

TOWN OF ALTON PLANNING BOARD
PUBLIC HEARING
Tuesday, August 20, 2024, at 6:00 P.M.
Prospect Mountain High School, Auditorium
242 Suncook Valley Road, Alton, NH 03809

MEMBERS PRESENT

William O’Neil, Chair
Doug Brown, Member
Tom Diveny, Member
Mark Manning, Member
Roger Sample, Member
Nick Buonopane, Board of Selectmen’s Representative
Christine O’Brien, Alternate Member

OTHERS PRESENT

Robin McClain, Land Use Assistant
Cynthia Theriault

40 Eric Bradbury
41 Patrick Brown
42 Peggy Ames
43 Jen Flohr, applicant
44 Richard Shea
45 Gary and Nadine Martin
46 Robert Miller, Esq.
47 Sam Howard
48 John Cronin, Esq.
49 Judy Casale
50 Rick Casale
51 Matthew Bombaci, representative
52 Melanie Todd
53 Jim Bohih
54 Cathy McCauley
55 Christine Cummings
56 Bob and Linda Mazzok
57 Paul Blanc, Norway Associates
58 Dave Hancock
59 Jeremy Martin, applicant

CALL TO ORDER

Chair O’Neil called the meeting to order at 6:04 PM.

Introductions were made of the Board members. There was no appointment of alternates as none were present.

67 **AGENDA REVIEW**

68
69 **MOTION: To approve the agenda as presented. Motion by Mr. Manning. Second by Mr.**
70 **Buonopane. Motion passed unanimously.**

71
72 **1. Continued from July 16, 2024**

Case #P24-23 Varney Engineering, LLC, Thomas Varney, P.E., Agent for New State Realty Management, LLC, Richard D’Angelo, Manager and Owner	Map 34 Lot 39 404 Main Street	Final Minor Site Plan Residential Commercial Zone (RC)
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73 Proposal: To permit the continued operation of a General Store with new tenants.

74
75 **CONTINUED UNTIL SEPTEMBER 17, 2024**

76
77 **2. Completeness Review of Application and Public Hearing if Application is Accepted**
78 **as Complete**

Case #P24-27 Norway Plains Associates, Inc., Steve Oles, Agent for Camp Point Five Trust, Keith DeRosa, Trustee and Jay and Julie Cleary, Owners	Map 16 Lots 70 & 92 Bear Pond Road	Lot Line Adjustment Rural Zone (RU)
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79 Proposal: To adjust lot lines for two (2) lots of record, with Map 12 Lot 92 adjusted from
80 43.97AC to 43.83AC, and Lot 70 adjusted from .27AC to .41AC.

81
82 **CONTINUED UNTIL SEPTEMBER 17, 2024**

Case #P24-31 Central Land Surveying, Inc., Colin Brown, Agent for Brett Currier, Owner	Map 4 Lot 11C NH Route 140	Final Minor Subdivision Rural Zone (RU)
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84 Proposal: To subdivide parent lot of 33.96AC into three (3) total lots, lot 11C-1 of 11.02AC, lot
85 11C-2 of 11.09AC and lot 11C-3 of 11.85AC.

86
87 The Board reviewed the application for completeness as well as a waiver request.

88
89 **MOTION: To approve the waiver request for driveway profiles. Motion by Mr. Manning.**
90 **Second by Mr. Diveny. Motion passed unanimously.**

91
92 **MOTION: To accept the application as complete. Motion by Mr. Buonopane. Second by**
93 **Mr. Sample. Motion passed unanimously.**

94

134 Mr. Brown asked if there have been any landscaping designs planned. Mr. Bombaci stated little
135 landscaping will be rehouse, around the existing house and they are proposing to place 3 to 4
136 trees along the front of the lot. Mr. Brown noted there are specific criteria require for
137 landscaping, with a minimum of 15% of landscaping for this use and zone; the parking lot needs
138 to be “screened.” He suggested there needs to be something put in place of the house being
139 removed. Mr. Bombaci stated they would be amenable to breaking up the sightline. The
140 greenhouse would be moved from the front of the store to the new parking area. Nothing will be
141 replacing the house that is being removed; the existing driveway to the house will also be
142 removed. The new parking lot is being proposed to be gravel, but the stormwater plans were
143 designed with consideration of asphalt. Mr. Brown reiterated the regulations require a
144 landscaping plan be submitted; he noted the existing driveway and existing greenhouse are not
145 clearly delineated on the plans; there are not adequate details provided about the existing
146 conditions.

147
148 The Board reviewed and discussed the proposed parking lot elevations; Mr. Bombaci stated the
149 hill between the existing lot and the house will be flattened out, and the parking lots will be
150 adjoined.

151
152 Chair O’Neil noted the Fire Department requested to burn the existing building. Mr. Bombaci
153 stated they are amenable to the proposal.

154
155 Chair O’Neil opened the hearing to input from the public.

156
157 Danis Boucher, abutter at 29 Main Street, asked for details regarding the proposed fence. Mr.
158 Bombaci stated there would be a six foot high solid fence and located at the top of the hill. The
159 material choice will be left up to the store. Mr. Sample suggested those details be included in the
160 landscape plan for Board and abutter approval. Mr. Boucher stated he is trying to clean up the
161 property line and doesn’t want to see a lot of junk stored there. Mr. Bombaci stated the fence
162 would run the entire length of the property line.

163
164 **MOTION: To continue the hearing for the applicant to address the items discussed**
165 **including a landscaping plan and a plan that better reflects the proposed gravel and**
166 **asphalt areas, lighting, parking areas and the greenhouse location. Motion by Mr. Sample.**
167 **Second by Chair O’Neil. Motion passed unanimously.**

168
169 **3. Design Review**

Case #P24-32 Norway Associates, Paul Blanc, Agent for Jen Flohr, Owner	Map 10 Lot 6-4 Avery Hill Road	Major Site Plan Design Review Rural Zone (RU)
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170 Proposal: To construct a wellness retreat/wellness center.

171
172 The Board reviewed the plans presented.

173

174 Jen Flohr, applicant/owner, stated the proposed project is for a wellness center that will include
175 various amenities including a sauna, steam room, yoga, a salt cave, and massage. There will be
176 no overnight accommodation. She stated there would 10 to 12 customers at a time, daytime
177 hours only.

178
179 Mr. Sample asked if this plan has been reviewed by the Zoning Board of Adjustment and
180 whether the hours of operation have been approved. Ms. Flohr confirmed the ZBA as reviewed
181 and approved the hours of operation: Monday and Thursday to Saturday 10:00 AM to 6:00 PM;
182 Saturday and Sunday 11:00 AM to 5:00 PM. She stated she plans to start at 4 or 5 days per week
183 with expansion in the future. It was clarified that the ZBA did not limit the hours to 5 days per
184 week.

185
186 Mr. Diveny noted the plans do not show abutting properties and a vicinity map would be helpful.

187
188 Paul Blanc, Norway Plains Associates, representative for the applicant, stated the plans include
189 17 parking spaces; there will be no kitchen facilities. The lot will not be cleared, and areas would
190 remain wooded; some trees would be removed for the stormwater management plan. Mr. Blanc
191 outlined the stormwater management plan which will include riprap on the slopes, a swale, and
192 an infiltration basin. Test pits have not been done yet but will be. Mr. Blanc stated they will be
193 designing an on-site septic system with the tank under the parking lot; all utilities will be
194 underground. He stated Ms. Flohr is considering using a large boulder with etching for the
195 signage, which will retain the look for a residential area. They will try to keep as many trees as
196 possible; a landscape plan was presented. There will be some step retaining walls with small
197 plantings. Mr. Blanc outlined the lighting plan, confirming it is dark-sky compliant. No traffic
198 study has been done yet. Mr. Blanc stated the driveway plans have been reviewed by the
199 Department of Public Works; he noted there will be ditches along the steep driveway, with a
200 catch basin along with a 24" culvert. He confirmed the wetlands were delineated in 2021 and
201 there will be no impact to the wetlands. Access to the building will be ADA compliant.

202
203 Mr. Buonopane expressed concerns about stormwater coming onto the Town's road and right-of-
204 way, particularly in this area of the road that has a steep grade. He explained extensive work has
205 been done in the area from previous damage. Mr. Blanc stated there would be riprap along the
206 ditching of the driveway as well as the oversized culvert. Mr. Buonopane stated he would like the
207 DPW Director to review the plans to ensure all precautions are taken.

208
209 It was confirmed there will be an ADA compliant ramp access and a sprinkler system has been
210 designed; there will be guardrails placed around the parking lot and driveway.

211
212 Chair O'Neil stated per the regulations, a site review plan has to be reviewed by the Town's
213 contract engineer and will be assigned to K.V. Partners.

214
215 Chair O'Neil opened the meeting to input from the public. None was indicated.

216

217

Case #P24-34 Wilcox & Barton, Samyn-D'Elia Architects & Cronin, Bisson & Zalinsky, P.C., Agents for The Lakes Hospitality Group, Jeremy Martin, Signatory	Map 16 Lots 18 & 20 00 Cherry Valley Road	Major Subdivision Design Review Rural Zone (RU)
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218 Proposal: To consolidate the two (2) parcels and then subdivide parent lot into nineteen (19)
219 residential lots.

220

221 The Board reviewed the plans presented.

222

223 John Cronin, Esq., representative for the applicant, stated this property was recently before the
224 Board for an event facility, which would have involved \$50 to \$70 million in investment by the
225 landowner but due to the significant community opposition, she has decided to reconsider her
226 options for the property which was purchased in 2022. He stated the lot is 140 acres of
227 undeveloped land; the property owner would like to work with the Town to get a proposal
228 approved. Mr. Cronin stated the lot is in a rural setting and would be a nice place for people to
229 live. He stated a residential subdivision has been designed with 19 lots, two cul-de-sacs and two
230 driveway entrances from Cherry Valley Road.

231

232 Mr. Cronin addressed comments included in the staff and department reports; he stated the Public
233 Works Department raised concerns about the existing covered bridge; it will be a private road
234 and there is flexibility with regards to the covered bridge to ensure there is adequate space for
235 any type of vehicle which may need to pass through that area. Mr. Cronin stated the lots will
236 have separate driveways as required by the regulations. The Conservation Commission is
237 concerned about tree cutting and erosion control; the plan is to begin construction next spring
238 with a goal to build the entirety of the road system. The infrastructure will be complete before
239 beginning construction of the homes. Mr. Cronin stated the homes will be custom built.

240

241 Mr. Cronin stated a letter of opposition was submitted today by an engineer hired by an abutter;
242 he addressed the misinformation, and criticisms made by the letter; he clarified there has been no
243 personal misconduct; he stated there is no proof or personal knowledge about this allegation. Mr.
244 Cronin asked that the letter be withdrawn. He stated there have been no NH DES violations and a
245 letter from NH DES was received, acknowledging a complaint from someone about DES
246 regulation violations. Mr. Cronin the entire parcel was hiked by representatives from NH DES
247 and a letter was issued to confirm there were no violations.

248

249 Mr. Cronin stated the lots will be serviced by wells and septic systems; the electric service will
250 come from Cherry Valley Road. Traffic studies were done for the prior application, which would
251 have been a higher generator of traffic than a residential development. Mr. Cronin stated some of
252 these homes may be second homes.

253

254 Mr. Cronin stated the plans have been reviewed by the Fire Chief and two cisterns will be placed
255 in the development, with further design details to be worked out with the Fire Department.

256

257 Cindy Theriault gave an overview of the design layout of the lots and road; she stated there will
258 be a single road to service the 19 lots, which will be roughly 2500 feet; the roads as designed
259 meet the Town standards. Ms. Theriault outlined the stormwater management plan, which will
260 include 33 places where stormwater will be infiltrated and treated throughout the development.
261 She stated an approved driveway permit was obtained from NH DOT for the previous project;
262 they have requested NH DOT review the plans for a residential project.

263

264 Mr. Cronin outlined the phased construction plan: the roads and infrastructure will be completed,
265 followed by the building of the home on lot 1.

266

267 Mr. Sample asked about the construction of the proposed bridge. Ms. Theriault stated it was
268 designed for a 50 foot span; there are two designs for either 20 or 24 feet in width. It will be
269 constructed of concrete.

270

271 Mr. Buonopane confirmed the bridge would be part of the private road; however, the road and
272 bridge still need to be built to Town specifications in case the Town assumes responsibility in the
273 future. He stated the Public Works Director wants to ensure the construction of the bridge is such
274 that the deck could be removed and replaced as needed without affecting the deck and concrete
275 portion spanning the wetlands.

276

277 Mr. Buonopane stated there have been concerns by the Board of Selectmen recently regarding
278 the New Hampshire Electric Co-op; he asked if this area is serviced by that company; there are
279 concerns that the areas are underpowered with recent developments.

280

281 The Board discussed whether this plan has regional impact and reviewed the associated
282 checklist. It was the consensus of the Board there is no impact to surrounding communities, with
283 the exception of the Town of Gilford, as there are abutting property lines.

284

285 It was the consensus of the Board there would not be an impact to traffic that would diminish the
286 safety of the road system in the adjacent municipality or regional traffic patterns; there is no
287 impact to the neighborhoods of adjacent municipalities; there will be no visual impact to
288 neighboring communities. It was agreed there may be an impact with the stream on the property
289 that crosses the Gilford boundary. It was the consensus of the Board that the development would
290 not have an impact on another municipality's water supply; the development will not impact any
291 conservation easements or farmlands; the development does have significant impacts to regional
292 economic development. It was agreed that due to the property bordering the Town of Gilford,
293 there may be an impact on the mutual aid emergency services. It was the consensus of the Board
294 there would not be an impact on historic or cultural resources.

295

296 Mr. Cronin noted that the Town of Gilford is notified of this application due to being an abutter;
297 the statute for regional impact is to give notice to non-abutters. He stated they have met with and
298 presented plans to the Planning Director in the Town of Gilford.

299
300 Chair O’Neil opened the meeting to input from the public.

301
302 Robert Miller, Esq., representatives for Rick and Judy Casale, abutters to the property, referenced
303 the letter submitted from surveyor, Rick Chellman of TND Engineering. He pointed out there are
304 two issues concerning the Casales; the first involves slopes, wetlands, and the buildability of
305 these parcels; the second is prior uncommitted activity that has caused erosion and sedimentation
306 on the property. Mr. Miller stated they want to see the regulations followed. He stated 14 of the
307 19 lots, based on Mr. Chellman’s analysis, failed at least one section of the site plan regulations,
308 by having steep slopes or wetlands being included within the minimum of 2 acre lot size. He
309 stated Section 452:D requires 1.5 acres of contiguous upland for each lot but that analysis is
310 absent from the plans. Mr. Miller explained an example of Mr. Chellman’s analysis for lot 20-
311 22; it has a lot of 144,312 square feet, less wetlands of 9,719 square feet and 31,228 square feet
312 of steep slopes, there is only 113,365 square feet, divided by the total lot area is 73.5% of
313 buildable area but it is not contiguous. He reiterated there are 9 lots like this.

314
315 Mr. Miller stated Section 452:D also requires a minimum of 200 feet of frontage for lots; there
316 are no meets and bounds on the current plans, but Mr. Chellman scaled the plans and determined
317 7 of the lots fail this requirement. Of those 7, two of them fail the square footage requirement as
318 well. Mr. Miller asked that the plans be reviewed by an independent consultant. Chair O’Neil
319 stated Tighe and Bond Engineers will be reviewing the plans.

320
321 Mr. Miller stated in 2022, an abutting property was listed for sale; the sale package showed aerial
322 footage including this lot. In May 2024, the Casales commissioned drone footage that showed
323 work on a roadway, as proposed for the previous plans submitted by the applicant for The Glass
324 Barn project. Mr. Miller stated sometime after September 2022, the roadway on the left side of
325 the property was cut into the property; this work was done without alteration of terrain permits
326 and without sedimentation or erosion protections. Mr. Miller stated per the regulations, no land
327 can be altered or cleared, nor road development be started until all required land use permits
328 have been issued. Photos were presented showing erosion and runoff, as well as sedimentation in
329 the area. Mr. Miller asked that the Board take careful consideration with this application to
330 ensure the environment in the area is protected.

331
332 John White, abutter, stated he has lived on his property since 2003 and can see from his house,
333 the logging trucks and skidders going on the property. He stated the first house being proposed
334 will probably be one of the largest in Town; he wants assurance there will be restrictions that the
335 home can never be expanded in size, and it can be nothing other than a residential property to
336 ensure no future owners make it a commercial property.

337

338 Dave Hancock, resident, stated there is a brook that runs next to his house, and comes from this
339 property; he stated the brook is also important to the entire region and the lake; he stated the
340 development will have very steep roads. Mr. Hancock stated winter maintenance will require salt
341 and sand; there is also potential for a lot of herbicides and pesticides being used on the
342 residential lots.

343
344 Rick Casale, abutter, stated that along with the concerns outlined by his attorney, they are also
345 concerned about what happens to the homes and whether they will be sold to the public or kept
346 as short-term rentals. He asked what would stop one of the houses at the top of the hill from
347 morphing into a clubhouse type facility. Mr. Casale stated the Board needs to make special
348 efforts to ensure that what is being proposed, is what happens. He stated a lot of times projects
349 start as one thing but then changes as the project proceeds; he wants assurances this proposal
350 won't turn into The Glass Barn project.

351
352 Dave Sabol, abutter, stated he called the Town three times during the logging, as it was being
353 done at 10:30PM; he stated he has witnessed erosion on the lot and is concerned about what the
354 project will turn into. Mr. Sabol stated the lot is on a hill and doesn't want to see a hill full of
355 houses.

356
357 A resident asked why there are proposed pickleball courts and parking as depicted on the plans.
358

359 Valerie Tarbell, abutter, stated they have seen a lot of work take place on the lot over the last year
360 and a half; she stated she isn't against what is going to happen to the property, but she hopes it
361 could stay in a conservation trust as there is a tremendous amount of wildlife in the area. Ms.
362 Tarbell stated she is also concerned about the use of the homes and whether they will be sold or
363 used as short term rentals. She stated the community needs residential homes with families and
364 kids to support the school and education programs running. Ms. Tarbell stated she is also
365 concerned about the impact of drainage and water supply in the area. She asked if the larger
366 buildings proposed at the top of the hill will remain residential buildings.

367
368 Mr. Sample as if an Intent to Cut was filed for this property. Mr. Blanc replied none was filed to
369 his knowledge. He stated there have been allegations that a road was built at some time, based on
370 pictures from 2021 but no one has seen this picture to know who took it or where it was taken; he
371 stated he has personally been on the property, and it appears the trail has been there for a long
372 time. Mr. Blanc stated they asked NH DES to visit the property to rebut prior complaints and
373 submitted a letter confirming there were no violations. He stated the suggested road has no
374 bearing on the application and does not preclude anyone from seeking subdivision approval. Mr.
375 Blanc stated all the lots have been tested for frontage, with one lot being short and he isn't sure
376 how Mr. Challman made his calculations. He stated they have looked at Cindy's calculations
377 which prove otherwise. Mr. Blanc stated there is a pickleball court depicted on the plans; it will
378 be for use by the residents of the development only and there is no public parking area. There
379 would be an easement for access to this lot.

380

381 Mr. Blanc stated they can't say what will happen in the future, as is the case with any
382 subdivision; he stated they don't want to make any restrictions or waive rights with respect to
383 property. He stated there is nothing that can restrict someone from changing their mind in the
384 future. Mr. Blanc stated the intention here is for a residential subdivision and sell the homes, but
385 they can't say what those owners will do with the homes.

386
387 Mr. Blanc stated with regards to the wetlands and contiguous buildable areas, there are many
388 houses around Town on smaller lots, and closer to the water. He stated the houses will have to
389 meet the building code requirements.

390
391 Mr. Manning asked if they were notified of a complaint about logging. Mr. Blanc stated he was
392 advised there was a significant ice storm in the late 2000s where a lot of the trees on the slope
393 were removed; he will look into what was done to ensure nothing nefarious was done by the
394 current owner. He received a letter two days before the ZBA hearing that made similar
395 allegations about the owner doing something nefarious; they talked to NH DES about the
396 accusations and asked them to take an independent look to make sure nothing was done. Mr.
397 Blanc stated its clear the area has been traveled for a long time for forestry and other purposes
398 but that is different than a road.

399
400 Jeremy Martin, builder, testified an Intent to Cut was filed with the Town; taxes were paid to the
401 State of NH for the logging of the area of the proposed road, so they could access the lots to do
402 the test points, determine areas of ledge and bedrock, and gather other information for
403 engineering purposes. This was done in Fall 2023. Mr. Martin stated there was an old logging
404 trail on the property that goes to the top of the lot. Mr. Sample clarified he asked earlier if there
405 was an Intent to Cut filed; it wasn't necessarily for the wood but for the route through the area.
406 Mr. Martin stated it was mostly chipped as it was small trees and brush.

407
408 It was clarified that the intent is to keep the roads private with this subdivision.

409
410 The Board agreed a Site Walk is needed for this subdivision. A review of the plans by the town
411 engineers, Tighe and Bond, will be required.

412
413 Chair O'Neil explained that if the Board determines there is regional impact, the plans will then
414 be reviewed by the Lakes Region Planning Commission. The Board returned to the discussion
415 about the regional impact of this application. It was suggested that Tighe and Bond look into
416 whether there are stormwater issues and erosion associated with the plans.

417
418 **MOTION: To determine that there is no regional impact. Motion by Mr. Sample. Second**
419 **by Mr. Diveny. Motion failed, 2-3-0.** Chair O'Neil, Mr. Manning and Mr. Buonopane opposed.

420
421 Chair O'Neil stated based on the failure of the motion, the Board determined there is regional
422 impact so further reviews will be required.

423

424 **Other Business:**

425 **1. Old Business:**

426 **2. New Business:**

427 **a. Case #P24-30:** Building Permit Permission Request/BP for Private
428 Road/Island, Richard and Donna Dolan, Map 77 Lot 12, 330 Rattlesnake
429 Island, Lakeshore Residential Zone (LR)

430

431 The Board reviewed the building permit application submitted. It was clarified there is no home
432 on the lot currently; there are no concerns by department heads; there is dock access in place for
433 the lot. A waiver of liability will be required.

434

435 **MOTION: To approve Case #P24-30, Waiver of Liability for access to the island via the**
436 **dock. Motion by Chair O’Neil. Second by Mr. Diveny. Motion passed unanimously.**

437

438 **b. Case # P24-19:** Building Permit Permission Request/STR for Private Road,
439 Crystal North, Map 65 Lot 34, 6 Beach Street, Lakeshore Residential Zone
440 (LR)

441

442 The Board reviewed the building permit application submitted. A waiver of liability will be
443 required.

444

445 **MOTION: To approve Case #P24-19, Waiver of Liability. Motion by Mr. Manning. Second**
446 **by Mr. Diveny. Motion passed unanimously.**

447

448 **c. Case # P24-21:** Building Permit Permission Request/STR for Private Road,
449 James, Linda, Colin and Angela Spillane, Map 38 Lot 27, 9 Spokies Way,
450 Lakeshore Residential Zone (LR)

451

452 The Board reviewed the building permit application submitted. A waiver of liability will be
453 required.

454

455 **MOTION: To approve Case #P24-21, for the Short Term Rental request. Motion by Mr.**
456 **Manning. Second by Mr. Diveny. Motion passed unanimously.**

457

458 **Approval of Minutes:**

459 Planning Board meeting minutes of July 16, 2024 – Edits were made. **MOTION: To approve**
460 **the minutes as amended. Motion by Mr. Manning. Second by Mr. Buonopane. Motion**
461 **passed unanimously.**

462

463 **3. Correspondence for the Board's review/discussion/action: None.**

464 **4. Correspondence for the Board's information: None.**

465

466 **ADJOURN**

467 **MOTION: To adjourn the meeting. Motion by Mr. Manning. Second by Mr. Buonopane.**
468 **Motion passed unanimously.**

469

470 The meeting was adjourned at 9:10 PM.

471

472 Respectfully Submitted,

473 *Jennifer Riel*

474 Jennifer Riel, Recording Secretary

APPROVED