

**TOWN OF ALTON PLANNING BOARD**  
**PUBLIC HEARING**  
**Minutes**  
December 18, 2012  
Approved January 15, 2013

**Members Present:** Scott Williams, Chairman  
David Collier, Vice-Chairman  
Roger Sample, Clerk  
Bill Curtin, Member

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

**I. CALL TO ORDER**

S. Williams called the meeting to order at 6:05 p.m.  
S. Williams asked everyone to stand for a moment of silence for Newtown, Connecticut

**II. APPROVAL OF AGENDA**

There were no changes to the Agenda.

**B. Curtin made a motion to approve the agenda as presented. D. Collier seconded the motion which passed without opposition.**

**III. PUBLIC INPUT**

S. Williams opened the floor to non-case specific public input. There was none at this time.

**IV. CONTINUED VOLUNTARY LOT MERGER**

<b>Case P12-22</b> <b>Alina Gutierrez</b>	<b>Map 12 Lots 79 &amp; 80</b>	<b>Voluntary Lot Merger</b> <b>Bear Pond Road</b>
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*Alina Gutierrez is requesting to merge two lots of record into a merged lot consisting of 31,250 sq. ft. in the Rural (RU) Zone.*

K. McWilliams explained that this was held over from the last meeting. There was a question that one of these lots was a Town lot; it is not, so the Board can move forward with the Lot Merger.

**B. Curtin motion to approve Case P12-22.**

**D. Collier seconded the motion which passed without opposition.**

**V. COMPLETENESS REVIEW OF AN APPLICATION AND A PUBLIC HEARING IF THE APPLICATION IS ACCEPTED AS COMPLETE**

<b>Case P12-27</b> <b>Fred E. &amp; Mary Beth Hertel</b>	<b>Map 19 Lot 62-1</b>	<b>Design Review – Major Subdivision</b> <b>Rines Road</b>
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*On behalf of Fred & Mary Beth Hertel, Dave Douglas, Surveyor & Wes Smith, Surveyor are proposing a four (4) lot subdivision of 21.64 acres having 1900 feet of frontage on Rines Road, a Class V town road. This property is located in the Rural Zone.*

K. McWilliams gave an overview of the application and explained the design review process.  
K. McWilliams recommended that the Board accept the application as complete.

**B. Curtin made a motion to accept the Design Review application as complete.**

**D. Collier seconded the motion with all in favor.**

Dave Douglas from Thaddeus Thorne Surveys, Inc., spoke on behalf of this application. He explained how he tried to follow the Subdivision Regulations and believes he has done so. He stated that one lot is 3.98 acres, one is 5.31 acres, another is 6.74 and another is 5.61 acres.

S. Williams questioned the steepness of the lot.

D. Douglas explained that he told the owner that more density could not be done. He had his field crew go and find upland area that would meet the acre and a half contiguous land per lot and they found it. He stated that you could build on the front but it isn't the acre and a half. He stated that he had someone bringing new plans to the meeting. They have test pits and a wetland scientist determined that there are no wetlands. He stated that driveways would be a challenge but could be done. They have reviewed the driveway regulations.

S. Williams suggested that if they decide to build in the back areas they should have test pits done there.

Fred Hertel indicated his intent is to get the lots subdivided and then sell them to buyers who would at some point in time build there.

S. Williams questioned the hiking trail.

F. Hertel stated that it had been there a long time so he would show it and not restrict it at this time.

K. McWilliams asked if they would consider providing an easement for the trail.

F. Hertel said no.

B. Curtin asked if he would put something in the deed stating that it would not be closed down.

F. Hertel stated that he felt it would be up to the next property owner but he wouldn't put it in the deed.

K. McWilliams read a provision in the Subdivision Regulations that talks about Section 4.4. "Land of such character that in the judgment of the Board cannot safely be used for building development purposes because of excessive slope shall not be platted for residential use." He question whether there were slopes

over 25% in this project that were not developable for this use. He measured the slopes as coming in on each of the driveways that have been proposed and the measurements he did on lots 3 and 4 show on lot 3 a 30% slope and lot 4 a 28% slope. So he questioned whether the slopes had been accurately mapped that are over 25%. The driveway regulations require that the driveway slope away from the road for a distance of 10 feet before it starts up. He suggested that they consider a common driveway on lots 3 and 4 property line to minimize the curb cuts so there is only one for those two lots. He suggested steep slope mapping and rethink the lots could be platted so there is some of the land less than 25% slope along the road that are parts of those lots. He suggested that they consider doing building envelopes that restrict the development to the areas immediately along Rines Road so they cannot develop driveways all the way up the hillside to the top of the hill for house sites which would cause substantial amounts of erosion from water coming down the hill. Also the plan does not comply with the lot ratio. He also suggested the Board do a Site Walk.

Wesley Smith from D. Douglas office spoke regarding the plans that the Board have. They show the topo on the upper portion of lots 3 and 4 and the lower portion of lots 1 and 2 to be less than the 25% area. They focused their work on the upper area rather than the lower portion knowing the upper portions of 3 and 4 are significantly flatter than the lower portions. They were focusing on the buildable area based on the regulations. They went back out on the 13<sup>th</sup> of November and redid the topo for the bottom portions of lots 3 and 4. They didn't want to spend a lot of money wasting time on the lower parts of Lots 3 and 4 when they knew they had enough area above on lots 3 and 4. When they went back out to do that they knew it was going to be real close to 25% so they took a lot of shots. In doing so he prepared the plan under the supervision of D. Douglas, went through it and did all the calculations. The plan that got printed had all the old contours still showing the bottom. He has a plan with the new contours that nobody has seen.

K. McWilliams noted it was not acceptable to present new plans at the Planning Board meeting that no one on the staff or Board has seen previously

K. McWilliams suggested they stop now and continue this application until later if the applicant wants to introduce those plans.

K. McWilliams reported the concerns the Fire Department had regarding providing adequate water for firefighting. They identified two potential sites. One is a fire pond at 184 Rines Road at the True residence. The other is a bridge crossing a brook on Hayes Road.

S. Williams opened it to the public.

Susan John an abutter spoke regarding the surface storm water flow from the hill across from her house. She mentioned that on the map it shows she has a driveway on Rines road but she does not. Her driveway is off of Hayes Road. She also mentioned the trail and is concerned if it were to be restricted there needed to be an arrangement for parking because the road is narrow. She also mentioned that she heard NHEC is planning rerouting of their electric lines and asked if the owner had had a conversation with them about power. He has not.

Luc Chagnon an abutter on Rines Road spoke regarding Lot 4's erosion problems.

Sandy Hammond an abutter spoke regarding her concern about fire fighting access to these lots. She has a fire pond but does not want to allow access to four other lots.

S. Williams stated that the Fire Department is allowed to access the fire pond if they need to in an emergency.

Duane Hammond spoke in regards to the type of dwellings that might be built. He was concerned about his property values regarding if they put trailers there.

There is a restriction on the plans that specifies no mobile homes, no unregistered vehicles and must complete the outside building in a year.

Rory MacDonald an abutter spoke regarding the water coming off the hill has caused the road to be rebuilt twice this year so they are going to have to do extensive work to divert the water when they put the driveways in.

Wilson Breen 250 Rines Road an abutter spoke in regards to Lot 1 or 2 and he has had to put in French drains because of the water run off because the road ditches are not adequate. He is also concerned about the boulders that are on the hillside.

The Site Walk is scheduled for Saturday, December 22, 2012 at 9:30 a.m.

The public hearing was continued to the next Planning Board meeting will be January 15, 2012 at 6:00 p.m.

**B. Curtin made a motion to have a Site Walk on 12/22 at 9:30 a.m. and continue Case #12-22 until January 15, 2013 meeting.**

**D. Collier seconded the motion with all in favor.**

## **VI. PUBLIC HEARING ON PROPOSED ZONING AMENDMENTS**

### **1. *Public hearing to review amendments to the Zoning Ordinance proposed by the Planning Board.***

The Board explained to the public how and why they are changing items to the Zoning Ordinance.

K. McWilliams mentioned the Conservation Subdivision Ordinance which basically provides an alternative method for the development of land instead of doing the standard cookie cutting of properties into individual lots.

The public asked several questions.

K. McWilliams stated that there were two changes on Amendment #4 after he spoke with Town Counsel. The first is Paragraph #2, Section 357A that requires Recreational Camping Cabins must be installed on a slab foundation. Town Counsel felt this should be deleted. The second one in the same Section number F. K. McWilliams felt this paragraph should be deleted and replaced with some provisions basically at the front end of the campground standards and suggested adding three things; (1) would say the seasonal nature of the recreational campground or camping park needs to be reviewed and approved by the Planning Board during the Site Plan Review process. (2) in establishing the seasonal nature of the

campground or camping park the Planning Board would ensure that the park is not available for year round residency. (3) in the way they have now defined these campgrounds they can have three different types of uses within that. They can have tent sites, RV sites and sites for the recreation camping cabins. So there should be another sentence added that says camp sites in a recreational campground or camping park can be used by tents, recreational vehicles or recreation cabins. The area proposed for any of these uses shall be approved by the Planning Board during the Site Plan Review process.

**B. Curtin made a motion to carry Amendment #4 to the January 15, 2013 meeting with the changes as outlined for public hearing.**

**D. Collier seconded the motion with all in favor.**

**D. Collier made a motion to move all the Amendments except #4 to the ballot.**

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

## **VII. PUBLIC HEARINGS ON AMENDING REGULATIONS**

**1. *Public Hearing to amend the Subdivision Regulations to require submission of an insurance certificate that names the Town as an insured beneficiary for any professional(s) assisting with preparing an application.***

K. McWilliams gave a review of this Subdivision Regulations change. This was to add in a clause that says the following. "Any professionals assisting with preparing the application shall submit an insurance certificate." It means that the Town is the insured beneficiary.

The Board decided to have K. McWilliams review other municipalities and how they handle this situation.

**2. *Public Hearing to amend the Site Plan Review Regulations to define a minimum amount of cash or check security deposit before it is deposited into an interest bearing account and other minor housekeeping amendments.***

K. McWilliams explained the second hearing for Site Plan Regs. One amendment is on page 37 under Forms of Security under number C Certified Check or Bank Check. He is making the amendment so it says any Security submitted in \$100,000 or more shall be deposited into an interest bearing account by the Town Treasurer. The same statement would be under the Cash submittal.

**B. Curtin made a motion to adopt the amendments to the Site Plan Review Plan Regulations as amended.**

**D. Collier seconded the motion with all in favor.**

## **VIII. Other Business**

1. Old Business – None
2. New Business – None

3. Approval of Minutes, October 16, 2012 and November 20, 2012

**B. Curtin made a motion to accept the minutes of October 16, 2012 and November 20, 2012 as presented.**

**D. Collier seconded the motion which passed without opposition.**

4. Correspondence – None

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

S. Williams stated that there has been no legal action against the Industrial Communications so that is ready to go.

#### **IX. Public Input**

No public input at this time.

#### **X. Adjournment**

**D. Collier made a motion to adjourn. The motion was seconded by B. Curtin and passed without opposition.**

The Public Hearing adjourned at 7:45 p.m.

Respectfully submitted,

Randy Sanborn, Recorder, Public Minutes