

**TOWN OF ALTON PLANNING BOARD
MINUTES OF 2016
DECEMBER 20, 2016**

Members Present Planning Board:

Dave Collier, Chairman
Roger Sample, Vice Chairman
Peter Bolster, Clerk
Virgil MacDonald, Selectmen's Representative
Bill Curtin, Member
Russell Wilder, Member
Scott Williams, Member
Thomas Hoopes, Alternate

Members Present Zoning Amendment Committee:

Paul Monziona, Chairman
John Dever, III, Code Official
Tim Morgan

Others Present:

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

CALL TO ORDER

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

APPROVAL OF AGENDA

Dave Collier asked if there had been any changes in the agenda. Nic Strong stated that the items in bold, e., f., and g., were added since the Agenda was posted.

**Scott Williams moved to accept the Agenda as amended.
Bill Curtin seconded the motion and it PASSED unanimously.**

Public Hearing pursuant to RSA 675:3 on proposed Zoning Ordinance Amendments

Dave Collier opened the public hearing and asked the Board and the public if they had all seen the Zoning Ordinance Amendments and hearing notice. The Board and the public responded that they had. That being the case, Dave Collier dispensed with reading the whole public notice, which had been posted and published pursuant to RSA 675:7, and which was available to the public at this hearing, along with the proposed amendments. Dave Collier then stated that he would take any questions from the Board. Virgil MacDonald stated that he needed some clarification on #9, page 3, on the number of parking spaces required for an accessory unit. He was wondering if in a one-bedroom accessory unit the owner needed three (3) off street parking spaces or four (4). Peter Bolster stated that he thought that if it was a two-bedroom accessory unit then it would have to have four (4) parking spaces. Virgil MacDonald thought that the definition should be cleaned up a bit because it was difficult to understand. Scott Williams stated that the current ordinance required every apartment to have two (2) parking spaces to begin with. Scott Williams asked John Dever, III, if the ordinance currently called for two (2) per rental unit. John Dever, III, stated that the ordinance required the owner to provide a minimum of three (3) off-street parking spaces for the primary single-family and a one-bedroom accessory dwelling unit

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and a minimum of four (4) for the primary dwelling unit with a two-bedroom accessory. Dave Collier asked Virgil MacDonald if that clarified things for him. Virgil MacDonald stated yes, and hoped that the State will amend some of the bills that they have passed.

Dave Collier asked the Board if they had any other questions on Amendment #1, or on any other Amendments. Peter Bolster questioned if Dave Collier meant if the Board had any questions just on #1 or on all the Amendments. Dave Collier stated all of the Amendments. Peter Bolster questioned that the Board wasn't going to go Amendment by Amendment. Dave Collier stated no, that everyone said they had already read them. Scott Williams stated that he was nervous about handling the Amendments as a whole and thought they should touch upon them even if it was brief. Dave Collier stated that he would go over each Amendment. Dave Collier again asked if there were any further questions on #1. Scott Williams suggested that when going over the Amendments that the Planning Board have their say first, then the Zoning Amendment Committee members, and then the public; this way continuity would not be lost.

Paul Monziona, Chairman of the Zoning Amendment Committee (ZAC), introduced himself and clarified that the meeting was actually a Planning Board meeting and not a joint meeting with the Zoning Board. The Zoning Board was not present, but some of the members from ZAC were, and they were happy to provide any information regarding the Amendments.

Dave Collier opened up the floor to the public for any input on Amendment #1. Carl Chamberlain, Black Point, came forward to speak about Amendment #1. Carl Chamberlain stated he had read over everything and it looked like the Planner and the Board had done everything that could be done and that it was a bad bill by the State. He also said that hopefully there would be some amendments down the road that would give the Planning Board back the power to decide. He further stated that it seemed like the parking was a little slim and would like to see another parking spot added. Another concern of his was if you were living in a new development like Clay Point or Lakeside, all those people have 10-15 parking spots, an acre of land, 14-foot high hedges, big homes, 4 bay attached garages, and if they did some work on their property, it wouldn't really depreciate the surrounding properties to add an Accessory Dwelling Unit. The properties that were subjected to the problem were going to be from the beginning of the bay to the end of the bay, which included Woodlands Road, Minge Cove, both sides of Black Point, Echo Point, and Route 11D. The town had good tax assessments and he was afraid of the three or four people who might muddy it up with an accessory unit and rent out both the residence and the accessory dwelling unit. Residency issue is a good requirement. The neighbors do know everything, and if there is a residency requirement, that will curb the action. Carl Chamberlain also mentioned that he thought it was a good idea that an Easement would be put in place and recorded with the Deed which stated that the accessory dwelling units could not be built as co-op's or condos. It was acceptable if nothing changed, except to add an additional parking space, which would increase the impervious surface requirements, and might make it tougher to qualify. If a ZBA had to defend the ability of the property to handle the septic load, it could be difficult to determine if they had the correct size if the property was built before the State required septic plan reviews. John Dever, III, stated that since he started working as the Town of Alton's Building Inspector, if it met the criteria for needing a new septic system, the owners wouldn't get a building permit until there was an approved septic plan in place.

Dave Collier opened up the floor for comments on Amendment #2. No Comments

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Dave Collier opened up the floor for comments on Amendment #3. No Comments

Dave Collier opened up the floor for comments on Amendment #4. No Comments

Dave Collier opened up the floor for comments on Amendment #5. No Comments

Dave Collier opened up the floor for comments on Amendment #6.

Russ Wilder asked how ZAC came up with the 25kw cutoff. Scott Williams stated that he wasn't at the first meeting when ZAC came up with the proposed Amendment, so when he attended the following meeting he felt it was unfair for a small business to have to go before the Zoning Board of Adjustment for a Special Exception when a residential home didn't have to if they were putting up the same type of solar panels. Paul Monziona stated that when Scott Williams explained how his own solar panels worked and the amount of kw's produced, the Board agreed with his suggestion of a 25kw cutoff.

Dave Collier opened up the floor for comments on Amendment #7. No Comments

Dave Collier opened up the floor for comments on Amendment #8. No Comments

Dave Collier opened up the floor for comments on Amendment #9. No Comments

Dave Collier opened up the floor for comments on Amendment #10. No Comments

Dave Collier opened up the floor for comments on Amendment #11. No Comments

Dave Collier opened up the floor for comments on Amendment #12. No Comments

Dave Collier opened up the floor for comments on Amendment #13. No Comments

Dave Collier opened up the floor for comments on Amendment #14. No Comments

Dave Collier opened up the floor for comments on Amendment #15. No Comments

Dave Collier opened up the floor again for comments on any of the Amendments before a motion was made. Scott Williams wanted to talk about the number of parking spaces in Amendment #1. He agreed that the proposed Amendment was written well, except for allowing only one parking space if an owner was to add on a one-bedroom accessory unit. Dave Collier interrupted Scott Williams before he made a motion so the Board could have time to discuss what he proposed, and then close the Public Hearing portion of the meeting. Scott Williams went on to say that his motion would propose 3 parking spaces for the residential property itself with two additional spaces for the accessory dwelling for a total of five spaces altogether. Peter Bolster asked if it mattered whether it was a one-bedroom or a two-bedroom. Scott Williams stated that currently the Zoning Ordinance requires two (2) spaces for a two-bedroom apartment, and would like to see that changed to require three (3) spaces. Dave Collier closed the Public Hearing and the Board entered into deliberations.

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Scott Williams moved for Amendment #1 that the main dwelling unit be required to have three (3) parking spaces and the Accessory Dwelling Unit two (2) parking spaces for a total of five (5) for the property minimum.

Virgil MacDonald seconded the motion.

DISCUSSION:

It was noted after some discussion that the Town of Alton's parking requirements for a residential dwelling unit of any size was a minimum of two (2) spaces. The Board did not want to discriminate for or against Accessory Dwelling Units and determined, therefore, to require two (2) spaces minimum for the single-family dwelling unit and two (2) spaces minimum for an Accessory Dwelling Unit whether it was one or two-bedrooms.

Nic Strong mentioned that she needed the specific wording of the Amendment that night in order to move the Amendment to the second public hearing and confirmed the following language: "The owner of the property shall provide a minimum of four (4) off-street parking spaces for the primary single-family dwelling unit and an accessory dwelling unit."

Scott moved to amend his original motion to read that "The owner of the property shall provide a minimum of four (4) off-street parking spaces for the primary single-family dwelling unit and an accessory dwelling unit."

Virgil MacDonald seconded the amended motion and it PASSED unanimously.

Tom Hoopes moved to propose Amendments #2-15 as presented at this public hearing for a ballot vote in March 2017.

Bill Curtin seconded the motion and it PASSED unanimously.

Dave Collier stated that the second public hearing for Amendment #1 would be January 17, 2017.

Scott Williams moved to place Amendment #1 as amended to the January 17, 2017, Public Hearing.

Bill Curtin seconded the motion and it PASSED unanimously.

Planning Board to set the date for public hearing on petitioned Zoning Ordinance Amendment(s)

Scott Williams moved to have the petitioned Zoning Ordinance Amendments(s) be heard at the January 17, 2017, Public Hearing.

Russ Wilder seconded the motion and it PASSED unanimously.

OTHER BUSINESS

1. Old Business:

- a) Discussion on the Town of Alton Subdivision Regulations, Working Draft 4.19.16, distributed at April 19, 2016, Planning Board Meeting and memo dated 9/20/16, re: Planning Board Procedures.

Nic Strong stated that she wanted to go through them one last time to get things finalized. She will distribute them in a timely fashion so they can be discussed at the next meeting.

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2. New Business:

3. Approval of Minutes: November 15, 2016, Planning Board Meeting

Bill Curtin moved to approve the Planning Board minutes of November 15, 2016, as written. Virgil MacDonald seconded the motion, and it passed with Virgil MacDonald abstaining.

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

- a. Observation Log dated November 11, 2016, from Farmhouse Land Development, PLLC, for Hilltop Estates Subdivision
Nic Strong stated that the As-Built plan of the road shows that a couple of locations are not exactly how they were laid out in the design and the owner will be working with Pete Julia, P.E., to show that it still meets the intent of the design and there were no problems with how it was built in order for them to keep moving forward getting the subdivision completed. Virgil MacDonald noted that when Nic Strong spoke to Peter Julia, P.E., again to have him change the location from Route 28A to 28 on the plan. Russ Wilder questioned the plan because there was no drainage or wetlands indicated. Virgil MacDonald stated that the original plan had the drainage and the detention ponds on it and that the As-Built plan they were looking at was a draft.
- b. Memo dated November 16, 2016, from Nic Strong to John Dever, III, regarding the backing up of delivery trucks onto Dunkin Donuts property
John Dever, III, stated that he did talk to a person at Dunkin Donuts who gave him a name and a phone number to the trucking company, because they were still backing into the parking lot. Dave Collier stated it was up to the Manager to take care of this problem, otherwise their plan could be revoked. Peter Bolster asked if the backing up was illegal. Scott Williams stated that backing up onto the street was illegal, but backing into the parking lot was not. Although, Dave Collier pointed out that part of the approval process was that the trucks could not back in.
- c. Non-Compliance Notification dated December 5, 2016, from Farmhouse Land Development, PLLC, for the Jilyan Byrne Estates
Dave Collier stepped down and Roger Sample sat in as Chair. Nic Strong stated that the report indicated that there was sedimentation leaving the site and that John Dever, III, took some photographs of the site. She also stated that she got in touch with the owner and Peter Julia, P.E., who had an inspector go out to the site. Nic Strong further went on to state that the memo relayed the fact that the owners needed to come up with a plan to rectify the situation and to stabilize the site for the winter. She also requested additional funds to go into the Construction Observation Escrow, which were received by the Planning Office and were in place. Peter Julia, P.E.'s firm will be out there on a much more frequent basis throughout the winter. Scott Williams stated that there was some organic material buried under the roadway and wanted to know if that was mitigated. John Dever, III, stated that was part of what was addressed up to this point. They had to excavate and prove to the engineers that it had been corrected.
- d. Memo dated December 8, 2016, (with corresponding spreadsheet) to the Planning Board from Nic Strong re: newspaper publication costs
Nic Strong stated that Jessica Call went back two (2) years and collected the amounts that were spent for newspaper advertisements. Nic Strong shared with the Board that per the data collected, it showed that several of the applicants were paying too much money when there were

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several applicants at a meeting as compared to some applicants who didn't pay enough when there was only a single applicant on an advertisement. Nic Strong suggested a couple of scenarios to make this process fair for all applicants: (1.) Stop publishing the advertisements altogether; (2.) Bill the applicant their actual cost of the advertisement; or (3.) Every applicant gets their own separate advertisement. Bill Curtin stated that he would like to see it stay the same. Scott Williams stated he would like it to be left alone and further indicated that the town had not been hurt or lacking funds.

Russ Wilder moved to keep the cost for newspaper notices at \$75.00 for each applicant. Bill Curtin seconded the motion and it PASSED unanimously.

- e. Letter dated December 8, 2016, and As-Built plan, from Fluet Engineering Associates, regarding Irwin Marine – Eastside Drive
Nic Strong stated that she received a copy of the As-Built plan and a letter from the engineer stating that the improvements were according to the plan. Although she did point out there was a minor change, but it did not affect the drainage model and the letter was signed and sealed by the engineer confirming that.
- f. Second Drainage Review dated December 9, 2016, from Farmhouse Land Development, PLLC, for Case #P16-31, Victor Perin (Self-Storage), Tax Map 9, Lot 1
No Comments.
- g. Observation Log dated December 9, 2016, from Farmhouse Land Development, PLLC, for Jilyan Byrne Estates Subdivision
No Comments.

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

PUBLIC INPUT ON NON-CASE SPECIFIC LOCAL PLANNING ISSUES:

Dave Collier opened the public input session. No one from the public was present at this time. Dave Collier closed the public input session.

ADJOURNMENT

**At 7:35 p.m., Scott Williams moved to adjourn.
Bill Curtin seconded the motion and it PASSED unanimously.**

The meeting adjourned at 7:35 p.m.

Respectfully submitted,

Jessica A. Call
Planning Secretary

Minutes approved as amended: December 20, 2016