

**ALTON PLANNING BOARD WORKSHOP
MINUTES OF 2021
JANUARY 12, 2021**

APPROVED

Members Physically Present:

Drew Carter, Chairman
Roger Sample, Member
Scott Williams, Member
Virgil MacDonald, Selectmen's Rep.
Bill O'Neil, Alternate

Members Appearing Remotely:

Bob Regan, Vice-Chairman, Home alone
Russ Wilder, Clerk, Home alone
Tom Hoopes, Member, Home alone

Others Physically Present:

Jessica A. Call, Town Planner
Amelia Cate, Planning Secretary/Zoom Moderator
Lee Hillsgrove, Alternate-in-Training

UNTIL FURTHER NOTICE: To keep our members and staff safe, and to comply with RSA 91-A, the COVID-19 State of Emergency, and the Governor's Orders on restrictions at public gatherings, the Town of Alton has moved from "in-person" meetings to "remote audio participation meetings". To remotely attend the meeting visit our website: www.alton.nh.gov, for the conference call and Zoom access instructions listed under "News and Announcements" on the home page. If you are having difficulties accessing the meeting, please call (603) 507-1002.

Call to Order

Chairman called the meeting to order at 6:00 P.M. +/-

Approval of Agenda

The Board started with amending the Site Plan Regulations. A memo dated May 2019 from Nic Strong, Previous Town Planner, listed items that were proposed to be amended, like, State Statutes were referenced incorrectly, a reference to multiple duplexes in the Residential/Rural district were added, requirements for As-built plans had been added, the correct number of plans required, details had been added to the "Personal Wireless Facility" section to match recent updates from the Zoning Ordinance, and other spelling, grammatical, and typographical errors were fixed. The proposed changes were highlighted in red. There were many definitions that were proposed to be deleted because they did not appear anywhere in the Site Plan Regulations.

Mr. Regan had the following comments: Page six (6), definition of "Automobile Service Stations". He thought that maybe electronic charging stations would be a significant thing for the Board to consider (electrical vehicle charging stations). Ms. Call asked if the Board wanted her to add this to the list of things for ZAC to talk about. Mr. Williams wondered how it was different from a gas station. Mr. Regan thought there were some safety issues. Mr. Williams noted that if a builder was constructing a parking lot, an electrical permit was needed and it would be inspected; this was subjected to State inspection. Mr.

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MacDonald stated that the Board already had regulations on parking spaces. Mr. Williams did not think that the Board should be involved with telling people how to plug in a car. Mr. Wilder thought it was a good point, but did not think it would be necessary to regulate it, although, if it became a problem, then the Board could revisit it. Mr. MacDonald noted that if a company wanted to come in and install some then they would go before the Board. Ms. Call stated, yes, but asked what use applicants would be applying under. Mr. Carter stated that they would need permission to apply for a commercial use for a fully operated electric charging station. Mr. Hoopes thought that John Dever, III, Code Official, should be consulted. Mr. O'Neil did not think that there would be much waste for an electric charging station, as compared to a gas station with gas and oil products. Mr. Williams noted that currently there was a definition for "Service Station" and "Service Center". He noted that when he was proposing his project at the Center years ago, if he was to propose a "Service Station" with gasoline pumps, he would not have needed a Variance from the ZBA, but where he had a "Service Center", he had to go before the ZBA for that use. Mr. Carter thought that the residential use would fall under electric and building permits, but thought that the Board should look at a commercial use. Mr. Hillsgrove pointed out that an issue would be spacing between cars.

Mr. Regan wanted to flag definition #73, "Manufactured Housing" on Page 15. Mr. MacDonald asked what happened when someone purchased a 28 foot modular because the definition required them to be a minimum of 40 feet or more. Mr. Williams clarified the difference between modular and manufactured homes. Manufactured frames stayed with the unit and the wheels, and with a modular, the structure if lifted off the transporters and placed onto a foundation. If the structure came on a metal frame and it was lifted off the metal frame and onto a foundation, it would be considered a modular home. Mr. Hoopes thought there should be a definition for "Modular Homes". Mr. Carter noted that the definition of "Manufactured Housing" came from RSA 674:31, as amended. The Board thought that some research needed to take place in regards to the RSA.

Mr. Regan brought up definition #75 "Master Plan". It indicated that it was last updated in 2007 and he thought it was 2005. Ms. Call was going to confirm. Definition #112 "Street/Road/Highway". Mr. MacDonald asked if the Town was going to start checking to see when permits if the structure was far back enough from the right-of-way because there was a house on Stockbridge Corner Road that appeared to be built within the right-of-way. Ms. Call was going to confirm with the Building Inspector. Mr. Carter noted that there was a proposed zoning amendment for this year that clarified the setbacks. Mr. Williams thought that the Clough road books should be looked at for right-of-ways. Mr. Carter thought that this should also apply to businesses and not just residential homes. Mr. Wilder suggested to delete "serving three or more dwelling units". The Board agreed because that language was not necessary; they thought that it did not matter who maintained it.

The next item discussed was SECTION 5.28 Stump Dumps. Mr. Regan noted that there was a project in town that had numerous stumps to be buried, and he wanted to make sure that this was covered in the Regulations. Mr. Williams stated that State law did not allow digging to occur in the water table to bury stumps; they could only be buried above ground in slopes. Ms. Call noted that if a developer wanted to bury stumps that needed to be indicated on a site plan. Mr. Hoopes noted that the original Route 28 that led into Wolfeboro had stumps buried as fill, which was why that road had to repeatedly be built.

Mr. Carter provided a list of items that he thought should be addressed. He mentioned that the “Wind/Solar” definition needed some more wording, but then changed his mind. Mr. Williams noted that where it was indicated as 100kW, he did not think that was what the ZAC Committee proposed for the warrant article. He thought it was 25 or 35kW. Residential homes usually used about 7-8kW on average, and ZAC did not want to discourage small businesses from installing solar. He did not think that 100kW was correct. Ms. Call would do some research. Incidental/residential/small business versus solar farm for kW. Mr. Carter noted that definitions #46 and #47 should refer to them being an acronym like the other definitions.

Mr. Carter disagreed that the definition for “Historic Structure” should be deleted. Mr. Hoopes noted that there were State regulations that referred to historic structures. Mr. MacDonald thought that something should stay in place because Alton would start to lose their historic buildings. He noted that there were some structures in town that were historic like the schoolhouse located on Gilman Corners Road, and there was also the train trestle that was registered. Mr. Williams noted that Derochers’ building was registered. Mr. Williams noted that Alton did not have a historic district. Mr. Wilder agreed, and thought that there should be some consideration for historic buildings during site plan approval. He thought that there should be a clearer definition of a historic structure. Mr. Regan thought that should be addressed in the Master Plan update. Mr. Williams thought that there would be a lot of work to designate exactly what constituted a structure. Mr. Carter thought that was spelled out clearly in the definition. Mr. MacDonald thought that Marty Cornelissen would be of great help. The Board thought that the “Historic Structure” definition should stay. Mr. Hoopes noted that the State had funds available to restore historic barns. Mr. Williams pointed out that at some point, someone would have to list a specific barn as historic in order to apply for those funds. Mr. Wilder noted that in the current Master Plan, it talked about conserving historic structures, and he was sure that would stay in place in future revisions.

Mr. Carter suggested that the definition for “Marina” should state “or” instead of “and”. He also thought that there should be a new definition added for “Regional Planning Commission” because it was referenced in SECTION 1.12. Another minor change was to fix the word “application” under SECTION 1.17 (B)2. In SECTION 1.18, the word “that” was suggested to be added to the beginning of (D) (ii) and (iii).

In SECTION 1.20 (C), it was suggested to add “phasing” as part of the listing of major changes. Mr. Hoopes thought that if a major change to a wall or a bridge for instance was to take place, then it should be noted against the original Notice of Decision that a change had been made. Mr. Wilder noted that what was being addressed was, what was a major change. Mr. Hoopes thought that if there was a change in phasing it would be between the applicant and the Town Engineer. Mr. Wilder noted that when a site plan was approved, and if it was approved in phases, and changes were made to those phases, the amendment to the definition would signify that change as major change and an amended site plan should be submitted. Mr. Carter pointed out that if someone was going to build three (3) detention basins and three (3) buildings, and then they decided to build the buildings first and then the detention basins, that was a major change. Mr. MacDonald stated that if any changes were made to the print that was approved by the Board, they should come in. If someone tore part of the print out, and changed the structure, land, road, or parking design, they should be brought back in front of the Board. Mr. Carter agreed. Mr. MacDonald noted that “we” did not hold people responsible for that. Mr. Hoopes noted that changes took place with culverts, and they were agreed to by the Town Engineer. Mr. MacDonald thought that it should go back before the Board before it went to the Town Engineer. Mr. Carter stated that in theory, the Town Engineer could say, time out, and that the developer needed to go back

before the Board. Mr. MacDonald clarified that he was talking about when projects were done, and then the developer would go back in and revamp them; they should have to come back before the Board and not through the office downstairs. Mr. Williams wondered what triggered that because that was important to know. Ms. Call stated that when a change occurred, the Town Engineer looked at it and determined if it was a minor change that could be noted on a report. Mr. Williams noted that the Town Engineer had the latitude to do that. Ms. Call further noted that when it was a major change, the developer would have to come in and amend their site plan. Mr. MacDonald noted that the Board should be notified, and they should decide whether it had to come back in for a site plan or not. Mr. Williams stated that the Town Engineer would indicate that. Mr. MacDonald stated that they did not. Ms. Call noted that since she became Planner things could not change that went on in the past, but she was trying really hard to move forward and do the right thing by following the regulations and to make sure that everyone else was following the regulations. Mr. MacDonald stated that “it” happened on this watch.

Mr. Carter pointed out that the regulations stated that “Any changes to utilities, roads, structures or other public improvements shall be reviewed by the Town Engineer to determine if the changes are minor or major.”. He thought that what Mr. MacDonald was stating was that any change at all should come before the Board to determine whether they were minor or major. Mr. MacDonald stated that according to the ordinances of this Town, the Board was the entity to decide whether a site plan review was needed or not. Mr. Carter thought that was in reference to the initial site plan review. Mr. MacDonald stated that if the Board signed a site plan and changes occurred, the developer had to come back in front of the Board before they could change what they approved. Mr. Carter asked if he was referring to major changes. Mr. MacDonald stated that the Board decided whether they were minor or major. Mr. Williams stated that the Town Engineer had latitude to make some decisions on his own. He noted that there were places that had full catch basins and they ended up using headwalls instead, and that was decided upon by the Town Engineer. Mr. MacDonald was talking about when a developer moved 25 parking spots over, opened something up, repaved, and changed everything around like the island. Mr. Williams thought that was a major change and that should go before the Board. Mr. Carter noted that the Town Engineer should enforce that applicant to bring that in. Mr. Williams did not think that the Board ever had a Town Engineer that would approve something of that caliber on their own because that was a significant change, and they would report that to the Planner. Mr. Hoopes noted that at one point, the Board gave permission to the Town Engineer and the Building Inspector to make minor changes after discussing them with the Planner. Mr. Williams did not want to take away that decision making process from the Town Engineer because it would clutter up the agenda.

Ms. Call asked the Chairman if she could respond to Mr. MacDonald’s comment about site plans regarding things had been changed on her watch. Ms. Call stated that she was not sure what that meant, and stated to Mr. MacDonald that if he had an issue with how she had been running things in the office that he should bring that up with the Board of Selectmen because this was not the venue to talk about things that she had potentially not been doing in the office. Mr. MacDonald apologized for that. Ms. Call further stated that if there was something that she was not doing right, then she would like to know. Mr. MacDonald stated that what he meant about “this watch” was, since he was a member of the Planning Board. Ms. Call stated that she wanted to clarify that because it sounded as if he meant her.

SECTION 1.22 (B) 4. noted that the developer had 90 days to complete items after receiving their conditional Certificate of Occupancy, but if they received their certificate in November, it may take until May to complete

their project. He thought that there should be some flexibility in that deadline. Mr. Williams thought that when the Board talked during the approval process about being vested in a project that that should still be in place at the end of the project. Mr. Carter stated that what he was referring to was when a developer was completely done with a job. Mr. Williams thought that the Town Engineer would have a say as to whether an extension would be needed. Mr. Carter thought instead of the word “shall”, to replace it with “or as deemed reasonable by...”. The Board thought that the developer had the right to come in and ask for an extension, so this was left as is. The Board decided to not delete SECTION 1.31 Severability because they felt that this was very important to keep in the Regulations.

SECTION 5.07 (B), it was suggested to delete the “/” symbol and insert “per” instead. In “o.”, it was suggested to change “Drive-in Restaurant” to “Restaurant, Fast Food or Drive-In”, and to also add a definition for “Drive-In”. There were occupancy loads for different usages, so the individual listings needed to stay the way they were. Ms. Call asked if the Board wanted her to cross reference the parking requirements with the State’s requirements. The Board agreed.

SECTION 5.21 Filling/Excavation. Mr. Carter wondered if language should be added to approve the source of the imported fill such as fill from another community or state, which could contain contamination. Ms. Call asked if other towns certified soils that came in from out of state. Mr. Carter thought that a certificate could be provided from the source of the fill stating that there were no contaminants. Ms. Call thought it would be similar to MSDS sheet. Mr. Wilder thought that having a certificate would prevent any possible groundwater problems and invasive species problems such as Bittersweet and Japanese Knotweed. He thought that since there was a regulation in place that prohibited bringing in contaminated soil, and if someone did, then they would have violated a regulation, therefore, he did not think that additional language requiring a certificate was necessary.

The Board then moved onto the Construction Observation Guidelines.

The items in red strikethrough were meant to be deleted, and items in red not struckthrough were additions. There were other items in green and blue, but it was not clear what that meant. Ms. Call noted that originally, there was probably an email that was attached to the changes.

The Board started off with the definitions. Mr. Carter had a few changes. He was curious as to why it was suggested to delete the definition for “Base Pavement”, but suggested to keep the definition of “Wear Course Pavement”. The Board decided to keep “Base Pavement”.

“Catch Basin” only allowed for a 4.0 foot diameter. The Board decided to delete the wording, “4.0 ft. diameter”, because the engineering of the project would define the size of the catch basin, which was located in the Alton Highway Policies and Regulations. Mr. MacDonald thought that when developers came in to get an application, the Alton Highway Policies and Regulations should be included in the Construction Observation Guidelines so they had one packet to refer to. Mr. Wilder recommended that the Highway Policies not become part of the Construction Observation Guidelines, but make it a reference instead due to potential changes in the future.

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Mr. Sample wondered why “Curb Stop” was suggested to be deleted. The Board decided to keep the word and change the definition to state, “See Town of Alton Water Works Rules and Regulations”. Mr. MacDonald stated that curb stops had been built in driveways next the houses.

Mr. Williams noted that “Crushed Gravel” limited it to 304.3, but that requirement was changing because it was very difficult for anyone to create 304.3. He thought that 304.4 was the new requirement, but he was not certain. 304.4 was a ledge product that contained dust and crushed stone. This was an approved standard by the State as well.

Mr. Sample commented about “Detention Basin” and wondered if that was now being called “Retention”. Mr. Williams noted that the State now preferred groundwater recharge. Mr. Carter noted that detention and retention were two (2) different things. Mr. Williams noted that retention held back the water, and detention held the water for now and then let it go, for example, there would be a 15” pipe with a 6” orifice, which would only let so much water out at a time. The Board determined to delete the definition.

A new definition entitled “Punch List” was suggested to be added because it was a term used widely in the construction industry and it was referred to in SECTION 7.2. Mr. Williams noted that some of the regulations listed in the Alton Highway Policies and Regulations exceeded NHDOT regulations, like the cover over a culvert, etc. He thought that the Town should start lining themselves up with NHDOT, like they did years ago with septic systems.

Mr. Carter noted that in SECTION 7.2, last paragraph, it noted that once the final site walk was completed, the developer could request their security return, but it contradicted the waiting period of 18 months. Mr. Williams wanted to know when the 18 month waiting period took effect. He noted that the Road Agent complained about Bahre’s subdivision and how he was required to put down a \$40,000 bond on a road that had been in existence for about 15 years. Mr. Sample noted that the road should have been put before the Selectmen while it was still in good condition. Mr. MacDonald noted that the developer did not want to have the Town take the road over when it was originally completed. Mr. Carter thought that the wording needed to be changed and to cross off the part that a security release may be requested and have it state that once all punch list items had been resolved and confirmed by the Town Engineer, the warranty period shall commence, as defined in the applicable Site Plan and Subdivision Municipal Regulations. Mr. MacDonald asked if there would be language added that the security would be upgraded yearly to stay in line with inflation. He noted that when developers went before the Selectmen to take a road over, the Planning Board could not waive the requirement of an 18 month surety because the Selectmen could not wait the 18 months.

Another section Mr. Carter suggested changes to was SECTION 7.3. The first sentence should read “...with the Town of Alton Subdivision Regulations and Site Plan Review Regulations.”

Ms. Call noted that there was another workshop scheduled for Tuesday, February 2, 2021, but the Deliberative Session, which was usually held in January, was scheduled for that night. The Board decided to meet on Tuesday, February 9, 2020, at 6:00 P.M. Ms. Call was going to implement all of the changes that the Board had discussed, and then they could look at it again with the possibility of more changes. Mr. Regan asked Ms. Call to remove all of the struckthrough changes to make it easier to review a second time.

Adjournment

**Mr. Williams MOVED to adjourn.
Mr. Sample seconded the motion.**

**Mr. Carter called for a roll call vote:
Scott Williams, Aye; Roger Sample, Aye; Virgil MacDonald, Aye; Drew Carter, Aye; Russ
Wilder, Aye; Bob Regan, Aye; Tom Hoopes, Aye.**

The meeting adjourned at 8:20 P.M. +/-

Respectfully submitted,

Jessica A. Call, Town Planner

Minutes approved as amended: March 16, 2021