking at Curves were also brought up.

J. Edgerly noted the property line does go down the driveway between the two buildings and had concern for parking for his tenants. He felt there would be parking problems and stated it "would be a nightmare". There was discussion about the designation of parking places for tenants. S. Williams spoke about his concern for the fire department's access to the back of the building and C. Balcius agreed.

Ms. Boisvert noted that she had heard there would be parking by the railroad park and felt it would be easy for people to access from the walkway that leads to the back of the building. She noted that the business would be employee operated and anticipated only one car being there for the entire day. P. Boisevert stated that they felt they could get seven cars in the back parking lot.

J. Edgerly requested consideration for the parking of his tenants and pointed out the property line going down the middle of the driveway. There were no other comments.

C. Balcius closed public input.

MOTION:

D. Hussey motioned to approve the application submitted for Map 29; Lot 74, with the following conditions: that the application will be working with the fire department, police department and the code enforcement office on their plan. T. Roy seconded the motion. The motion passed by unanimous vote.

S. Penney noted for the applicant to come to the planning office to schedule working with the town departments.

VIII. OTHER BUSINESS
a. UPCOMING WORKSHOP

The Board discussed what would be on the agenda for next workshop: subdivision check list; site plan check list; discuss with the fire chief putting together a proper ordinance with regulations; and rescinded the original motion on approval of extended work time and what has been vested in the project before extension approval is granted. There discussion about the scope of work on the view shed. There will be review of Class 6 roads and road improvements. Bonnie will be sworn in as an alternate. The workshop date is set for Monday, June 9, 2008 at 6:00 PM.

b. RACO SUBDIVISIONS

The Board discussed the Raco Subdivision, which is in bankruptcy. The town has \$17,000 in remaining securities, in escrow. The estimate for remaining work to be done is \$40,000. This will be reviewed by S. Perry. There was discussion on how to proceed with this subdivision, concern for drainage problems and discussion on holding insurance certificates.

c. MEETING MINUTES – APRIL 15, 2008

The meeting minutes of April 15, 2008 will be approved at the workshop on June 9.

d. FARMHOUSE ENGINEERING INVOICE

There is an invoice from Farmhouse Land Development for AMS Boat Storage for the drainage review in the amount of \$455.00.

MOTION:

T. Hoops motioned to approve the payment of the invoice to Farmhouse Land Development for \$455.00 and S. Williams seconded the vote. The motion passed by unanimous vote.

e. APPLICATION FEE QUESTION

S. Ames stated that on application fee schedule, they have the cost of the site plan review residential set at \$100.00 per dwelling unit and site plan review for non-residential at \$150.00 per first acre or portion thereof. There is an applicant doing both and a question of what should be charged.

MOTION:

D. Hussey motioned to approve the applicant pay the charges of the two fees, divided by two (an average) and S. Williams seconded the motion. The motion passed by unanimous vote.

f. AMS MARINA

S. Ames distributed a report from Tom Varney on the drainage for AMS Marina. This was an information item.

g. W. W. Ralph Trust, LLC

S. William reported there was a letter in since February 8, 2008 from W. W. Ralph Trust, LLC for Sedlari Constructions and felt it was swept under the carpet. He stated that Jim Sessler would not defend that cistern and felt that more than four months of waiting was satisfactory. There was discussion on what action should be taken. It was felt this was something that could be discussed at the next work session.

There will be discussion of the Class Six Road Committee Meeting at 5:00 PM on June 9.

IX. ADJOURNMENT

MOTION:

D. Hussey motioned to adjourn and S. Williams seconded the motion. The motion passed by unanimous vote.

The meeting adjourned at _____ PM.

Respectfully Submitted,

Krista Argiropolis
Recorder, Public Session