

**TOWN OF ALTON PLANNING BOARD
MINUTES 2017
JUNE 20, 2017**

APPROVED

Members Present:

Peter Bolster, Chairman
Roger Sample, Vice-Chairman
Russell Wilder, Clerk
David Collier, Member
Scott Williams, Member
Virgil MacDonald, Selectmen's Rep.

Others Present:

Jessica A. Call, Planning Secretary

CALL TO ORDER

Roger Sample called the meeting to order at 6:03 p.m.

APPROVAL OF AGENDA

Scott Williams asked if there had been any changes in the agenda, Jessica A. Call stated, there were none.

**Scott Williams moved to accept the Agenda as presented.
Peter Bolster seconded the motion, and it PASSED unanimously.**

Case # P17-12 Karen Anne Kimball	Map 12 Lot 63	Minor Site Plan Rural (RU) Zone 128 Powder Mill Road
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Present was Karen Anne Kimball, Owner.

Roger Sample asked who prepared the survey for the property. Karen Anne Kimball stated that Peter Stokes, out of Laconia, had helped her prepare the site plan review application based on the original survey of her property during subdivision in 2003. Karen Anne Kimball stated that she brought the items that were listed in the Planner Review that were still outstanding. Roger Sample asked if there was a general floor plan of the structure, Karen Anne Kimball stated, she had forgotten to bring it with her to the meeting. She explained that the apartment had a kitchenette, dining room, living room area, and a one bedroom with a closet. The dining room and kitchen area would be a waiting area for her clients, the bedroom would be her office, which would have tables and chairs, and the closet would hold games and therapy supplies. Karen Anne Kimball told the Board that she could provide a floor plan at a later date. Scott Williams thought that the application was incomplete and asked if there was a checklist in her application packet, Karen Anne Kimball stated, yes. Roger Sample asked if there was any residential parking in the garage, she stated, yes, in the winter when her usual parking spot would be used for snow removal, she would park both of her private vehicles in the garage.

Scott Williams moved to continue Case # P17-12 to the July 18, 2017, meeting.

Russ Wilder stated that based upon the Planner Review, some of the items listed as outstanding were not submitted and informed Karen Anne Kimball that the outstanding items were to be submitted before July 3, 2017, which was the continued application deadline date.

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<p>Case # P17-13 Steven M. Ferguson, LLS, Agent for Holmes Realty Trust, Richard T. Holmes, Trustee; and Holmes Land Trust, Richard T. Holmes, Trustee</p>	<p>Map 2 Lots 23-1 & 23</p>	<p>Lot Line Adjustment Rural (RU) Zone Hollywood Beach Road</p>
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Present was Steven M. Ferguson, LLS, Agent for Holmes Realty Trust, Richard T. Holmes, Trustee and Holmes Land Trust, Richard T. Holmes, Trustee.

Scott Williams stated that there were waivers that needed to be addressed.

Scott Williams asked how big the lot was, Steven M. Ferguson, LLS, stated that the lot was 5 acres and it was being reduced to 2.03 acres. Russ Wilder stated that the waivers were being requested for the larger lot, which was the lot the land was being added to. The waivers were for a complete boundary survey for the larger lot, Jurisdictional Wetlands and Buffers for the larger lot, slopes greater than 25% on the larger lot, contiguous upland area be shown on the larger lot, these were depicted for the smaller lot, Lot 23. Russ Wilder stated that Lot 23-1 would be made smaller, but it would be left with 2 acres, and that was still considered a legal lot of record.

**Russ Wilder moved to grant waivers for, Section VII, F.7.e., requiring a complete boundary survey for the larger lot, Section VII, F.7.g., requiring jurisdictional wetlands and buffers, Section VII, F.7.h., requiring slopes greater than 25% be shown, and Section VII, F.7.i. requiring minimum contiguous upland areas be shown.
Scott Williams seconded the motion.**

**Russ Wilder moved to accept application # P17-13 as complete.
Peter Bolster seconded the motion, and it PASSED unanimously.**

Steven M. Ferguson, LLS, stated that there was an existing house and septic system located on the larger lot. Roger Sample noted that this process would be making a non-conforming lot less non-conforming. Russ Wilder noted that John Dever, III, Code Official, mentioned in his review that the existing non-conforming garage would become more non-conforming due to the increased setback lines, which was a zoning change from a 10' to a 20' setback. Scott Williams questioned that since this application was making a change to the lot, he was not sure what happened to the setbacks and whether the applicant should have addressed this with the Zoning Board of Adjustment. Russ Wilder read from the Planner Review and Nic Strong stated, "as such unless and until the owners propose any changes to the garage, it can remain as is." Roger Sample asked the Board if they had previously heard an application that dealt with this issue before, Scott Williams stated, not that he knew of.

Scott Williams wanted Jessica A. Call to ask Jim Sessler, Town Counsel, if he could advise the Board with this issue. Russ Wilder pointed out that in the letter submitted with the application packet, it was noted that the street was Woodlands Road, but it was actually Hollywood Beach Road.

Roger Sample opened up public input. No public input. Roger Sample closed public input.

After due hearing, Scott Williams moved to approve Case #P17-13 for The Holmes Realty Trust and Holmes Land Trust for the above cited Lot Line Adjustment of Map 2 Lots 23 and 23-1, 32 New Castle Drive and 166 Hollywood Beach Road, with the following conditions:

CONDITIONS PRECEDENT:

The following conditions 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, any corrections as noted at this hearing and any waivers granted.
2. Addition of a note to the lot line adjustment plan prior to plan signing by the Planning Board Chair stating that Best Management Practices shall be utilized during any timber cutting on site.
3. Addition of a note to the lot line adjustment plan prior to plan signing "This subdivision plan is subject to the Conditions of Approval itemized in the June 20, 2017, Notice of Decision recorded in the Belknap County Registry of Deeds and on file at the Town of Alton Planning Department.".
4. Monuments shall be set on the final plat.

CONDITIONS SUBSEQUENT:

The following conditions subsequent 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.
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

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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.

Russ Wilder seconded the motion, and it PASSED unanimously.

<p>Case # P17-14 Randolph R. Tetreault, LLS, Agent for Marie V. Hebert Rev. Living Trust, Marie V. Hebert, Trustee; and Boulders Shore, LLC, c/o Marie V. Hebert</p>	<p>Map 57 Lots 4 & 2-1</p>	<p>Lot Line Adjustment Lakeshore Residential (LR) Zone Woodlands Road</p>
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Present was Steven M. Ferguson, LLS, Agent for Marie V. Hebert Rev. Living Trust, Marie V. Hebert, Trustee; and Boulders Shore, LLC, c/o Marie V. Hebert.

**Scott Williams moved to accept application # P17-14 as complete.
Russ Wilder seconded the motion, and it PASSED unanimously.**

Steven M. Ferguson, LLS, stated that this application was between two (2) existing lots, and it would be making one of the lots less non-conforming by adding approximately 30 more feet of shore frontage. Virgil MacDonald asked if they were adding to the lot for more frontage near the water for docking, Steven M. Ferguson, LLS, was not sure. Virgil MacDonald and Roger Sample thought that it was probably requested so the applicants could put in a dock.

Roger Sample opened public input. No public input. Roger Sample closed public input.

After due hearing, Russ Wilder moved to approve Case #P17-14 for the Marie V. Hebert Revocable Living Trust and Boulders Shore, LLC, for the above cited Lot Line Adjustment of Map 57 Lots 4 and 2-1, 248 & 268 Woodlands Road, with the following conditions:

CONDITIONS PRECEDENT:

The following conditions 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 and any corrections as noted at this hearing.**
- 2. Addition of a note to the lot line adjustment plan prior to plan signing by the Planning Board Chair stating that Best Management Practices shall be utilized during any timber cutting on site.**
- 3. Addition of a note to the lot line adjustment plan prior to plan signing "This subdivision plan is subject to the Conditions of Approval itemized in the June 20, 2017, Notice of Decision recorded in the Belknap County Registry of Deeds and on file at the Town of Alton Planning Department."**

4. **Monuments shall be set on the final plat.**

CONDITIONS SUBSEQUENT:

The following conditions subsequent 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.**
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.

Scott Williams seconded the motion, and it PASSED unanimously.

Other Business:

1. Old Business:

- a. **Distribution of the final draft of the Town of Alton Subdivision Regulations Amended April 18, 2017 and Town of Alton Excavation Regulations Amended April 18, 2017.**
- b. **Discuss packet of information from the May meeting regarding CIP.**

Jessica A. Call explained that there were some decisions that the Board had to make in regards to the CIP Handbook.

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Russ Wilder explained that in the previous CIP, the capital cost of an item was \$10,000. The Board agreed to up that amount to \$20,000.

Russ Wilder mentioned that according to Nic Strong, Town Planner's, notes, the Board needed to determine what the useful lifespan of a project should be. The Board agreed that the lifespan should be greater than three (3) years.

Russ Wilder further went on to note that the Capital Reserve Funds needed a dollar amount. The Board agreed to \$20,000.

Russ Wilder also mentioned that the Board needed to confirm who should sit on the Board. The Board agreed that there should be one (1) Planning Board member, one (1) Budget Committee member, one (1) Board of Selectmen Ex-Officio, and two (2) at-large citizen members.

Peter Bolster volunteered to be the Planning Board member to sit on the CIP Committee. The Board agreed.

2. New Business:

3. Approval of Minutes: May 16, 2017, Planning Board Meeting

**Virgil MacDonald moved to approve the minutes of May 16, 2017, as written.
Dave Collier seconded the motion, and it PASSED unanimously.**

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

- a. 1.) Letter from the American Legion dated 5/31/2017, to the Planning Office regarding their request to appeal the construction plan for Right Field Development, LLC's, car wash facility.
- 2.) Draft letter to the Commander of the American Legion regarding Right Field Development, LLC, and the American Legion, right-of-way, for the Board's review, discussion, and action.

Present for this discussion were Dave Hussey, Ex-Commander, of the American Legion, Richard D'Angelo, owner of Right Field Development, LLC, and his attorney, Stephan Nix, Esq.

Roger Sample invited Mr. Hussey to the table. Dave Hussey stated that he submitted his right to appeal within the 30-day window. He noted that the plans for the car wash he was in possession of were not stamped by an engineer until May 3, 2017, therefore he thought that the Planning Board could not make an argument that the last meeting was the date to where the 30-day period started. He thought that the 30-day appeal period started when the Conditions Precedent and Conditions Subsequent were met, and noted the May 3, 2017, date. Dave Hussey asked for some clarification on the plans, which were signed by Peter Bolster on May 17, 2017. He pointed out the right-of-way indicated on page #2, which was entitled "Existing Conditions Plan Phase II", and then read Note # 4, "Right-of-way in common with others along the Southwesterly property line." He stated that the Planning Board had approved the plan, and thought they made a mistake, and referred to page #3, which was entitled "Proposed Site Plan Phase II." He noted that Mr. D'Angelo did nothing wrong, and thought that the Planning Board was wrong by approving the plan, which therefore shut down the right-of-way. He shared that within that right-of-

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way, Mr. D'Angelo placed an island with parking places, and when you refer to the deeds, the right-of-way was designated as an ingress/egress to the DOT. He stated that Mr. D'Angelo could keep it there, but if he was allowed to use his 25 feet of the right-of-way, then they were going to use their 25 feet, until the back third lot opened up, then both the Legion's lot and Mr. D'Angelo's lot would have to open up.

Russ Wilder noted that a drainage issue was discussed previously and Mr. Hussey noted that both the Board and DES approved the drainage. Dave Hussey stated that he did not want to take anything from Mr. D'Angelo because he thought that he was well within his rights to do what he did, and thought it was an oversight by the Board to make note of what the right-of-way was for. Dave Hussey was under the impression that he could not use his 25 feet of the right-of-way that was on his side and thought that it did not make any sense. Russ Wilder asked why they would not be able to use it, Scott Williams stated, it was because it was a right-of-way to all three (3) lots. Virgil MacDonald stated if that was the case, then the island needed to go. Russ Wilder stated that the three (3) parking spaces and the island were within the right-of-way, and it blocked people's access to utilizing the right-of-way. Scott Williams shared that Mr. D'Angelo owned the carwash lot and the back lot. Dave Hussey stated that his contention was that they were being told that they could not use the 25 feet because the Board had approved Mr. D'Angelo's plan. He further stated that the only thing that they could do was go to court to get an injunction and that was not what they wanted to do. Virgil MacDonald stated that it sounded like Mr. Hussey was looking for permission to use the 25 feet, Mr. Hussey stated, that was all they wanted. Peter Bolster stated that what he thought Mr. Hussey was saying was that nothing should be in that common right-of-way. Dave Hussey stated that Mr. D'Angelo told him that nothing was supposed to be in that right-of-way, and what was not in Mr. D'Angelo's 25 feet should not be in his 25 feet.

Scott Williams stated that the plans should have indicated the setback line should have been from the right-of-way, because even though that land was owned by the lot owners, that land was not buildable. Dave Hussey stated that their parking lot would start at the 25 feet mark on their side. He stated the Legion was not going to win anything by winning, they were not going to gain any more parking, they only thing they wanted was access to the highway in and out. Scott Williams stated that they had access to the highway, and Mr. Hussey stated that now that the right-of-way was blocked, they no longer had an easy access.

Russ Wilder stated that Nic Strong consulted with Jim Sessler, Esq., and had given the Board a memo regarding this matter and read some of it into the record, "This right-of-way was indicated on the site plans, but the Town's regulations deal only with streets and public rights-of-way. Therefore, the parking spaces as laid out meet the Town's regulations. However, the private right-of-way may be impacted by these spaces. I consulted with Jim Sessler, Esq., and he advised that the issue was a civil matter, requiring that the parties resolve the matter and then, if there are required changes to the site plan, the Planning Board could become involved to require the applicant to revise the plans. Accordingly, the draft letter (which was not a public document until the Planning Board discusses and determines whether or not to approve it) has been approved by Town Counsel and should be reviewed by the Board. If the Board determines they agree with the content, Roger, as sitting Chair, should sign it so that it can be mailed out after the meeting." Dave Hussey stated that Counsel was only giving the Board a direction to go in, but it did not mean that he was right, Scott Williams agreed. Roger Sample stated that Jim Sessler, Esq., noted that at this point, it was not up to the Planning Board to do anything, and that both Mr. Hussey and Mr. D'Angelo needed to come to an agreement amongst themselves. Dave Hussey stated that his beef was with the Planning Board, because he thought the plans were approved

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improperly, and was not going to sue Mr. D'Angelo. Furthermore, Mr. Hussey thought what Jim Sessler, Esq., said was wrong, Virgil MacDonald agreed with Mr. Hussey. Scott Williams thought that the Board should consult with Jim Sessler, Esq., again.

Russ Wilder noted that there was a draft letter addressed to the Legion that the Board could sign in accordance with Nic Strong's memo.

Richard D'Angelo and his attorney, Stephan Nix, Esq., came to the table to speak. Stephan Nix, Esq., stated that his notes were comparable to what Jim Sessler, Esq., said about property rights. He stated that the issue of whether the parking spaces blocked a private easement would be between the two parties, because the Planning Board did not have jurisdiction to determine who had the right and can only go by what was presented by the surveyors and the engineers. Stephan Nix, Esq., thought that if there was an issue during the process, it could have been hashed out during the process. He stated that there was another issue, because there was no statutory appeal process in the Planning Board process for an abutter to come back after the plan was signed to appeal to the Planning Board. The statutory process would be to go directly to Superior Court, unlike the ZBA where in a zoning interpretation, one would appeal to the ZBA.

Stephan Nix, Esq., stated that the issue was not Mr. D'Angelo's use of the property in regards to the parking spaces, the issue was the use of the Legion's property. He stated that according to the deeds, the Legion came in possession of the property back in 2001, there were site plan requirements back then and he wondered if there was an approved site plan for the Legion, and how was that supposed to work. Stephan Nix, Esq., stated that he observed the parking situation for about half an hour before the meeting and noticed there were currently no parking spot lines painted on the ground and people parked randomly. He also had questions about whether the use of the property had changed over time because there were rentals of the facility, weddings, and concerts. Scott Williams stated that he could verify that there had been a restaurant there since the early 1960's and weddings were also held there. Stephan Nix, Esq., stated that there was a lot of tension between the two businesses because of the parking and thought that the Legion's parking lot needed to be looked at.

Stephan Nix, Esq., stated that the appeal period was 30 days, but the appeal should be addressed to the Superior Court and not to the Planning Board. Richard D'Angelo noted that he allowed the Legion to park anywhere on his property before he started construction, and since then, he had been trying to work with them, but he had to tell people to move off his property several times. Richard D'Angelo noted that he only had a certain amount of parking available for his renters, who occupied the building during the day, part of the night, and through the weekends. He stated that he took his site plan and drew up a parking illustration as to how it could look if the Legion parked along the property lines and suggested to Mr. Hussey to call a line striping guy to help them lay out their parking.

Richard D'Angelo stated that he talked to the Legion about the 25 foot of right-of-way and they both needed to give a 25 foot right to the property owner in the back, which was Mr. D'Angelo. He noted that he informed the Legion to utilize the 25 foot right-of-way on their side of the property because he did not need to access the back piece of property at this current time. He also stated that he tried to show the Legion that within their 25 feet, they could create a twelve (12) foot lane to create an in and out passage and to park alongside that lane. He then stated that they have not looked into any of his suggestions. He noted that a person by the name of "Papi" (sp?) painted lines in the parking lot and the spaces were four cars deep, which left no room for people to get out. He also mentioned that he

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believed there were people from the Legion that moved the boulders on his property and in turn drove over his landscaping to get out of the parking lot. He informed the Board that throughout the wintertime, he let the Legion use the back end of his property to park in, on the basis that they would maintain that portion of the property by cleaning it, plowing it, or even bringing in some dirt to level it off, but they just kept piling snow up in that area and did not use it for parking, as a result, they would park in his parking lot.

Richard D'Angelo wanted to address a couple of issues, one of them was the parking at the Legion was tight, which was why he put boulders on a portion of his property line because they were not cooperating. He suggested that the Legion be looked at because of how it operated with holding events, like bands that bring in over 100 vehicles to a lot that only holds about 20 parking spaces. He asked if the Legion should be subjected to some form of site plan, or parking plan. He also pointed out that people drink alcohol from the time they open until the time they close and thought that they should have police detail on with every event, and if they did not, then he was going to get one on his own. Once the property out back came into fruition, if he had to move his parking spots, he would.

Dave Hussey stated that he had not heard any of the stuff that Mr. D'Angelo just stated, and that he told them to stay off the 25 foot right-of-way. He then stated that he drew up some suggestions on the plan and showed it to Mr. D'Angelo and they both agreed that it would work. Scott Williams reminded both parties that everything should be addressed through the Chairman. Dave Hussey stated that they had plans for parking and were taking bids on filling in the ditch out back. Roger Sample interrupted and stated that he was going to refer back to the draft letter, which stated that the best way to resolve this issue was for both parties to sit down and come up with a plan on their own. Russ Wilder stated in the draft letter, it was suggested that both parties work it out between the two of them because it was not a matter the Board could deal with now, but if what they were planning to do at the Legion qualified for site plan approval, then the Board would review it. Dave Hussey stated that they were grandfathered. Roger Sample stated that if they were increasing parking and there were wetlands, it would fall under a site plan. Russ Wilder stated that if the result of the two parties getting together solved the issue, then a site plan might be needed.

Scott Williams stated that the crutch in all of this was what did the easement actually state. What he heard was that there were three (3) parcels involved and everybody had the right to enjoy that 50 foot right-of-way (25 feet on each side), but was not sure if that right-of-way meant that nobody used it or if it was meant as an access point. Peter Bolster was bothered by the fact that nobody should be building anything within the 50 foot right-of-way and it should have stayed an open right-of-way with no parking structures and everybody could use it from each side. He also stated that the parking needed to be worked out when the American Legion hosted large events. Peter Bolster believed that permanent parking should not be located on a right-of-way that was commonly owned. Virgil MacDonald thought that Mr. Hussey and Mr. D'Angelo already came to an agreement with Mr. Hussey utilizing the 25 feet and Mr. D'Angelo was okay with that, therefore, things were settled.

Russ Wilder spoke up and stated that what the Board was advised to do by Town Counsel was have Roger Sample sign the letter and mail it out to the American Legion. He then read the last paragraph from the letter that was addressed to the Legion, "The issue of this private right-of-way is a civil matter and should be resolved between the Legion and Right Field Development, LLC. Alternatively, you could submit an attorney's legal opinion on the matter and Town Counsel will review it at your expense. Once the right-of-way issue is clarified, the Board can determine whether or not revisions are required to

the site plan.” Russ Wilder stated that was where the Board currently stood. Dave Hussey stated that they had a legal right-of-way and it was documented in the titles and how could the Board say they had a problem with it, because they did not have a problem with it. Stephan Nix, Esq., stated that an access easement of this nature did not explicitly exclude parking and thought the 50 feet was much more than necessary. Dave Hussey stated that he was willing to cooperate if Mr. D’Angelo agreed that they each have 12 feet on each side of the 25 foot right-of-way. Russ Wilder stated that would be up to each of them to consider, and like the letter stated, if that resulted, there would be a need for a site plan review. Scott Williams stated that both Mr. Hussey and Mr. D’Angelo with his attorney could come up with an agreement for a revised right-of-way.

**Peter Bolster moved to have Roger Sample sign the letter as presented.
Russ Wilder seconded the motion.**

Dave Hussey asked the Board to give him the right to come back before the Board if the issue came to an impasse. Russ Wilder stated that if it became a site plan issue, he would agree. Dave Hussey stated that all they wanted to do was replace the driveway that was redone. Scott Williams suggested to Mr. Hussey to research case laws on rights-of-way, and that he would probably find an answer to this issue.

- b. Memo from Nic Strong, Town Planner, dated 5/30/2017, asking which two members of the Planning Board would be sitting on the Zoning Amendment Committee.

Scott Williams volunteered to be a member, and although Tom Hoopes was not present at the meeting, he was nominated as the second person to sit on the ZAC Committee. The Board agreed.

- c. Email from Peter Julia, P.E., dated 6/12/2017, to Nic Strong regarding the transfer of engineering firms to Brown Engineering, LLC, for the Jilyan Byrne Subdivision project.

Russ Wilder asked if it was up to Peter Julia to make the decision to change engineering firms. Scott Williams thought that the consulting engineers had an ad hoc group that interviewed engineers previously and then recommended their findings to the Board. He thought that it was not customary for an engineer to give a job to another firm. Russ Wilder stated that if Brown Engineering, LLC, provided a contract, it would give the Board a chance to review it. Scott Williams asked Jessica A. Call to dig out the current contracts for the engineers. Dave Collier stated that he did work for Jones & Beach and did not find that he had a conflict of interest, but would step down in regards to any decisions on their application. He wanted to state that as far as Kent Brown was concerned, he had worked with him several times in the past and he was a good engineer. Scott Williams stated that the Board should give them some slack because their contractor had passed away a week ago.

5. Correspondence for the Board's information:

- a. Letter from Peter Bolster, Chairman, dated 5/22/2017, to the Board of Selectmen requesting to remain full voting members of the Lakes Region Planning Commission and pay the dues of membership.

Russ Wilder shared that when this letter was presented to the Board of Selectmen he informed them that it was best to be a full voting member of the Lakes Region Planning Commission because that way they could participate and get help from them in return. Virgil MacDonald mentioned that he had brought it up with the Board at least four or five times in previous meetings. Peter Bolster asked what the problem

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was, Virgil MacDonald stated that at several of the Board of Selectmen meetings, there were many people that spoke against this membership due to "Agenda 21." Russ Wilder stated that if the Planning Board did need the LRPC's assistance, the Commission would be paid as needed. He also mentioned that the Commission's annual meeting was coming up on June 26, 2017, and that both he and Peter Bolster would be attending.

- b. Email between Brad Jones, Kent Brown, Peter Julia, and Nic Strong dated 6/6/2017, and a proposed Roadway Plan regarding replacing loam and seed with Rip Rap on one section of Jaytee Drive, Jilyan Byrne Estates Subdivision.

Virgil MacDonald thought it was a good idea that way the loam and seed did not wash away. Scott Williams wanted to make sure that they were going to place fabric underneath the Rip Rap. The Board agreed.

6. Any Other Business that may come before the Board:

Scott Williams noted that the Board would like copies of any rights-of-way to be included in with the application packet, and added to the checklist. The Board agreed.

Public Input on Non-Case Specific Local Planning Issues

Roger Sample opened public input. No public input. Roger Sample closed public input.

ADJOURNMENT

**At 8:00 p.m., Scott Williams moved to adjourn.
Dave Collier seconded the motion, and it PASSED unanimously.**

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Jessica A. Call
Planning Secretary

Minutes approved as written: July 18, 2017