MEMBERS PRESENT:
Chairman Mike Curley
Chair
Michelle Jackson
Officio
Sandy Plessner
George Helwig, Vice-Ex-Officio
Bob Brown, alternate Ex-Officio

OTHERS PRESENT:
Peter Cooke
John Bernard
Rick Lepene
Shella Dodge
Richard Morway
Richard Calder
Bill Joseph
Irene Ultsch
Christina Gloddy
Karen Benson
Bill Joscelyn
Tom Roy
Donna St. Onge
David St. Onge
John Maynard
Faith Tobin
Dana Bartlett
Lucy Hebert
Mary Ball
John Dodge
Terry Calder
Cheryl Joseph
Ken Ultsch
David Gloddy
Richard Benson
Gertrude Joscelyn
Roland Cullen
Carmen Carvalho
Jonathan Carvalho
Laura Maynard
William Tobin
Joe Plessner

AGENDA:
6:30 PM Call to order
Minutes of July 8, 2003
Correspondence & any other business

6:45 PM Case #03-17 for a Site Plan review for Dana Bartlett. Applicant proposes to turn existing structure into a dental office. Property is located at 944 Laconia Road, Tilton, NH 03276. Tax Map U-1 Lot 1 in the Resort Commercial District.

7:00 PM Case #03-18 for a Subdivision Review for John Bernard. Applicant proposes to subdivide off the existing residence, barns and outbuildings from the backland. Property is located at 504 Laconia Road, Tilton, NH 03276. Tax Map R-10, Lot 7 in the Mixed Use District.

7:15 PM Case #03-19 for a Site Plan Review for Omnipoint Holdings, Inc. Applicant proposes to add telecommunication antennas to an existing smoke stack. Property is located on Prospect Street, Tilton, NH 03276. Tax Map U-5 Lot 95 in the Village Residential District.

7:45 PM Case #03-20 for a Site Plan Review for William & Cheryl Joseph. Applicant proposes to utilize four store fronts which the building was originally designed for and add 3 new parking spaces. Property is located at 614 Laconia Road, Tilton, NH 03276. Tax Map R-9 Lot 47A in the Mixed Use District.

8:00 PM Design Review for Richard J. Morway, Sr. Applicant to present conceptual plan for a multi-family residential development. Property is located at 15 Joscelyn Lane, Tilton, NH 03276. Tax Map U-4 Lot 22 in the Mixed Use District.

MEETING:

6:30 PM Call to order. Chairman Curley told the audience Bob Brown would be sitting in for Katherine Dawson as
Chairman Curley asked if all the Board members had read the minutes of July 8, 2003. Michelle Jackson made a motion to accept the minutes of July 8, 2003. George Helwig seconded the motion. No further discussion. All voted in favor.

CORRESPONDENCE:

1. Lakes Region Municipal Association presenting the 2003 Budget and Finance workshop and the annual law lecture series.


3. Tilton Conservation Commission minutes for August 18, 03.

4. Letter dated 8/12/03 from the DES to the Town Clerk regarding conformation of receipt of an application from Allan & Susan Blake for a site specific permit.

5. Announcement from the Town of Bow advising a zoning meeting for AT&T to install and operate a wireless telecommunication antenna.

6. DES letter dated 7/22/03 acknowledging receipt of a request for a permit for impacts from Franklin Savings Bank advising them that their application was incomplete.

7. Wetlands and Non-Site Specific permit 2003-00312 from Winnisquam Resort Condo Assoc. from the DES.

8. Letter dated 7/22/03 from the DES to Richard Bernard stating the reclassification of dock project did not meet the rules for seasonal dock notification as there were existing docking structures on the frontage.

9. Fax from Catherine LaBonte advising the general manager of the Outlet Mall had resigned and gave a list of people for contacts.
10. Site Specific Permit WPS-6534 for Tilton Manor, LLC.


13. Letter to the Board of Selectmen from the Land Use Office in regard to the sports field being built.

14. Seasonal Dock Notification copy for Richard Bernard

15. Letter from DES to the Town Clerk advising if any comments relating to the technical aspects of an application for a Site Specific permit for Tilton Manor, LLC needed to be sent by 7/24/03.

16. A fax from LRPC in regard to the Planning Boards request to do a review for the Board.

6:50 PM Case #03-17 for a site plan for Dana Bartlett. Hearing no disqualifications, Chairman Curley stated he found the application to be substantially complete and asked for a motion. Sandy Plessner made a motion to accept the application. George Helwig seconded the motion. No further discussion. All voted in favor.

Dana Bartlett, owner, told the Board the only changes he was making to the property was an addition off the right side of the building to be used as a waiting room and he was moving some interior walls.

George Helwig asked about the parking area and was told the parking area was existing when Mr. Bartlett bought the property.

Mr. Bartlett stated the property was connected to municipal sewer and had an artesian well, which he had tested and the reports came back good.

George Helwig asked about signage and Mr. Bartlett stated he wasn’t sure but it would have a low profile and perhaps be two foot by three foot as his business did not need a large sign. Mr. Bartlett stated there was an existing sign on the property but the sign was not in line with the building. Mr. Bartlett stated he would
Chairman Curley asked if Mr. Bartlett had applied to the DOT for an updated curb cut and Mr. Bartlett stated he had not but would do it.

Michelle Jackson asked about the height of the addition and was told it was half the height of the building which was a standard residential house height. (It was less than the maximum height in the zoning regulations.)

George Helwig asked if the building was on a foundation and Mr. Bartlett replied it was on a frost wall with a crawl space under the house.

Chairman Curley asked about the lighting and Mr. Bartlett stated there were existing spot lights on the gable ends of the building and he did not feel his sign would be lighted. When asked if the gable lights would be on at night, Mr. Bartless stated he felt the only lights he thought would be on at night would be the front and back door lights.

Ms. Jackson asked what would be done with the hazardous waste and Mr. Bartlett stated he had very little waste and it was stored in separate containers (soft waste and hard sharps) and would be stored inside until pick up.

7:00 PM Open and close to public comment.

Hearing no further discussion, Bob Brown made a motion to accept the site plan with the following conditions.

1. Approval subject to a Special Exception approval from the Zoning Board of Adjustment.

2. Compliance with State Fire Codes.

3. Compliance with the Tilton Zoning signage regulations.

4. Updated driveway curb cut approval from the Department of Transportation.

5. Compliance with any other required State of Local permits.

George Helwig seconded the motion. No further discussion. All
voted in favor.

7:02 PM Case #03-18 for a Subdivision for John Bernard. Hearing no disqualifications, Chairman Curley stated he had found the application to be substantially complete and asked for a motion. Michelle Jackson made a motion to accept the application. George Helwig seconded the motion. No further discussion. All voted in favor.

Rick Lepene, engineer, gave a brief description of the proposed subdivision by explaining they were subdividing off the front area from the back land. Mr. Lepene stated they were basically separating a business use in the front from a potential residential use on the remaining back land. Mr. Lepene stated the existing house had a septic system but Mr. Bernard, property owner, had gotten confirmation that municipal sewer was proposed to be in the area.

Mr. Lepene told the Board the proposed lot was 2.04 acres with a fifty foot easement on a Class V road to serve the remaining back land lot.

Mr. Helwig asked about the wetlands on the new lot and Mr. Lepene stated the wetlands covered about three quarters of an acre.

Ms. Jackson asked if they had used the USGS soils conservation survey or had they had the wetlands delineated by a wetlands scientist. Mr. Lepene stated Katie Surowiec, a wetlands soil scientist, had flagged the wetlands. Ms. Jackson asked that a note be added to the plan to be recorded showing the wetlands and the wetlands scientist. Mr. Lepene stated it would be and the plan would be stamped. Mr. Lepene then told the Board the backland lot was 16.31 acres with 12.94 acres being dry.

Bob Brown stated his concern was the applicant was leaving a backland lot with 89 foot of frontage on Rte 3. There was a brief discussion and John Bernard explained that it was enough for a 50 foot driveway leading to a backland lot and all agreed.

Ms. Jackson asked if the applicant was aware he could be creating a need for a road to access the backland depending on what he had planned and Mr. Bernard stated he was aware of it.
7:20 PM Open and close to public comment.

Michelle Jackson made a motion to accept the subdivision with the following conditions.

1. Breakdown acreage totals to reflect wet and dry areas separately.

2. Final plat to have name and stamp of wetland scientist.

George Helwig seconded the motion. No further discussion. All voted in favor.

7:22 PM Case #03-19 for a site plan for Omnipoint Holdings, Inc. Hearing no disqualifications, Chairman Curley stated he had found the application to be substantially complete and asked for a motion. George Helwig motioned to accept the application. Michelle Jackson seconded the motion. No further discussion. All voted in favor.

Peter Cooke, representing T Mobil, gave a description of the project by saying,

1. The cabinets would be located on the School side of the smoke stack so they would be less visible to the passersby.

2. The area would be fenced in for security reasons.

3. There would be three antennas 10 foot above the Sprint antennas already located on the smoke stack.

4. The antennas would be flush mounted to the stack and painted to match the background.

Sandy Plessner told the Board the applicant had been to the Zoning Board and had gotten the required Special Exception and a Variance approval for the location.

Ms. Jackson asked if the applicant had any plans for a back up generator and was told they did not have anything planned on a permanent basis. Ms. Jackson asked if there would be any fuel source and was told no.
Mr. Cook stated there was also a small (12”) GPS antenna on the stack for 911.

7:30 PM Open and close to public comments.

George Helwig made a motion to accept the site plan with the condition that they comply with the State Fire Codes.

Michelle Jackson seconded the motion. No further discussion. All voted in favor.

7:45 PM Case #03-20 for a site plan review for William & Cheryl Joseph. Hearing no disqualifications, Chairman Curley told the Board he had found the application to be substantially complete and asked for a motion. Sandy Plessner made a motion to accept the application. George Helwig seconded the motion. No further discussion. All voted in favor.

Cheryl Joseph, owner, told the Board since they had bought the property, they had used the four unit building for two businesses and now they would like to rent the four units separately. Ms. Joseph stated the building had originally been set up for four units as it had four bathrooms, four meters and walkways for each of the units. Ms. Joseph stated they would also like three additional parking spaces on the side of the building. Ms. Joseph finished by saying they had ample grassed areas for snow storage in the winter time.

Sandy Plessner asked what Ms. Joseph was going to do in regard to signage if she had four tenants. Ms. Joseph replied by saying one large sign was grandfathered and the other larger posts had one sign. (two free standing signs) Ms. Joseph stated she would have the grandfathered sign for one tenant and the other sign for the other tenants. Ms. Jackson asked the applicant to show where the signage was on the plan and Ms. Joseph pointed on the plan to the location of the signage. Ms. Jackson asked Ms. Joseph why all the signs couldn't be put on one signage board and Ms. Joseph stated she might be able to do that.

Discussion of the signage regulations ensued. Mr. and Ms. Joseph discussed what they had for signage and what they felt their needs would be and the Board members explained they
were trying to bring the signage into compliance which would be less confusing to passing motorists.

Bob Brown stated the Board was trying to work with the Josephs concerning the signage and he felt it would be much neater if they had one plaza sign with all the tenants on it.

Mr. Joseph stated for clarity, that it did not matter which location that their primary sign would be located on their property, but the end result should be one free standing sign. Board members agreed. When asked how long the Josephs would have to change the signage, Board members suggested 60 days.

Joe Plessner, building inspector, told the Josephs they should advise their tenants that using the type of temporary signage that is currently being used is not permitted according to the current ordinance.

8:02 PM Open and close to public comment.

Hearing no further discussion, Michelle Jackson made a motion to accept the site plan with the following conditions.

1. One free standing sign not exceeding 40 square foot for the primary sign with each additional tenant entitled to 20 additional square foot on the same free standing signage board. All signage other than the primary free standing sign to be removed. Applicant to have 60 days, from the date of this approval, in which to comply.

2. Compliance with State Fire Codes.

George Helwig seconded the motion. No further discussion. All voted in favor.

8:05 PM Design review for Richard Morway, Sr. Rick Lepene, engineer, introduced Richard Morway as being the owner and contractor and told the Board they were calling the project Clover Dale for identification. Mr. Lepene continued by explaining they were at the meeting to show some preliminaries of the scope of the project and to get input from the board and the abutters before coming back with a formal site plan review.
Mr. Lepene gave a brief description of the property and the Joscelyn Lane right of way. The proposal, Mr. Lepene continued, would be to follow the existing right of way with improvements creating a 24 foot wide road. The plan was to go up so far using the existing right of way and turn onto the subject property and continue the road along the Morway property to a cul de sac. Mr. Lepene stated they could meet the new subdivision requirements on the roadway materials but they could not meet the grade requirements.

George Helwig asked what the grade was and Mr. Lepene stated at the steepest point the grade was 18%. Mr. Lepene continued by stating that turning the road onto the owner’s property and continuing on put the road into a more level land area.

Mr. Lepene stated they had plans for five four unit buildings and two six unit buildings all having two bedrooms. The sewer and water were available but not designed yet and the drainage, Mr. Lepene felt, would be a challenge. Mr. Lepene stated the challenge could be met by putting in detention areas along the way to help slow down the drainage before it released to continue moving downhill. Mr. Lepene stated the idea was to have no additional drainage leaving the site when the project was completed than left the site at the present time. Mr. Lepene then went over the contours of the site.

Sandy Plessner asked if the units would be apartments or condominiums and Mr. Morway stated they would be two bedroom condominiums sold to individuals.

George Helwig asked about the slope going down to Rt. 3 and whether or not it flattened out at all. Mr. Lepene stated it did not and Mr. Helwig commented he saw problems with that.

Bob Brown asked how many units and was told there were 32 units on 10 acres.

Mr. Lepene stated they did a soils and slopes analysis and applied the Town’s ordinance to the results of the analysis. Ms. Jackson asked if it would be a restricted community and was told it was not.

George Helwig stated his main concerns was the road and the
slopes.

Sandy Plessner stated additional traffic on a steep grade meeting Rt. 3 were major concerns for her.

Bob Brown stated he felt some kind of traffic control would be needed.

George Helwig stated he felt they needed to find a way to reduce the grade.

Mr. Lepene stated that if the grade was cut down by Rt. 3 it would make the grade steeper further up.

Sandy Plessner asked if they had talked to DOT and was told they had not spoken with the DOT as of yet. Mr. Lepene stated Jocelyn Lane was an existing roadway and they could not meet the new grade requirements.

Ms. Plessner stated she understood what Mr. Lepene was saying but they were proposing increased traffic trying to get on Rt. 3 at the bottom of a steep grade and she felt it was a significant safety issue.

Some one from the audience asked and was told Joscelyn Lane was a right of passage and not a road.

8:20 PM Open to public comment.

Bill Joscelyn stated he was concerned about the impact on the schools, traffic, and the lateral roads being cut off if the road was moved. At this point Mr. Joscelyn was asked and he stated the original subdivisions had been done in the 50’s by Joscelyn and Daighneault. Mr. Lepene stated they were not proposing to block the old right of way, they were merely turning off of it with another road onto the subject property.

Gertrude Joscelyn asked if the road would be built to Town standards so the Town would take the road and plow it and was told the road would be built to Town standards as far as the materials needed to build the road but the 18% grade of the road could not meet Town standards and it was doubtful the Town would accept the road.

Discussion continued concerning various aspects of the
proposed project including doing a regional impact study. Mr. Helwig felt the Town would need an engineer to look at any road plans and perhaps they would need to do a traffic impact study because of the grade of the road.

Ms. Jackson asked if Mr. Lepene had any calculations concerning the amounts of wetlands and steep slopes. Mr. Lepene stated they did calculate all of the wetlands and slopes and the information would be provided but this was a conceptual and he did not have the information with him.

Some one asked if the project would have tennis courts and a swimming pool and was told it would not.

John Maynard asked if there would be a traffic light. The applicant had not spoken to DOT so this question could not be answered.

Laura Maynard stated she was concerned about losing her privacy.

Dick Calder asked if the units were affordable and was told the price they were proposing was $140,000. Mr. Calder discussed a document he had giving a right to pass and repass on his land which had a provision stating if the road was widened, his driveway would be paved. There was a discussion concerning the document. Mr. Calder stated the agreements had been reached back when the subdivision was done. Mr. Calder gave the Town copies of his documents and Mr. Lepene stated it had been their intent to talk to Mr. Calder at some point as the point of access to Joscelyn Lane was a major concern but at the present time, they had not gotten that far in the planning stages.

Karen Benson asked who would be paying for plowing the road. A discussion ensued on how Joscelyn Lane had been cared for by various owners and Mr. Morway stated the proposed complex would have an association and the road plowing expense could be part of the fees. Many of the abutters asked questions concerning Joscelyn Lane, plowing and the right of ways. Mr. Lepene answered the questions by stating plowing fees would be covered by association fees and once the roadway turned onto Mr. Morways property, the road widening would all come from Mr. Morway’s property.
Rick Bensen asked if the units would have garages and was told some would have underground garages and some would have above ground garages.

Faith Tobin asked if they would be cutting down the tree line between her property and the Morway property and was told they would have to remove some of the trees.

Several abutters felt the development would decrease their property values and they would lose their privacy. It was explained that natural barriers would be left around the proposed development where possible.

Tom Roy discussed the increased traffic that the proposed development would bring and was concerned with long waits to get out of Joscelyn Lane onto Rt. 3. Mr. Roy wondered if it were possible to create a second exit.

Mr. Morway stated he felt if the association came up with a good plan for plowing, it would be a good thing and a benefit for the people already living on Joscelyn Lane.

Mr. Calder asked if Mr. Morway would be applying for any federal subsidies and was told he would not.

9:00 PM Close to public comment.

George Helwig stated his main concerns were the safety of the slope of the road and the additional traffic.

Bob Brown agreed safety was a major concern.

Mr. Morway stated he felt his plan would not impact the community as the road would stay private and they would only have two bedroom units.

Bob Brown stated the applicant and the Board had received a lot of good input from everyone in attendance.

Mr. Morway stated he certainly wanted to improve what was there as far as Joscelyn Lane went.

Rick Lepene stated what was important was the 18% slope was there and he didn’t feel he could change that. Mr. Lepene stated if the Board stated the requirements for the roadway had to be
met, they could not meet them. Mr. Lepene stated he would like to do is meet the requirements as if they had to on a new subdivision which they could do except for the grade.

Bob Brown stated the purpose of the new subdivision regulations was to try and improve the safety of the roads in Tilton by putting an end to the excessive grades on the roads. Mr. Brown felt to ask the Board to wave the new rules was going to tough considering the Board wrote the new regulations with the help of professional engineers. Mr. Lepene stated Joscelyn Lane was already there and Mr. Brown stated it was only minimally used at the present time.

George Helwig stated he didn’t feel he could vote for a road with an 18% grade. Bob Brown stated it seemed like no one on the Board felt they could vote for it. Board members agreed.

9:30 PM Meeting adjourned.

Minutes prepared by,
Sandy Plessner