

**TOWN OF ALTON PLANNING BOARD
MINUTES 2019
SEPTEMBER 17, 2019**

APPROVED

Members Present:

Roger Sample, Chairman
Scott Williams, Vice-Chairman
Russ Wilder, Clerk
Drew Carter, Member
Tom Hoopes, Member
Virgil MacDonald, Selectmen's Rep.

Others Present:

Jessica A. Call, Town Planner

CALL TO ORDER

Mr. Sample called the meeting to order at 6:00 P.M.

APPOINTMENT OF ALTERNATES

APPROVAL OF AGENDA

Mr. Williams asked if there were any changes to the agenda since it was posted. Mr. Hoopes noted that under New Business, he wanted to add that a third member was needed for the ZAC Committee.

**Mr. Williams MOVED to accept the September 17, 2019, agenda, as amended.
Mr. MacDonald seconded the motion, and it PASSED unanimously.**

1. Continued from August 20, 2019

Case #19-18 Scott R. Frankiewicz, LLS, of NH Land Consultants, Agent for Joseph Petrucci & Joyce Greenlaw, Owners	34 Clay Point Road Map 21 Lot 7-1	Final Minor Subdivision Lakeshore Residential (LR) Zone
--	--	--

The Chairman read the case into the record.

Mr. Petrucci and Ms. Greenlaw, owners, came to the table to present the case.

Mr. Wilder noted that the items indicated missing on the Planner Review were resolved. He noted that there were waiver requests to address before the application was deemed complete.

Waiver #1: Section VII, E.2.h.3 - Soils Map

Mr. Sample noted that the wetlands were delineated and the soils were shown as categorized. Mr. Williams was not sure why a waiver was being requested. Mr. Petrucci noted that this information was located on the plan. Ms. Call noted that the Subdivision Regulations required a separate map, but the information was included on page EC-1 2 of 5. Mr. Wilder noted that the plan was stamped by the Certified Wetlands Scientist. Mr. Hoopes noted that the numbers for which category the soils were in were on the plan. Mr. Williams thought that if it was a larger subdivision, then more details would be

required. The Board thought moving to approve the waivers all together would be best, unless there was an issue with one of the waivers.

Waiver #2: Section VII, E.2.i - Soils Report

Mr. Williams thought that the soils report information was listed on the plan. Mr. Carter thought that information was the narrative of the actual soils that existed and thought that more information would be required if it was a larger subdivision. Mr. Wilder stated that there were notes regarding the soils on the plan, but it was not like a detailed soils report. The Certified Wetland Scientist stamped the plan certifying that the soils indicated on the plan were there, but what was missing were any test pits performed to back up that information. Mr. Hoopes noted that there were 3 test pits. Mr. Wilder noted that it was important to know that the soil test pits were correct for the disposal system. Mr. Williams noted that there was a 4,000 sf. area in two locations. Mr. Petrucci noted that the Scientist was out on location many times. Mr. Hoopes noted on page PC-1 3 of 5, on the top of the page was the test pit data. Test pit #3 was where the septic system was located. Mr. Wilder noted that the test pit for that particular soil type was not indicated. The test pits were indicated for percolation purposes and wondered where the information was for soil classifications. That was the information that was missing. Mr. Williams pointed out that the hydric soil line was not indicated. Mr. MacDonald noted that the plan indicated that there was no observed water or ledge. Mr. Wilder noted that there were soil types listed on the plan, like 394A and 380B, but the mapping should be site specific, and the information should be listed that supported that was in fact that soil type. Mr. Carter pointed out that on page EC-1 2 of 5, the soil type numbers were delineated within the log. Mr. Williams wondered if this waiver was requested during the original subdivision, which was done around 1980. Ms. Call was going to check. No test pit was performed in soil type 559B.

Waiver #3: Section VII, E.2.j.i. – Centerline Profiles

There was an existing driveway for both parcels. There would be an easement on the parent property to access the proposed lot. Mr. Williams did not think that a centerline profile was required. The existing garage and slab elevation was located on page SD-1 5 of 5.

Waiver #4: Section VII, E.2.j.2. – Driveway cross-sections

Mr. Hoopes wanted to see a note added to the plan that a driveway easement would be needed to access the proposed lot. Mr. Williams noted that this could be a condition of approval. Mr. Carter noted that the Narrative indicated that the proposed lot would be accessed by the common driveway located on Lot 7-1 with an access easement in favor of Lot 7-1-1. This easement was shown on the recordable plan.

Mr. Williams MOVED to approve the following Waiver requests dated August 30, 2010:

Waiver #1: Section VII, E.2.h.3 - Soils Map; Waiver #3: Section VII, E.2.j.i. – Centerline Profiles; and Waiver #4: Section VII, E.2.j.2. – Driveway cross-sections.

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

Mr. MacDonald wanted to know if an access easement was going to get recorded for the driveway right-of-way instead of just indicated on the plan. Mr. Williams noted that could be a condition of approval.

The Board approval all waiver requests except for Waiver #2. The information needed to be provided for a Soils Report for the whole property. Mr. Williams noted that the Belknap County Soils Map had mapping, and Mr. Petrucci's plan indicated the types of soils, but the soil types needed to be confirmed.

**TOWN OF ALTON PLANNING BOARD
MINUTES 2019
SEPTEMBER 17, 2019**

APPROVED

Mr. Williams noted that the Board wanted to see the right-of-way for the driveway easement indicated on the plans with some metes and bounds.

Mr. Williams MOVED to table the application for Case # 19-18 to the October 15, 2019, meeting.

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

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

Case # P19-19 Jonathan & Sharon Bainbridge, Owners	125 Route 11D Map 51 Lot 9-2	Final Minor Subdivision Lakeshore Residential (LR) Zone
---	---	--

The Chairman read the case into the record.

Mr. & Mrs. Bainbridge, owners, came forward to present the case.

Mr. Wilder noted that there was a question of whether waivers were needed according to the Planner Review, but Ms. Call shared that some of the outstanding items were submitted late and she had not had a chance to update the Planner Review because she had been out of the office for a while. Mr. Wilder wanted to know what page the soils were listed on. Mr. Bainbridge stated that the soils were listed on the plan under the test pit data and they were indicated in the Wetland Scientist's letter. Mr. Williams noted that all of plan pages were marked Page 1 of 1, and that needed to get fixed. Mr. Wilder asked if the soil type of the entire area was 543C, or was it just where the test pits were performed. He noted that there was no soil mapping for the rest of the property, but wetlands were delineated and stamped by the Wetland Scientist.

Mr. Wilder noted that the soil types were the same in both test pit areas. The test pits were done by the subsurface disposal system designer, Adam Fogg. The page that had the Wetland Scientist's stamp was where the edge of wet was located and it indicated where the contiguous upland area was. Mr. Williams noted that the 25' setback was on the plan. Mr. Carter noted that there was an inset on the plan that was a letter, which described the soil types. Ms. Call passed out the original letter to the Board so it was easier to read. Mr. Wilder noted that the letter talked about the wetland soils, not the upland soils. He noted that on a Final Minor Subdivision plan, one of the things that the Board required was a Soils Report. Since there was no actual soils map, there was no indication of soils types. The only information about soils types was in the test pit data and it appeared that the information came from the Belknap County Soils Survey, which showed only general soil types. Ms. Call asked if Mr. Bainbridge would need to submit the same information as the previous case. Mr. Wilder and Mr. Williams, stated, yes. Mr. Williams could not see where the existing house, septic, or water supply was. Mr. Hoopes noted that information was located on the topographic plan.

Mr. Williams thought that there should be some metes and bounds placed on the plan for the driveway easement, because leaving it wide open would leave people to drive wherever they wanted to. This was an existing easement. The wells were indicated on the utility plan. Mr. Wilder noted that the well radius was slightly on Mr. Wilde's property. Mr. Williams thought that was within the setback, and that was allowed. Mr. Wilder mentioned that the driveway was within the 10' setback. Mr. Williams stated that

**TOWN OF ALTON PLANNING BOARD
MINUTES 2019
SEPTEMBER 17, 2019**

APPROVED

was allowed. Mr. Hoopes would like to see that driveway easement noted on the plan. Mr. Wilder noted that there were several easements. Mr. Bainbridge submitted his septic approval from the State.

Mr. Wilder wondered if the 4,000 sf. area where the test pit that was located on Lot 2 was where the house was also going to go. He was not sure if a house would fit in that area and the applicants may have to request a variance if that was where they were building. Mr. Williams noted that the house could be located within the well radius. Mr. Wilder thought it would be a good idea to show the potential house location. Mr. Williams did not think that was a requirement of the Board. Mr. Wilder was wondering if this could actually be done in order for the Board to make a decision on this potential subdivision. Mr. MacDonald thought that they might want to build their house towards the back of the lot. Mr. Bainbridge submitted sample deeds for both lots. Mr. Wilder asked about driveway site distance analysis. Mr. Bainbridge was not planning on putting in another driveway; they were using the existing driveway.

Mr. Wilder noted that the soils report needed to be submitted, and the metes and bounds for the driveway easement.

**Mr. Wilder MOVED to table the application to the October 15, 2019, meeting.
Mr. Carter seconded the motion, and it PASSED unanimously.**

Case # P19-20 Bradford A. Jones, of Jones & Beach Engineers, Inc., Agent for Amanda & Gary Connelly of Rand Hill Realty, LLC, Owners	130 Rand Hill Road Map 11 Lot 6	Final Minor Subdivision Residential Rural (RR) Zone
---	--	--

The Chairman read the case into the record.

Mr. Jones, agent, and Mr. & Mrs. Connelly came forward to present the case.

Mr. Jones noted that he would submit the sample deeds, and the state subdivision approval, as soon as possible.

**Mr. Wilder MOVED to accept the application for Case #P19-20, as complete, and that the submission of sample deeds and state subdivision approval become a condition of approval.
Mr. MacDonald seconded the motion, and it PASSED unanimously.**

Mr. Jones noted that this application included a three lot subdivision for property located on 30 Rand Hill Road. There were three existing driveways. There was an existing barn that was going to be torn down. A complete boundary survey was performed, which showed steep slopes, and wetlands were delineated. There was a small brook that almost straddled the property line along Rand Hill Road.

This proposed subdivision was located in the Residential Rural zone, so lots were allowed to be a minimum of one acre. Lot 6 was almost all buildable, the 4,000 sf. area was shown for the septic system, and it had an existing driveway. Lot 6-1 had 1.3 acres, there was an existing driveway, and a 4,000 sf. area was available to build on. The well for Lot 6-1 was located on Lot 6. The driveway applications had

**TOWN OF ALTON PLANNING BOARD
MINUTES 2019
SEPTEMBER 17, 2019**

APPROVED

been submitted to Ken Roberts, Highway Manager, and he signed off on them. The driveway for Lot 6-2 was moved over because the owners did not want to have a driveway easement on Lot 6-1.

Mr. Jones noted that there was a shelf area located on each lot where it would be perfect to build on. Mr. Sample noted that there was a department head comment from John Dever, Code Official, which indicated that the demolition of the barn should be a condition of approval because if it was not taken down, it would create a nonconforming issue.

Mr. Sample opened public input. Since there was no public, Mr. Sample closed public input.

After due hearing, Mr. Hoopes MOVED that the Alton Planning Board hereby approves the above cited application for Case #P19-20 Amanda & Gary Connelly of Rand Hill Realty, LLC, for a Final Minor Subdivision for a three lot subdivision of Map 11 Lot 6, with the following conditions:

CONDITIONS PRECEDENT

The following conditions precedent 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, any corrections as noted at this hearing and any waivers granted.**
- 2. Addition of a note to the subdivision prior to plan signing by the Planning Board Chair: This subdivision plan contains a total of ___ sheets: [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: This subdivision plan is subject to the Conditions of Approval itemized in the July 16, 2019, 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 stating that Best Management Practices shall be utilized during any timber cutting on site.**
- 5. All monuments shall 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.**
- 6. Submission of NHDES Subdivision approval.**
- 7. Submission of sample deeds.**
- 8. Demolition of the existing building on proposed Lot 6-1 needs to be removed; to subdivide and leave it would create a nonconforming structure.**

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 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 boundary markers in accordance with Town Regulations.
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 boundary markers in accordance with Town Regulations.

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.

**TOWN OF ALTON PLANNING BOARD
MINUTES 2019
SEPTEMBER 17, 2019**

APPROVED

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

Other Business:

1. Old Business:

Schedule Workshop for the following:

- a. Continued discussion regarding Construction Observation Guidelines, Draft dated March 26, 2019.
- b. Continued discussion regarding Site Plan Regulations, Draft dated May 29, 2019.

Ms. Call suggested postponing the discussions on both the Guidelines and the Regulations until the office was staffed with a Secretary. Mr. MacDonald suggested putting them off until 2021.

2. New Business:

- a. The Board of Selectmen have hired a new Town Planner, Jessica A. Call, with a start date of September 2, 2019. The Planning Department is currently looking for Full-time Planning & Zoning Secretary.
- b. Discussion on who the third member would be for the ZAC Committee.

Mr. Hoopes noted that currently only Mr. Williams and he were on the Committee, due to Mr. Hussey's resignation. Mr. Williams noted that the Committee was concentrating on updating the Table of Uses to make obtaining permission to some of these uses more appropriate in the zones. Mr. MacDonald asked if the Committee was proposing something about private roads. Mr. Williams wanted Ms. Call to take note of that. Mr. Carter was interested in becoming the third Planning Board member on the ZAC Committee. The next two meetings were scheduled for October 1 and October 16, 2019.

3. Approval of Minutes: Planning Board meeting of August 20, 2019

Ms. Call suggested continuing the approval of the August 20, 2019, minutes to the October 15, 2019, meeting. The Board agreed.

4. Correspondence for the Board's review/discussion/action: None.

5. Correspondence for the Board's information:

- a. NHMA webinar "The Workings of a Planning Board" PowerPoint.
- b. NHMA/OSI Law Lecture Series is being held on October 4, 2019, from 9:00 A.M. – 3:00 P.M., at the Holiday Inn, Concord, NH. There is money budgeted for one Board member.

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

Public Input on Non-Case Specific Local Planning Issues

ADJOURNMENT

**TOWN OF ALTON PLANNING BOARD
MINUTES 2019
SEPTEMBER 17, 2019**

APPROVED

At 7:28 P.M., Mr. Wilder MOVED to adjourn.
Mr. Williams seconded the motion, and it PASSED unanimously.

The meeting adjourned at 7:28 P.M.

Respectfully submitted,

Jessica A. Call
Recording Secretary

Minutes approved as presented: October 15, 2019