

**TOWN OF ALTON PLANNING BOARD  
PUBLIC HEARING  
Minutes  
December 20, 2011  
Approved January 17, 2012**

**Members Present:** Scott Williams, Vice Chair  
David Collier, Clerk (Arrived at 6:30 p.m.)  
Bill Curtin, Member  
Dave Hussey, Selectmen Representative  
Roger Sample, Alternate

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

**I. CALL TO ORDER**

Scott Williams, Vice Chair, called the Public Hearing to order at 6:00 p.m.

**II. APPOINTMENT OF ALTERNATES**

Roger Sample was appointed as an alternate for this meeting.

**III. APPROVAL OF AGENDA**

K. McWilliams stated that Case P11-34, Gary Kelloway & David & Lisa Madden, has withdrawn.

**D. Hussey made a motion to approve the agenda as amended.**

**B. Curtin seconded the motion with a unanimous vote in favor.**

**IV. PUBLIC INPUT**

None at this time.

**V. CONTINUED PUBLIC HEARING:**

<p><b>Case #P11-37 Robert F. Bollinger General Construction, LLC</b></p>	<p style="text-align: center;"><b>Map 15 Lot 30</b></p>	<p style="text-align: center;"><b>Final Major Subdivision Gilmans Corner Road</b></p>
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**On behalf of Robert F. Bollinger General Construction, LLC, Jeffery L. Green Land Surveying Services has submitted a final subdivision application for a 5 lot major subdivision in the Rural (RU) Zone.**

K. McWilliams highlighted items discussed at the site walk. There were questions about accuracy of property lines and accuracy of location of driveways. The surveyor was asked to follow up on that and

Alton Planning Board                      December 20, 2011                      Page 1 of 6  
Public Hearing                                      MINUTES

report to the Planning Board at this meeting. The other item was the discussion about the possibility of some common driveways. They talked about it on lot 1 and 2 down at the bottom of the hill where they could join a common access and the driveways split off from there and have a single access point. They also discussed a common access at the top of the hill where the existing driveway goes in to serve the existing residence. Originally they had proposed that as a common driveway. Because of some of the comments at the meetings they separated those driveways. The discussion in the field walk was that a common access driveway makes sense there. Ken Roberts, Highway Agent, supports the common access points.

Jeff Green, Land Surveyor, stated that he went and remeasured the flags in the field and is within a foot and a half of accuracy. He has added the well, spring and old foundation on the plan. He spoke with the State and is waiting for a letter from DES for subdivision approval. The common driveway, he is willing to do whatever the Board wants him to do as long as he does not have to go before any other Boards.

S. Williams stated that he felt it didn't need to go before any other Boards. The Highway Agent was there and can waive any of the conditions not deemed to be essential to public safety.

J. Green stated that when he sets the monuments they will be accurate within one hundredth of a foot.

The majority of the Board was in favor of the two shared driveways.

K. McWilliams stated that the driveway on Lot 4 where that driveway comes in would need an easement across lot 4 for a driveway access. Lot 1 and 2 can have the driveway access on the property line and would need a common easement before the individual driveways branch off.

S. Williams suggested 30 ft on all culverts.

S. Williams opened discussion to the public.

Mark Northridge, Drew Hill Road, spoke in opposition to the subdivision. He agreed that shared driveways are a good idea. His concern was that the measurements of the frontage of the lots were off from the surveyors. Their tape measures were different than the surveyor's measurements. Mr. Northridge indicated the neighbors have collected money to hire a surveyor to check the accuracy of Mr. Green's survey.

K. McWilliams suggested continuing this application to the January meeting and give the abutters a chance to have their surveyor out there to do his measurements and allow the abutters to view a new plan with common driveways.

J. Green was very opposed to continuing this application because he has been accurate and the request to do common driveways was a request of the Board. He is on a deadline and has met every requirement of the regulations and all that the Planning Board has asked for. He feels another 30 days is asking too much and is an unreasonable request.

S. Williams indicated the public has 30 days to challenge this accuracy with another surveyor.

D. Collier stated that they are not there to dispute the boundary. They have a surveyed plan stamped and signed by a NH licensed surveyor before them. That is what the plan is based on. They are not disputing that. The subdivision is based on the plan. The Board is here to look at that fact and approve it based on its

merits, not on the boundary survey. If the public wants to hire a surveyor after the fact to dispute the boundary survey then that is their prerogative.

S. Williams stated that the driveway was not a significant change especially when it is going to the better.

Sylvia Leggett, Gilmans Corner Road, spoke in opposition to the subdivision. She felt she should be able to see the plans with the shared driveways before this is approved.

Dave Lawrence, 218 Gilmans Corner Road, spoke in opposition to the subdivision. His concern was that the shared driveways were better but the condition of the road continued to cause a safety hazard.

S. Williams closed public input.

**D. Hussey made a motion to approve this subdivision Case #P11-37 with the following conditions:**

**Conditions Precedent: The following conditions must be satisfied prior to the signing of plans.**

- 1. A copy of any necessary Federal, State, and/or local permits shall be received by the Planning Department and the permit numbers shall be added in a note on the plat prior to plan signing. This includes Subdivision Approval by NH Department of Environmental Services.**
- 2. A note shall be added to the plat prior to plan signing stating that Best Management practices shall be utilized during any timber cutting on site.**
- 3. All "To Be Set" (TBS) notes shall be removed and all monumentation, including all missing monuments, shall be set prior to plan signing.**
- 4. A note shall be added to the plat prior to plan signing stating the total acreage of each Current Use Category for each lot where applicable.**
- 5. The following note shall be added to the plat prior to plan signing: This subdivision plan is subject to the Conditions of Approval itemized in the December 20, 2011 Notice of Decision on file at the Town of Alton Planning Department.**
- 6. Trees along the boundary of the 25' of wetland buffer of all wetlands greater than 10,000 square feet in size in the area within 200' of proposed development that will disturb the soil or involve removal of trees are to be flagged on the plat and accurately in the field on trees approximately every 25' with permanent markers identifying them as the wetland buffer. The types of all proposed signage are to be reviewed and approved by the Planning Board. Where trees have been previously removed or do not exist, the wetland buffer shall be flagged with metal fence posts displaying the markers, which should be affixed to the posts with bolts. This is to be completed prior to plan signing and certified as complete by the surveyor who stamps the plan.**
- 7. The approval dates by the Highway Department for the driveway locations needs to be noted on the plat.**
- 8. The north arrow note needs to be clarified.**
- 9. Provide a shared access entrance to serve Lot 4 and the remainder of Map 15 Lot 30 with an access easement across Lot 4 to Map 14, Lot 30. Language for the access easement to be put in the deeds shall be submitted, and reviewed and approved by Town Counsel.**
- 10. Provide a shared access entrance to serve Lots 1 and 2.**
- 11. The survey monuments shall be set by December 25, 2011**
- 12. Abutters shall have thirty (30) days from December 20, 2011 to appeal the decision of the Planning Board.**

**Subsequent Conditions:**

1. The applicant shall comply with all of the Town of Alton's Subdivision Regulations.
2. 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.
3. A subdivision plat, site plan or other approval which has been filed and 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.

Provided all listed conditions precedent are satisfied, this approval will remain valid for implementation 365 days from date of original approval, unless extended by the authority of the Planning Board after petition by the applicant.

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

**VI. COMPLETENESS REVIEW OF FINAL APPLICATIONS AND PUBLIC HEARINGS ON APPLICATIONS (IF APPLICATIONS ARE ACCEPTED AS COMPLETE:**

<b>Case #P11-39 Allen D. &amp; Susan Nelson and Mary Galus</b>	<b>Map 50 Lots 5 &amp; 5-1</b>	<b>Lot Line Adjustment 5 &amp; 13 Nelson Pine Point</b>
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On behalf of Allen D. Jr., Susan Nelson and Mary Alice Galus, Steven J. Smith & Associates, Inc. is requesting a Lot Line Adjustment. They are proposing to adjust the boundary lines so that Lot 2 in the back can have full property rights to the shoreline. Both lots are located in the Lakeshore Residential (LR) Zone.

Peter Howard from Peter Smith and Associates, Inc. spoke on behalf of the applicants. He showed the boundaries that are changing and explained why they were changing. They are proposing to sell M. Galus's lot and open up the water frontage to Lot 5. They would maintain at least 30,000 square feet for each lot and the frontage and access would not change.

K. McWilliams recommended that the Board accept the application as complete.

**D. Hussey made the motion to accept the application as complete.**

**D. Collier seconded the motion with all in favor making the vote unanimous.**

B. Curtin asked if there was an agreement for an access to the further lot.

K. McWilliams stated that there was a 25' wide access easement to Lot 5-1 across Lot 5 from Route 11D as shown on the plans.

S. Williams opened discussion to the public.

None at this time.

**B. Curtin made a motion to approve Case P11-39, Lot Line Adjustment Map 50 Lot 5 & 5-1.**

**Conditions Precedent: The following conditions must be satisfied prior to the signing of plans.**

- 1. A copy of any necessary Federal, State, and/or local permits shall be received by the Planning Department and the permit numbers shall be added in a note on the plat prior to plan signing.**
- 2. A note shall be added to the plat prior to plan signing stating that Best Management Practices shall be utilized during any timber cutting on site.**
- 3. All "To Be Set" (TBS) notes shall be removed and all monumentation shall be set prior to plan signing. This includes all monuments on all lot corners and angles for both lots.**
- 4. The following note shall be added to the plat prior to plan signing: This lot line adjustment is subject to the Conditions of Approval itemized in the December 20, 2011 Notice of Decision on file at the Town of Alton Planning Department.**

**Subsequent Conditions:**

- 1. The applicant shall comply with all of the Town of Alton's Subdivision and Site Plan Regulations.**
- 2. 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.**
- 3. A lot line adjustment plat, which has been filed and 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.**

**Provided all listed conditions and subsequent conditions are satisfied, this approval will remain valid for implementation 365 days from date of original approval, unless extended by the authority of the Planning Board after petition by the applicant.**

**D. Hussey seconded the motion with all in favor making the vote unanimous.**

## **VII. Old Business:**

Meeting tomorrow at 6:00 p.m. regarding the Public Forum on the Draft Zoning Amendments.

## **VIII. New Business:**

Copies of the updated version of the Site Plan Review Regulations were handed out. K. McWilliams suggested scheduling a public hearing on the draft dated December 22, 2011 the meeting on January 17<sup>th</sup>. The Board agreed.

## **IX. Approval of Minutes**

November 9, 2011

**B. Curtin motion to accept the November 9, 2011 Planning Board Workshop Minutes as presented.**

**D. Hussey seconded the motion. All were in favor making the motion unanimous.**

November 10, 2011

**B. Curtin motion to accept the November 10, 2011 Planning Board Workshop Minutes as presented.**

**D. Hussey seconded the motion. All were in favor making the motion unanimous**

November 15, 2011

**B. Curtin motion to accept the November 15, 2011 Planning Board Meeting Minutes as presented.**

**D. Hussey seconded the motion. All were in favor making the vote unanimous.**

November 30, 2011

**B. Curtin motion to accept the November 30, 2011 Planning Board Workshop Minutes as presented.**

**D. Hussey seconded the motion. All were in favor making the vote unanimous.**

December 5, 2011

**B. Curtin motion to accept the December 5, 2011 Bollinger Subdivision Site Walk Minutes as presented.**

**D. Hussey seconded the motion. All were in favor making the vote unanimous.**

**X. Correspondence.**

None.

**XI. Adjournment**

**D. Hussey made a motion to adjourn.**

**B. Curtin seconded the motion. All were in favor making the motion unanimous.**

The public hearing adjourned at 7:10 p.m.

Respectfully submitted,

Randy Sanborn  
Recorder