

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

***APPROVED***

Members Present:

Peter Bolster, Chairman  
Roger Sample, Vice-Chairman  
Russ Wilder, Clerk  
Dave Collier, Member  
Tom Hoopes, Member  
Scott Williams, Member  
Virgil MacDonald, Selectmen's Rep.

Others Present:

Nic Strong, Town Planner  
Jessica A. Call, Recording Secretary

**CALL TO ORDER**

Peter Bolster called the meeting to order at 6:00 p.m.

**APPROVAL OF AGENDA**

Peter Bolster asked if there had been any changes to the agenda. Nic strong stated that she added item d. under "5. Correspondence for the Board's review/discussion/action".

**Scott Williams moved to approve the agenda for the November 21, 2017, Planning Board meeting, as amended.**

**Tom Hoopes seconded the motion, and it PASSED unanimously.**

**JOINT MEETING WITH ZONING AMENDMENT COMMITTEE**

Members Present: Paul Monziona-Chairman, Tom Hoopes-Member, Scott Williams-Member, Virgil MacDonald-Selectmen's Representative

Tom Hoopes shared how rewarding it was to sit on the ZAC Committee because it involved a Selectman, the Zoning Board of Adjustment, the Planning Board, the Planning Department staff, and the Building Inspector. Paul Monziona let the members of the public know that the purpose of the ZAC Committee was to look at the Town's zoning regulations on an annual basis to see whether any of them were in need of amending or deletion, whether new regulations needed to be added or updated to be in compliance with State Statutes. He noted that these changes may be based on cases the Planning Board or ZBA have seen during the year or things the Code Official or Planner bring to ZAC's attention; they were not arbitrary changes. Paul Monziona stated that this was one of the most straightforward years ZAC had in a while.

The Alton Zoning Amendment Committee presented the following recommendations to the Board for amendments to the Zoning Ordinance:

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

***APPROVED***

**PLANNING BOARD PROPOSED AMENDMENT #1:**

1. Amend Article 300, General Provisions, Section 360 Non-Habitable Structure as Principal Building on a Lot, to specify that a private garage, workshop or shed larger than 240 s.f. may be permitted according to the Table of Uses and to specify that they are not permitted in the Recreation Service (RS) Zone.
2. Amend Article 400, Zoning Districts Regulations, Section 401 Permitted Uses - Table of Uses, to add the size limits for sheds, garages and workshops as a principal building on a lot and to change the garage, workshop or shed larger than 240 s.f. in the Lakeshore Residential (LR) Zone from not permitted to requiring a Special Exception

**RATIONALE:**

This proposed amendment would permit garages, workshops and sheds larger than 240 s.f. to be constructed as the principal building on a lot in the Lakeshore Residential District by Special Exception where it is currently prohibited. The amendment also specifies that these structures remain prohibited in the Recreation Service District. It also adds the dimensions of the categories of structure to the Table of Uses for clarity.

**DISCUSSION:**

Paul Monzione explained that this ordinance currently permitted these structures in other zones as a principal building on a lot, but they were not permitted in the Lakeshore Residential zone. Since the ZBA had been seeing multiple applications from residents looking to build a shed or garage as the principal building on a lot in the Lakeshore Residential zone, the Committee decided to add this amendment. Tom Hoopes referred to lots that were split by the road, in which some residents ended up with two lots; therefore, what was typically built on the "back lot" was a garage, septic system, etc.

The Board agreed with this amendment as presented.

**PLANNING BOARD PROPOSED AMENDMENT #2:**

Amend Article 300, General Provisions, Section 335 Appearance Review, Sub-section B, Review Process, to add language that would allow the Zoning Board of Adjustment to review applications for compliance with the intent of Section 335.

**RATIONALE:**

This proposed amendment allows the ZBA the opportunity to review applications under its jurisdiction for conformance with the "Appearance Review" section of the Zoning Ordinance.

**DISCUSSION:**

Paul Monzione stated this amendment would allow the ZBA to take into consideration an Appearance Review. An example he gave was architectural conformity, or overall appearance of what a structure was going to be. He stated that the ZBA did something like this already, because there was specific criteria in a Variance or Special Exception that talked about whether a proposed project would diminish the values of surrounding properties, but this amendment made it clear that they had this ability.

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

***APPROVED***

The Board agreed with this amendment as presented.

**PLANNING BOARD PROPOSED AMENDMENT #3:**

1. Amend Article 300, General Provisions, to add a new Section 321, Obnoxious, Hazardous or Unsafe Conditions.
2. Amend Article 200, Definitions to add a definition.

**RATIONALE:**

This proposed amendment adds a new section prohibiting obnoxious, hazardous or unsafe conditions and adds a definition of obnoxious.

**DISCUSSION:**

Paul Monziona stated that the Town lacked a zoning regulation to cover such an issue. There might be times the court would have to step in to define what would be obnoxious, but this gave the Town something to go on. The subjective nature of a regulation such as this was discussed and Paul Monziona noted that ZAC had discussed the same thing. Tom Hoopes noted that John Dever, III, Code Official, needed language such as this as a starting point to work within cases of neighbor disputes or similar. Peter Bolster stated that the idea was somewhat identifiable but the wording was as close as the Town could get to having something in place to deal with the issue.

The Board agreed with this amendment as presented.

**PLANNING BOARD PROPOSED AMENDMENT #4:**

Amend Article 300, General Provisions, to add a new Section 352, Temporary Use of a Manufactured Home.

**RATIONALE:**

This proposed amendment adds a section allowing the use of a manufactured home on a lot during the construction, reconstruction and/or repair of a permanent residence on the same lot with certain conditions. This currently is not permitted.

**DISCUSSION:**

Paul Monziona explained that John Dever, III, Code Official, had been asked several times about this issue when people were building their homes, and this amendment would allow a resident to have a manufactured home onsite until they were done building. Russ Wilder brought up an example of someone's house catching on fire. Scott Williams stated that previously, townspeople had to go before the Board of Selectmen and ask for relief in order to do this, and there was really no need to go that way. It was noted that the regulation required septic and water hookups to the temporary home and there was a one year time limit that could be extended for good reason.

The Board agreed with this amendment as presented.

**PLANNING BOARD PROPOSED AMENDMENT #5:**

1. *Amend Article 200, Definitions, Contractor Equipment Storage, to include maintenance of equipment and sales of construction and landscape materials.*

**Contractor's Equipment Storage Yard - Area A lot or portion of a lot used for the storage and/or maintenance of equipment and material used in contractor's business. *Retail and wholesale sales of construction and landscape materials, such as, but not limited to, sand, gravel, crushed stone, nitpack, mulch, soil, and wood chips, may be permitted by Special Exception. Processing of material (crushing, grinding, washing, etc.) is prohibited.***

2. *Amend Article 400, Zoning Districts Regulations, Section 401 Permitted Uses - Table of Uses, Retail Business and Service #16, to change the title of Contractor Equipment Storage to Contractor's Yard, to delete the notes and to add directions to Special Exception requirements, as follows:*

**TABLE OF USES**

	Retail Business and Service	R	LR	RC	RR	RU	RS	Notes
16.	<b>Contractor's Equipment Storage Yard</b>	N	N	E	E	E	N	<b>* See Special Exception requirements in each district</b> <del>Accessory to Residence; Vegetative Screen from Abutters, 50' setback from abutters.</del> (Amended 14 March 2017)

3. *Amend Article 400, Zoning Districts Regulations, Section 444 Special Exceptions, to add a new sub-section C., Contractor's Yard, as follows:*

**C. Contractor's Yard.**

***In addition to all other Special Exception requirements, the application shall contain the following additional information:***

1. ***Size, location and type of materials in stockpiles and other outdoor storage.***
2. ***Type and size, and number of vehicles entering and exiting the site and stored onsite and the location of parking spaces for same.***
3. ***Types of maintenance operations to be performed and provisions for waste disposal.***
4. ***Screening of outdoor storage areas and parking areas from adjacent properties and public streets.***
5. ***Plans for dust and erosion control.***

4. *Amend Article 400, Zoning Districts Regulations, Section 451 Permitted Uses, to add a new sub-section G., Contractor's Yard, as follows:*

**G. Contractor's Yard - In addition to all other Special Exception requirements, the application shall contain the following additional information:**

- 1. Size, location and type of materials in stockpiles and other outdoor storage.**
- 2. Type and size, and number of vehicles entering and exiting the site and stored onsite and the location of parking spaces for same.**
- 3. Types of maintenance operations to be performed and provisions for waste disposal.**
- 4. Screening of outdoor storage areas and parking areas from adjacent properties and public streets.**
- 5. Plans for dust and erosion control.**

**5. Amend Article 400, Zoning Districts Regulations, Section 462 Permitted Uses, to add a new section regarding Special Exceptions in general and Contractor's Yards in particular, as follows:**

***Special Exceptions - Additional Conditions:***

***In approving an exception, the Board of Adjustment may impose such additional conditions as it finds reasonably appropriate, but never less than as provided for in this ordinance, to safeguard the neighborhood or otherwise serve the purposes of this ordinance. Such conditions may include, but not be limited to the following:***

- A. Lot area.**
- B. Front, side or rear setback.**
- C. Height limitations.**
- D. Screening, buffers or planting strips, fences or walls.**
- E. Modification of the exterior appearance of the structure.**
- F. Limitation upon the size of buildings, number of occupants, method and type of operation, or extent of facilities.**
- G. Contractor's Yard - In addition to all other Special Exception requirements, the application shall contain the following additional information:**
  - 1. Size, location and type of materials in stockpiles and other outdoor storage.**
  - 2. Type and size, and number of vehicles entering and exiting the site and stored onsite and the location of parking spaces for same.**
  - 3. Types of maintenance operations to be performed and provisions for waste disposal.**
  - 4. Screening of outdoor storage areas and parking areas from adjacent properties and public streets.**
  - 5. Plans for dust and erosion control.**

**RATIONALE:**

This proposed amendment renames the existing definition of Contractor's Equipment Storage to Contractor's Yard and expands the use to allow the sale of construction and landscape materials. The proposed amendment includes additional Special Exception considerations for applications proposed under the new definition.

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

**APPROVED**

**DISCUSSION:**

Virgil MacDonald stated this type of business was not categorized before, so this amendment would allow contractors to conduct business on their property. He gave the example of Al Greymont on Hurd Hill Road. Nic Strong informed the Board that John Jeddrey was done excavating materials from his pit on Route 28 and he would not be coming in with an excavation application. She also explained that John Jeddrey was operating a sales business and brought materials to his site to process, then he sold the materials to other contractors. The Greymont property was classified under retail at the time, because that was the closest use that it would fall under. John Jeddrey came in to see the status of this amendment, and his main concern was the last sentence in the definition that stated, ***“Processing of material (crushing, grinding, washing, etc.) is prohibited.”*** Nic Strong stated that she had pulled this from another town’s regulations during the drafting period, and John Jeddrey asked if this could be discussed by the Board/Committee.

Virgil MacDonald stated that sentence could be removed. Scott Williams stated that it was incidental to the business. Tom Hoopes thought that since this use would be brought before the ZBA, the Board would look at how the noise and dust would affect abutters. Russ Wilder noted that the noise ordinance would come into play if people were making too much noise. Nic Strong stated that a noise issue would be part of the Special Exception and a Site Plan. She stated it would not be an excavation if the materials were not excavated on the property. Paul Monziona thought it made sense to remove the sentence. Russ Wilder thought if it was taken out, the process of going before both the Zoning and Planning Boards would allow the public to have input and would not hurt the people who currently fall under this proposed amendment. Nic Strong suggested moving the words “processing of material (crushing, grinding, washing, etc.)” to be placed prior to the words “may be permitted by Special Exception” and deleting the words “is prohibited” so that the definition would read as follows:

“Contractor’s Yard – A lot or portion of a lot used for the storage and/or maintenance of equipment and material used in contractor’s business. Retail and wholesale sales of construction and landscape materials, such as, but not limited to, sand, gravel, crushed stone, nitpack, mulch, soil, and wood chips, and processing of material (crushing, grinding, washing, etc.) may be permitted by Special Exception.”

**Tom Hoopes moved for the ZAC Committee to amend Proposed Amendment #5, to change the final sentence in the definition of “Contractor’s Yard” to read, “processing of material (crushing, grinding, washing, etc.), may be permitted by Special Exception.” and to delete the words “is prohibited.”**

**Scott Williams seconded the motion, and it PASSED unanimously by vote of Tom Hoopes, Scott Williams, Paul Monziona, and Virgil MacDonald, ZAC Committee members.**

Peter Bolster noted that at the end of ZAC’s presentation, the Planning Board would vote to accept the amendments and move them to Public Hearing.

**PLANNING BOARD PROPOSED AMENDMENT #6:**

Amend Article 400, Zoning Districts Regulations, Section 412 Restrictions Governing Use, to change the required frontage on a Lakeshore Residential lot with no lake frontage from 150' to 75' at the street or highway

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

**APPROVED**

line, and to add a new sub-section d. requiring mainland lakefront lots created after March 13, 2017, to have fifty feet of street frontage.

**RATIONALE:**

This proposed amendment would address an inconsistency between the required frontage in the Lakeshore Residential District for a mainland lakefront lot and a non-lakefront lot and would increase the frontage for mainland lakefront lots to fifty feet.

**DISCUSSION:**

Paul Monziona stated that this amendment would make the frontage requirements more uniform with abutting zones. Scott Williams stated that not long ago there was a regulation that only an access point was required. Russ Wilder thought it was unlikely that there would be a lot of subdivision applications in this district and pointed out that there were some campgrounds that might become available. Paul Monziona also pointed out that the phrase "Lots created prior/after March 13, 2017." was added for clarity. Nic Strong noted that she had put 2017 in this amendment and it should be changed to 2018. This typo was noted and would be changed with no need of a formal vote.

The Board agreed with this amendment as presented.

**PLANNING BOARD PROPOSED AMENDMENT #7:**

1. Amend Article 200, Definitions, to add a new definition for Agriculture for Personal, Non-Commercial Use.
2. Amend Article 300, General Provisions, to add a new Section 318 Agriculture for Personal, Non-Commercial Use.

**RATIONALE:**

This proposed amendment would add a new use to the Zoning Ordinance that would permit the keeping of chickens and bees, with certain conditions, in all districts in Alton except the Recreation Service district. Currently agriculture, as defined by the State of NH, is permitted only in the Residential Rural and the Rural districts. There have been many requests by residents in other districts with particular regard to chickens and bees.

**DISCUSSION:**

Paul Monziona stated the criteria came from several other communities and from the University of NH Cooperative Extension. He stated that the regulation was detailed and involved and that John Dever, III, Code Official, had received requests from landowners to be able to do this.

The Board agreed with this amendment as presented.

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

**APPROVED**

**PLANNING BOARD PROPOSED AMENDMENT #8:**

1. Amend Article 300, General Provisions, Section 319 Standards for Accessory Dwelling Units, to specify that an application for sewage disposal for accessory dwelling units shall be submitted prior to construction.
2. Amend Article 300, General Provisions, Section 319 Standards for Accessory Dwelling Units, to prohibit condominium conveyance of any accessory dwelling unit separate from that of the principal dwelling unit.
3. Amend Article 300, General Provisions, Section 319 Standards for Accessory Dwelling Units, to add a new #14., to prohibit accessory dwelling units with multiple single-family dwellings attached to each other, such as townhouses, and with manufactured housing.

**RATIONALE:**

This proposed amendment updates the Accessory Dwelling Unit section to remain in compliance with changes made to State law regarding these dwelling units during the 2017 legislative session.

**DISCUSSION:**

Paul Monziona stated this amendment would require applications for septic systems rather than proof that an existing system was adequate, so the Town would be in compliance with State Statutes. Nic Strong stated that previously, the Town had prohibited owners from turning their accessory dwelling unit into condominiums by means of a covenant, but now with this new Statute, the covenant was not needed. She also stated that the State added a provision that municipalities did not have to permit ADUs in townhouses or manufactured housing and ZAC included that in the amendment.

The Board agreed with this amendment as presented.

**PLANNING BOARD PROPOSED AMENDMENT #9:**

Amend Article 200 Definitions, to amend the following definitions: Duplex or Two-Family Dwelling, Frontage, Shoreland, Protected Shoreland, and Reference Line.

**RATIONALE:**

This "housekeeping" amendment proposes changes to existing definitions in order to refer to statutory definitions and to update the definition of duplex or two-family dwelling to include horizontal separation as well as vertical.

**DISCUSSION:**

Paul Monziona thought that these definitions were pretty straightforward.

The Board agreed with this amendment as presented.



**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

**APPROVED**

**PLANNING BOARD PROPOSED AMENDMENT #10:**

1. Amend Article 200 Definitions, to add the following definition for Health Club/Fitness Center/Gym.
2. Amend Article 400, Zoning Districts Regulations, Section 401 Table of Uses, to add new use #52. Health Club/Fitness Center/Gym.

**RATIONALE:**

This proposed amendment would add a definition and update the Table of Uses to allow Health Clubs/Fitness Centers/Gyms in certain districts in town. This use is not currently included in the Zoning Ordinance.

**DISCUSSION:**

Paul Monziona stated this use was needed to make things easier for residents to have health clubs. Peter Bolster wanted to know how the other two clubs in town were permitted to operate. Paul Monziona stated that what happened when a use was not allowed in the Zoning Ordinance, the applicant would apply for a Variance. Tom Hoopes mentioned that the other two clubs in town had applied for a Change of Use. Paul Monziona noted that if something was grandfathered and a new proposal was only slightly changed, it might just fit within a definition of another use because it was closely affiliated. He stated that with the addition of this amendment, there would be a use to go by with future projects.

The Board agreed with this amendment as presented.

**Scott Williams moved to present the 2018 Proposed Zoning Amendments #1-10 at the Planning Board Public Hearing on December 19, 2017, as amended.**

**Virgil MacDonald seconded the motion, and it PASSED unanimously.**

**Public Hearing for Final Planning Board Approval of Sedlari Way - Road Construction and to Confirm Compliance with the approved subdivision plan**

<b>Case # P06-10 Sedlari Construction, LLC</b>	<b>Map 10 Lots 16-4 thru 16-16</b>	<b>Final Approval of Road Construction Rural (RU) Sedlari Way off Alton Mountain Rd</b>
--	------------------------------------	---

Present was Richard Ollari, partner in Sedlari Construction, LLC.

Richard Ollari stated that he was requesting to obtain the final approval of road construction for Sedlari Way. Peter Bolster stated that the Planning Board had conducted their Site Walk with Ken Roberts, Road Agent. Russ Wilder stated that Ken Roberts thought the centerline crack needed to be routed and sealed, and the installation of gravel shoulders needed to be done. Richard Ollari stated that was the outcome of the November 2<sup>nd</sup> Site Walk, and since then, the gravel shoulders were completed and thought that Nic Strong had taken some photos; she handed out photocopies for the Board to look at. Nic Strong stated that Ken Roberts still had to perform a final inspection on the road.

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

**APPROVED**

Richard Ollari stated that the second issue Russ Wilder mentioned was routing and sealing. He stated that they searched for local firms to complete this part of the project and they had difficulty finding a company, so they contacted Ken Roberts and he suggested they reach out to Connecticut Sealcoating, LLC. Richard Ollari stated that company currently did work for Alton, but they could not come to New Hampshire until early December due to other commitments, and would provide him with a quote at that point. Richard Ollari stated that the estimate he was given, based on the linear footage of the cracks, was between \$800 and \$1,100. He also shared that Connecticut Sealcoating, LLC, stated that they could not get to the work until they do the spring work for the Town, which was estimated to be performed in late May or early June of 2018.

Richard Ollari proposed to the Board to place \$1,500 in an escrow account to cover the work, then ask the Town for acceptance of the road with that condition. Dave Collier wanted Richard Ollari to provide a preliminary estimate to the Board prior to the official proposal, and thought that Ken Roberts should look at it and give his approval. Scott Williams stated that Richard Ollari should also provide to the Board a spec sheet of the materials and techniques that would be used. Peter Bolster stated their approval would be contingent upon the completion of the work. Tom Hoopes asked if the Board accepted the road, contingent upon the two items, were there any other issues; Richard Ollari stated, no.

Peter Bolster opened up public input. No public input. Peter Bolster closed public input.

**After due hearing, Scott Williams moved to confirm compliance with the approved subdivision plan and grants final Planning Board approval of the road construction for Sedlari Construction, LLC, Sedlari Way, Map 10 Lots 16-4 through 16-16, with the following conditions:**

**CONDITIONS PRECEDENT:**

- 1. Receipt of a written estimate for the cost of routing and crack sealing Sedlari Way to include the materials that will be used, the technique that will be used and the cost for the crack sealing. Ken Roberts, Road Agent, shall approve the proposal.**
- 2. The amount of the estimate for routing and crack sealing plus 50% shall be deposited in escrow.**
- 3. When the finished crack sealing receives approval from Ken Roberts, Road Agent, the amount held in escrow shall be returned.**
- 4. Approval by Ken Roberts, Road Agent, of the gravel shoulder installation.**
- 5. Upon satisfactory inspection and approval of the gravel shoulder installation, and receipt of the crack sealing estimate and receipt of the amount to be deposited in escrow, the Letter of Credit currently held in the amount of \$11,510.95, shall be released.**

**Tom Hoopes seconded the motion, and it PASSED unanimously.**

Nic Strong pointed out that the acceptance of the road came from the Board of Selectmen and the Planning Board was only responsible for final approval of the road. Virgil MacDonald told Richard Ollari to call Mary Jarvis, Executive Secretary, to schedule an appointment to be on the Board of Selectmen's agenda for the acceptance of Sedlari Way.

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

**APPROVED**

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

<b>Case # P17-19 Raymond A. Bisson, LLS, Agent for Roberts Cove, Inc. c/o Thomas Roberts</b>	<b>Map 18 Lot 27 and Map 48 Lots 17, 18, &amp; 20</b>	<b>Lot Line Adjustment Lakeshore Residential (LR) Roberts Cove Road &amp; Basin Road</b>
--	---	--

Present were Raymond A. Bisson, LLS, Agent, and Mark Roberts, cousin to Thomas Roberts.

**Dave Collier moved to accept the Lot Line Adjustment application for Case #P17-19, as complete. Scott Williams seconded the motion, and it PASSED unanimously.**

Raymond A. Bisson, LLS, stated that Roberts Cove, Inc., purchased both properties in 1961 and subdivided in 1963, and most of the lots measured 100' by 100'. Russ Wilder noted the zone was Lakeshore Residential and each lot was required to be 30,000 s.f., and have a minimum street frontage of 150'. He also noted that Roberts Cove, Inc., was taking property from Lot 27 and adding property to the smaller lots, 17, 18, and 20, which each would end up with about one (1) acre. Raymond A. Bisson, LLS, stated they had not planned on changing street frontage. Nic Strong stated that the lots were pre-existing non-conforming as they sat now and they were making them less non-conforming.

Nic Strong made mention that what Raymond A. Bisson, LLS, had not pointed out was the fact that this was not simply taking property from the big lot and adding it to the three small lots, that there were some small parcel adjustments that should be described and become part of this proposal. Raymond A. Bisson, LLS, noted that there were different colors indicated on the plan showing where the lots would be adjusted.

Raymond A. Bisson, LLS, shared with the Board that there was a 30' right-of-way that entered through Lot 27 and ended before the wetlands on the same lot. He stated that the surrounding properties could potentially have rights to the right-of-way, but there was no indication as to who had rights to which lots, although it was Roberts Cove, Inc., that currently owned the surrounding lots anyways. He stated that all of the other owners had released their interests in the right-of-way, and those letters were provided in the application packet.

Raymond A. Bisson, LLS, stated that test pits were performed and the logs were provided in the application packet, along with mapping out the wetlands. He stated that some areas were rocky and there were low areas, but according to the wetland scientist, they did not have characteristics of wetlands. Currently, the access to the property was a gravel road, which ended before the three lots, and the rest of the road was unmaintained and contained brush. Russ Wilder noted that the lots were already laid out, and it was a private road.

Raymond A. Bisson, LLS, addressed the waivers. The waivers were for Lot 27, which were, Section VII, F.7., e., g., h., and i., for a complete boundary survey, although the 1963 plan was included as part of the packet, steep slopes, wetlands, and contiguous upland. He noted that these things had all been proved for the small lots.

**Scott Williams moved to grant waivers to Sections VII, F.7., e., g., h., and i., for Map 18 Lot 27 for a complete boundary survey, wetlands, steep slopes, and contiguous upland, as presented in Raymond A. Bisson, LLS's, letter received on November 20, 2017. Virgil MacDonald seconded the motion, and it PASSED unanimously.**

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

**APPROVED**

Peter Bolster opened up public input. No public input. Peter Bolster closed public input.

**After due hearing, Virgil MacDonald moved to approve Case #P17-19 for Roberts Cove, Inc., for the above cited Lot Line Adjustment of Map 48 Lots 17, 18 & 20 and Map 18 Lot 27, off Basin Road, with the following conditions:**

**CONDITIONS PRECEDENT:**

**The following conditions precedent 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 November 21, 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 or a separate certification of bounds set shall be required to be recorded at the Belknap County Registry of Deeds at the applicant's expense.**

**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.**

**Dave Collier seconded the motion, and it PASSED unanimously.**

**Other Business:**

**1. Old Business:**

- a. Discussion on the Town Engineer RFP submittals.

Russ Wilder pointed out that Nic Strong drew up a spreadsheet to analyze the criteria all of the companies provided for the RFP, to make the reviewing process more streamlined. He stated he looked over the packets and noticed a big difference in pricing. He thought that since one of the engineering companies had only done mostly Massachusetts projects, they probably were not the best choice. Another company had only worked for developers and had no municipality experience. Tom Hoopes pointed out that distance to travel might be a factor.

Scott Williams thought there should be a small engineering firm and a large engineering firm, and dependent upon the scope of the projects that came into town, would depend upon which firm would be used. Russ Wilder asked what type of conditions the current engineers were working under. Nic Strong stated that the Town currently used SFC Engineering Partnership, Inc., and KV Partners, LLC, but there were no contracts between them and the Town. Russ Wilder wanted to confirm that after the Board made their decision of which engineering firms to hire, those would be the firms that worked for the town; Nic Strong stated, yes, except that the current projects that both SFC Engineering Partnership, Inc., and KV Partners, LLC, were working on would continue to the end of the project, if they chose to do so, and they were not the two (2) firms chosen.

Virgil MacDonald thought that since the Board was looking for two (2) engineering firms to work for the Town, why would they not just keep the two (2) they currently had.

Peter Bolster pointed out that Allen & Major Associates, Inc., and Dubois & King, Inc., were both large engineering firms. Russ Wilder stated it was important to look at the prices and noted that SFC Engineering Partnership, Inc., was the most expensive. Nic Strong pointed out there was an asterisk indicated next to their prices, and when you looked at the note with the asterisk, it stated that their rates would typically be \$95/hour and some work would be billed at \$135/hour.

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

***APPROVED***

Tom Hoopes asked Nic Strong her opinion about the engineers. Nic Strong wanted to point out that the Board should keep in mind there would be two companies working for the Town and according to the RFP, the work would be given on a rotating basis, so whoever was next would get the next project; therefore the two companies should be similar.

In looking at all the RFPs, Peter Bolster asked the Board which companies would be eliminated because they did not qualify. Russ Wilder thought that Allen & Major Associates, Inc., had no experience working with municipalities in New Hampshire, so they might be one to drop, and their rates were on the higher end. Peter Bolster asked the Board about Dubois & King, Inc. Roger Sample pointed out that if the Board wanted to hire two like companies, then they should not consider Dubois & King, Inc., because their rates were on the higher end like Allen & Major Associates, Inc. The Board also did not want to go with Brown Engineering & Surveying.

Now the Board was left with four (4) companies to choose from, but only three (3) were going to be picked to be interviewed, and ultimately end up with only two (2) companies after making their decision.

Virgil MacDonald stated that currently the Town had two (2) engineering firms, and if the Board was going to pick two (2) new firms, why don't they just keep the two (2) companies they currently used. Peter Bolster stated that the Board just might end up voting for the two (2) the Town currently used.

Tom Hoopes thought working with Mike Vignale, P.E., KV Partners, LLC, was pleasant. He stated that he did not waste time, and was to the point. Russ Wilder mentioned that he liked Northpoint Engineering, LLC, and the fact that they had wetlands capability. Dave Collier stated he liked them as well as KV Partners, LLC. The Board decided to not use HEB Engineers, Inc., noting that their company size was not clear from their application.

Scott Williams thought the Board should use a small firm and a large firm. Tom Hoopes asked what the RFP required; Nic Strong stated that the RFP required the hiring of the firms to be on a rotating basis.

Dave Collier asked how important it was that the firms they chose to hire agreed to not work on private projects in the Town of Alton while they were working for the Town, because there were four (4) firms that indicated with an "X" in the box on the RFP questionnaire that asked if they would still do work in Town. Nic Strong stated that what the "X" meant was that it was not addressed in their RFP packets or they didn't respond. Dave Collier stated that question should be part of the interview process.

The Board agreed to interview SFC Engineering Partnership, Inc., Northpoint Engineering, LLC, and KV Partners, LLC. Russ Wilder asked how long the contract should be; Nic Strong suggested starting off with a one year contract, and with the Board of Selectmen's approval, then offer a three year contract. Virgil MacDonald thought that since any contract with the Town could be broken at any point, because that was how they were written, why give the contract an

**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

**APPROVED**

end date. Peter Bolster stated that having an end date to a contract gave the Board an opportunity to review their work, and for the company to have a chance to change their rates. Russ Wilder thought there should be a deadline for their term.

**Russ Wilder moved to notify SFC Engineering Partnership, Inc., KV Partners, LLC, and Northpoint Engineering, LLC, that they would be interviewed before the Planning Board for the position of Town Engineer for a one-year contract with the potential of being extended for an additional three (3) years.**

**Tom Hoopes seconded the motion, and it PASSED unanimously.**

Interviews were to be held at 5:00 p.m., right before the regularly scheduled Planning Board meeting at 6:00 p.m., on December 19, 2017.

**2. New Business:**

**3. Approval of Minutes:** October 17, 2017, Planning Board Meeting

**Tom Hoopes moved to approve the minutes of October 17, 2017, as presented.**

**Russ Wilder seconded the motion, and it PASSED unanimously.**

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

- a. Letter dated November 13, 2017, from David & Sylvia Countway to the Board, re: informing the Board that their gravel pit is no longer used for commercial purposes.

The Board decided to move this agenda item from "Correspondence for the Board's information", 5.d., to this heading because they wanted to discuss it. Peter Bolster read Mr. & Mrs. Countway's letter for the record:

"The gravel site on our property in East Alton at 1748 Wolfeboro Highway has been commercially inactive for at least the past 10 years. The last gravel tax paid to the Town of Alton based on my records was for \$10.92 for the sale of 546 yards of gravel, with a statement from the Alton Tax Collectors office dated May 5, 2008. The site has been 95% reclaimed with an active face used as a private "borrow pit" for the removal of gravel for our personal use to maintain our 1,000' gravel driveway and approximately 3,000' of logging roads. We have maintained a yearly Report of Excavation with the Alton Selectmen, and have paid the \$100 yearly fee to the State of New Hampshire – Department of Revenue Administration. Our current "Intent to Excavate" report was signed by the Alton Selectmen on March 15, 2017.

On May 17, 2017, we received the packet of information: "Town of Alton Excavation Regulations," that was sent out by Nic Strong, Alton Town Planner. I followed up after receiving a second notice on October 25, 2017, and met with Nic Strong on October 31, 2017, to discuss our options for conforming to the Alton Planning Board recently adopted Excavation Regulations. I explained to Nic Strong that we have not had any commercial

activity on our gravel site for the past ten years and have only removed gravel for our own personal use.

Our gravel site is no longer used for commercial purposes. We understand that if the site was to be used for commercial purposes in the future we would have to go through the formal process starting with completing the Town of Alton "Excavation Application Form." I hope this brings you up to date. Our gravel site and our intent is to close our gravel site as of November 13, 2017, for commercial purposes."

Scott Williams made note that Mr. & Mrs. Countway had rights under RSA 155 E. that they could move unlimited amounts of dirt on the site in order to maintain their own property.

Russ Wilder asked if there was anything Mr. & Mrs. Countway needed to do to close down their pit. Nic Strong stated that when the full-gravel pit owners did not submit their excavation applications by the September deadline, she sent out an additional reminder with a deadline of December 1. After that second letter was sent, Mr. Countway came in to talk to her and told her that he was no longer running as a gravel pit, so he did not have to apply. She wanted to know what the Board needed in order to verify that Mr. & Mrs. Countway were done excavating enough to wrap up the commercial pit. Russ Wilder stated there were certain criteria in order to close a pit and stabilize it. Nic Strong stated if that was part of the original approval and application, otherwise the owners needed to follow the standards indicated in RSA 155 E.

Russ Wilder suggested to have one of the engineers look at the pit to deem it officially closed, just to be fair. Scott Williams thought that John Dever, III, Code Official, should go take a look at Mr. & Mrs. Countway's pit.

Tom Hoopes stated that he could not speak on this matter because he had a close personal relationship with Mr. & Mrs. Countway; Peter Bolster stated he was friends with them also, and did not want to speak on this matter either.

**Russ Wilder moved to have John Dever, III, Code Official, inspect the site and document that the pit was closed properly, as stated by Mr. Countway.  
Scott Williams seconded the motion, and it PASSED with Tom Hoopes recusing himself and Peter Bolster abstaining.**

**5. Correspondence for the Board's information:**

- a. Email dated October 24, 2017, from Arianna Benn, re: her response to John Dever, III's, letter dated October 16, 2017, in regards to Debbie Glazier, owner of the Alton Bed & Biscuit.
- b. Email dated November 1, 2017, from Arianna Benn, re: emails she received from two (2) of her neighbors, Linda Randall and Mary Rogers, in regards to Debbie Glazier, owner of the Alton Bed & Biscuit.



**TOWN OF ALTON PLANNING BOARD  
MINUTES 2017  
NOVEMBER 21, 2017**

**APPROVED**

Nic Strong stated that a. and b. went together. She stated that the Board was being kept in the loop because the Planning Office was being copied on emails sent to John Dever, III, Code Official. At the Board's last meeting, the Board determined that once John Dever, III, needed the Planning Board to review their site plan, he would inform them.

- c. Letter dated October 26, 2017, from Nic Strong to Linda Diorio, re: site plan invalidation for Tax Map 38 Lot 21-1, due to uncompleted conditions to the May 17, 2016, approval, and no extension was requested.

Dave Collier thought that this item should be moved up to the previous heading for discussion. Nic Strong stated that this really did not need to be discussed because the conditions to approval were not completed within one year, so the Board's approval was invalidated. No action was needed.

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

**Public Input on Non-Case Specific Local Planning Issues**

No public were present.

**ADJOURNMENT**

**At 7:56 p.m., Tom Hoopes moved to adjourn.  
Scott Williams seconded the motion, and it PASSED unanimously.**

The meeting adjourned at 7:56 p.m.

Respectfully submitted,

Jessica A. Call  
Recording Secretary

Minutes approved as presented: December 19, 2017