

TOWN OF ALTON PLANNING BOARD  
PUBLIC HEARING  
Minutes  
October 15, 2013  
Approved 11/20/13

Members Present: Dave Collier, Chair  
Tom Hoopes, Vice Chair  
Roger Sample, Clerk  
Raymond Howard, Member  
Bill Curtin, Member  
Scott Williams, Member  
Mark DeCoff, Selectmen Representative

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

**I. CALL TO ORDER**

D. Collier called the meeting to order at 6:00 p.m.

**II. APPROVAL OF AGENDA**

**S. Williams motioned to accept the agenda as presented.**

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

**III. PUBLIC INPUT**

There was no public input at this time.

**IV. COMPLETENESS REVIEW OF APPLICATION AND PUBLIC HEARING IF THE APPLICATION IS ACCEPTED AS COMPLETE:**

<b>Case P13-15 Deanna O'Shaughnessy &amp; Fae Kontje-Gibbs</b>	<b>Map 12 Lot 57 &amp; 57-1</b>	<b>Design Review Site Plan 118 Old Wolfeboro Road</b>
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On behalf of Deanna O'Shaughnessy and Fae Kontje-Gibbs, Paul Monziona, Esq. is proposing a Design Review for a Major Site Plan for property located at 118 Old Wolfeboro Road. This site plan is for guests who visit the farm to be able to host events like anniversary parties, weddings and family reunions. The property is located in the Residential Rural Zone.

S. Williams recused himself from this application. D. Collier noted he had surveyed the property in question when he worked for a previous employer. Dave indicated he thought he could judge the application impartially. Neither the Planning Board members or the applicants had any objections to Dave participating in the case.

K. McWilliams gave an overview of the application. The applicants are requesting one waiver. That is to allow 5' contours outside the area used for the events. Within that event area they have provided 2' contours. He (Ken) does not see a problem with the waiver that is being requested. He (Ken) recommends the Board accept the application as complete.

**T. Hoopes made a motion to accept the waiver on the interval of contours.**

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

**T. Hoopes made a motion to accept the application as complete for Case P13-15 Site Plan Design Review.**

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

Paul Monziona, Attorney, spoke on behalf of the applicants. He (Paul) corrected the spelling of the applicants on the Agenda. He (Paul) then explained why he is representing the applicants. He (Paul) stated that the applicants appeared before the ZBA in regards to being a Commercial Function Facility and the Zoning Board of Adjustments made a decision that they were not a Commercial Function Facility and did not need to be there. They are a lodging facility and that is permitted to have functions. It was decided that if the activities were going to occur it would be appropriate for the applicants to present a Site Plan Review to the Planning Board so the Town would know just what activities were taking place.

P. Monziona discussed the Comments by Departments. The applicants have no objections to the conditions in the list of comments. The only suggestion was that item number 10 'Any events of 50 people or more under the tent require a fire inspection prior to function events taking place', say instead that the premises be made available for fire inspections prior to function events because if the fire officials in the Town decided to decline to inspect it that wouldn't mean the event couldn't take place.

K. McWilliams mentioned the one issue that came in late from the Code Enforcement.

B. Curtin asked a question regarding fireworks. He (Bill) asked if they had anyone licensed to set off fireworks.

Deanna O'Shaughnessy stated that the Fire Chief had told her there should be no fireworks at the farm and she has told her guests that fireworks are not allowed.

P. Monziona noted that there was a letter from an abutter, Helane Shields, expressing no objection to the activity that goes on at the Farm. The Board had copies of the letter.

T. Hoopes expressed his confusion of why the applicant was at the Planning Board Meeting.

K. McWilliams stated that it was for approval for the Site Plan of the Function Facility.

R. Howard asked if the Site Plan was for the 57-1 lot only.

Tim Morgan stated that there is some use of the larger lot by those attending events and one driveway is located on the larger lot.

R. Howard asked how much is in current use.

D. O'Shaughnessy stated that all of both parcels is in current use.

K. McWilliams stated he would talk to the Assessor regarding the effect of the proposed site plan to the current use.

D. Collier opened it to the public.

Jim Bureau, 72 Pearson Road, was concerned about the noise coming from some of the functions. He (Jim) has noticed that the noise levels have not been as bad this summer. He (Jim) asked if the 14 comments were going to be a condition on the final exception.

K. McWilliams stated that at the Design Review stage they start off as comments but by the time they get to the final stage they may become conditions.

T. Hoopes stated that if noise is a concern it will become a condition.

J. Bureau asked for a copy of the 13 comments. K. McWilliams provided him with a copy.

Susan Gaudette, Lily Pond Road, stated that she worked in the hospitality industry for 16 years. She (Susan) has no concerns about the events themselves but had several different concerns. She (Susan) asked what the hours of operation were.

D. O'Shaughnessy stated that there were no hours of operation.

K. McWilliams explained the quiet hours in the ordinance (10 p.m. to 10 a.m.).

S. Gaudette also requested the Board to take into account those who purchased homes out of the commercial zone not expecting to have to hear music that they do hear and take into consideration that they have the right to enjoy their outdoor properties. She (Susan) also had a concern about the parking on an open grass field and pollution problems. She (Susan) also asked if 110 people were the maximum people that may show at the functions.

D. O'Shaughnessy stated that there have been weddings of up to 200 people.

S. Gaudette stated that if there is no limit of people then Lily Pond Road may have excessive traffic which it cannot support.

P. Monziona responded to the comments made by the public. He (Paul) stated that this is a legal permitted use. The concerns are controlled by the regulations and laws. He (Paul) requested that the Site Plan be approved and the comments be adopted as conditions if the Board sees necessary.

D. Collier closed the public input.

**B. Curtin made a motion to do a site walk.**

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

The time was set for Monday, October 21<sup>st</sup> at 4:00 p.m. A quorum will be needed.

**T. Hoopes made a motion to continue the Design Review for Case P13-15 to November 19, 2013 at 6:00 p.m.**

**M. DeCoff seconded the motion with all in favor.**

S. Williams rejoined the Planning Board.

**V. AMENDMENT OF THE PLANNING BOARD BY-LAWS:**

The question was raised at the prior meeting to look into the by-laws regarding the number of public inputs required. In the by-laws it is listed under a Section called **MEETING**. Public input is listed only once in that section. In order to amend the by-laws the procedure needed is the majority of the Board voting at a meeting after the amendment has been read into the record at two different meetings.

The first change would be under Meetings; 4; f) Public Input would change to Public Input on Non-Case Specific Local Planning Issues.

The second change would be below the section **ADOPTION OF AMENDMENTS** a new section would be added as follows:

**EFFECTIVE DATE, SIGNATURE PAGE & FILING**

These By-Laws and any amendments thereto, shall take effect upon their adoption. Upon adoption these By-Laws shall be signed by a majority of the members of the Planning Board and filed with the Alton Town Clerk.

Date: \_\_\_\_\_

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The third change is to change the RSAs to match the RSA Book.

Board’s Procedures on Plats (Time clock)	NH RSA 676:4 Delete the wording (Time clock)
Notice of Decisions	NH RSA 676:3 Change to Issuance of Decisions
Minutes	NH RSA 91-A:II Change to Minutes and Records Available for Public Inspection NH RSA 91-A:4
Petition Amendments	NH RSA 675:4 Change to Method of Enactment by Petition

**VI. OTHER BUSINESS**

1. Old Business –

K. McWilliams mentioned the Eastern Lakes Region Housing Coalition doing a presentation on ‘Compact Design’ on October 29<sup>th</sup> at the Gilman Museum at 6:30 p.m. A quorum of Planning Board members is requested since the Planning Board is hosting the event.

2. New Business –

Smart Growth and Natural Resource Assessment – Lakes Region Planning Commission and NH Audubon is volunteering to do the assessment. It is asked that the Planning Board volunteer there time to listen and discuss. David Jeffers, LRPC, and Carol Foss, NH Audubon, will attend the November 19, 2013 meeting and discuss the project in more detail.

K. McWilliams handed out the Zoning Ordinance Amendment schedule and discussed dates for the Planning Board to return and discuss the amendments.

3. Approval of Minutes: September 17, 2013

R. Howard requested a change to Page 1 second paragraph under Section IV; the fifth line, change the word ‘The’ to ‘They’.

S. Williams requested a change to Page 3 sixth paragraph under Section VI; the first line, delete the word ‘off-street’ and change the word ‘David’ to ‘Davis’.

R. Howard requested a change to Page 4 third paragraph, first line change the word ‘off-street’ to ‘on-street’.

**B. Curtin made a motion to approve the minutes of September 17, 2013 as amended.**

**S. William seconded the motion with six (6) in favor and one (1) abstention (MD).**

4. Correspondence – None
5. Any other Business that may come before the Board –

S. Williams mentioned the discussion regarding the Sun Flower Garden application. He (Scott) asked the staff to check the Department Heads memos regarding the gas storage of boats. The inspector had written it as a question and it was relayed as a statement.

K. McWilliams spoke regarding the Community Planning Grant and noted that \$500 was used out of the Planning Department Budget to help fund the writing of the grant.

## **VII. PUBLIC INPUT**

None at this time.

## **VIII. Adjournment**

**S. Williams made a motion to adjourn. The motion was seconded by M. DeCoff and passed without opposition.**

The Public Hearing adjourned at 7:35 p.m.

Respectfully submitted,

Randy Sanborn, Recorder, Public Minutes