MEMBERS PRESENT:
Chairman Mike Curley               Vice Chair George Helwig
Michelle Jackson                                    Katherine Dawson, Ex-Officio
Sandy Plessner

OTHERS PRESENT:
Casey Hayes                                        Rupert Dance
Philip Hastings                                      Nick Canzano
Peter Howard                                       Frank & Linda Dalton
Robert Wester                                     Lynn Marcoux
David Krause                                       Rodney Dyer
Margo Racicot                                    William Letendre
Bill Letendre                                        Jon Rokeh
Chuck Mitchell                                     Jon Scanlon
James Walker                                     Allen & Susan Blake
Steven Smith Sr.                                  Jim Cropsey
Don Roper                                           Chuck Moretti
Peter Stewart                                       Joe Plessner

AGENDA:

6:30 PM Call to order
Minutes of September 9, 2003
Correspondence
Any other business
6:45 PM Case #03-24-Condominium subdivision for Tucker Bay Trust. Applicant proposes a conversion of property with 6 residential dwelling units into a condominium form of ownership. Property is located at 850 Laconia Road, Tilton, NH 03276. Tax Map R-8 Lot 2 in the Resort Commercial District.

7:00 PM Case #03-25-Site Plan Review for Providian National Bank. Applicant proposes to install a new ATM and building to replace and upgrade the current drive up ATM located in the parking lot. Property is located at 295 Main Street, Tilton, NH 03276. Tax Map U-5 Lot 30 in the Downtown District.

7:15 PM Case #03-26-Subdivision for Lynn & Steven Marcoux. Applicant proposes to create one additional building lot with frontage on Colby Road and access off of Gerald Drive. Property is located on the corner of Colby Road and Gerald Drive, Tilton, NH 03276. Tax Map R-17 Lot 31-I in the Medium Density Residential District.

7:30 PM Case #03-27-Boundary Line adjustment and Condominium Subdivision for Country Lake Resort. Applicant proposes a lot line adjustment with R-7 Lot 11 and R-7 Lot 11-1 and then create a 90 unit residential community on R-7 Lot 11-1. Property is located at 788 Laconia Road, Tilton, NH 03276. Tax Maps R-7 Lot 11 and 11-1 in the Resort Commercial District.

8:15 PM Continuation of Case #03-23 for a Site Plan Review for Freedom Honda/Suzuki. Applicant proposes to build a sales and service facility for recreational vehicles. Property is located at 355 Laconia Road, Tilton, NH 03276. Tax Map R-21 Lot 13 in the Resort Commercial District.

MEETING:

6:42 PM Call to order. Chairman Curley asked if the members had read the minutes of September 9, 2003. George Helwig made a motion to accept the...
minutes of September 9, 2003. Michelle Jackson seconded the motion. No further discussion. All voted in favor.

CORRESPONDENCE:

1. Letter dated 9/23/03 from the DOT giving a conceptual approval for proposed driveways shown on plan for Country Lakes Resort.

2. Letter dated 9/23/03 from the Conservation Commission stating they had done a site walk on the Country Lakes Resort property with Jon Rokeh.

3. Letter dated 9.09/03 from the DES Waste Water Facility stating they had no objections to the increased flow of 40,500 gallons from the proposed 90 unit condominium project for Country Lakes Resort.

4. Letter from Robert DeForge stating he supported the Providian Bank project.

5. DES letter acknowledging receipt of a site specific application from Country Lakes Resort.

6. DES letter acknowledging receipt of a dredge and fill application for Country Lakes Resort.

6:45 PM Case #03-24 for a site plan for Tucker Bay Trust. Hearing no disqualifications, Chairman Curley told the Board 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.

Casey Hayes, from Eric Mitchell Associates, gave a brief description of the property, which included the 6 existing buildings and stated the owners of the property were looking to turn the buildings into condominiums. Mr. Hayes stated each individual building had unit boundaries and the back of the property was designated as convertible land. Mr. Hayes continued by saying each of the units was connected separately to the municipal sewer and there was an on site well.
Ms. Jackson asked if there would be any new paving or structures and was told there would not be at the present time.

George Helwig asked if the setbacks were grandfathered on building 2 and was told the building was an existing structure.

Michelle Jackson asked what the convertible land was and was told it was there in case the condominium development wanted to expand in the future.

Philip Hastings, attorney, stated the convertible land gave the owners the flexibility for future possible development of two more units, subject to Planning Board and Zoning Board approvals. Mr. Hastings stated they did not know if it would be feasible or not with the current regulations, but it would preserve the option in the Condominium documents and was necessary to do so as otherwise, the owner would lose the option to do it.

A brief discussion on snow storage and if it would be any different that what was done at the present time ensued. Nick Canzano gave a description on how he removed the snow and stored it.

Michelle Jackson asked if the required Special Exception had been granted and was told that it was.

Chairman Curley asked if the units would be rented and was told the units would be sold but it was in the condominium documents that the new owners could rent their unit.

6:55 PM Open and close to public comment.

Michelle Jackson made a motion to accept the site plan with the condition the Town receive a copy of the recorded set of condominium documents. Katherine Dawson seconded the motion. No further discussion. All voted in favor.

7:03 PM Case #03-25 for a site plan for Providian Bank. 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.
Robert Wester, Bank Vice Chairman, explained the proposal was for a new ATM and building to replace and upgrade the current drive up ATM located in the bank parking lot. Mr. Wester stated the new ATM was a little wider than the current ATM and when finished, they hoped to have the building have the appearance of a train station as the parking lot was the former site of the Tilton train station.

George Helwig asked if the traffic pattern would remain the same and was told it would.

Mr. Wester stated if approved, the project would be done in November.

7:10 PM Open and close to public comment.

George Helwig made a motion to accept the site plan as presented. Michelle Jackson seconded the motion. No further discussion. All voted in favor.

7:15 PM Case #03-26 for a subdivision for Lynn and Steven Marcoux. Hearing no disqualifications, Chairman Curley stated 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.

Lynn Marcoux stated the lot was 35 acres more or less and what she wanted to do is create one house lot for sale and retain the rest of the land as she did not want any further building on what would be left. Ms. Marcoux stated she had State approval for the septic design for the proposed lot.

Ms. Jackson asked if the wetlands had been delineated and David Krause, engineer, told her they had not but there was only about 100 square foot of wet area on the proposed lot and it was shown on the plan.

There was a lengthy discussion on the frontage required for the lot. David Krause explained the lot was a back land lot and it would have frontage on Colby and the right of way known as Gerald Drive.

Sandy Plessner asked if an easement would be created
for the people who live on Gerald Drive for trash removal. Ms. Marcoux stated the people just always put their trash out on the road and she felt it was just part of the right of way. Ms. Plessner asked how it would affect the right of way as Ms. Marcoux had made it part of the proposed lot and she planned on selling it. Ms. Marcoux did not feel it would change the right of way.

**7:35 PM** Open for public comment.

Joe Plessner stated he had discussed the proposed subdivision with the Town attorney and the attorney felt an easement should be noted on the plan for the trash and a note should also be added to the plan stating the Class 6 access release liability letter would be needed to get a building permit.

**7:38 PM** Close to public comment.

Sandy Plessner made a motion to accept the subdivision with the conditions that;

1. An easement showing an area where residents from the Gerald Drive subdivision can place their trash for pick up on the corner of Gerald Drive and Colby Road shall be noted on the plan.

2. Note on plan stating a Class 6 Road Release of Liability will be required to get a building permit as per RSA 674:41 1 (3).

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

**7:40 PM** Case #03-27 for a boundary line adjustment and a site plan for Country Lake Resort. 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 site plan. Michelle Jackson seconded the motion. No further discussion. All voted in favor.

Jon Rokeh, engineer, began by stating they had done a design review with the Planning Board back in January or February and as a result of that review, they had done a full wetlands delineation, removed the wetlands and steep slope
acreage from the total acres to arrive at land area for calculations for density of the site. After discussion with the Board, we came back with this 90 unit proposal.

Mr. Rokeh stated they had been to the Zoning Board of Adjustment and had gotten the Special Exception approval with the conditions that included fencing and a vegetative border along the boundary line with the abutter on R-7 Lot 9 and an inquiry to the DOT to see if they were considering requiring a turning lane on Rt. 3. Mr. Rokeh presented a letter from the DOT giving conditional approval for two driveway curb cuts and stating that because of constraints that would limit the potential for widening the highway for a turning lane, the permit would probably require a bond or letter of credit contributing toward the future reconstruction of Rt. 3. (Letter from DOT on file)

Mr. Rokeh continued by saying this was a two-part plan with the first part being a lot line adjustment between the resort lot and the remaining land. Mr. Rokeh stated the reason for the lot line adjustment was to make sure both lots would be conforming with 150 foot frontage for both areas. The second reason for the lot line adjustment was to make room for the drainage and improvements for the development of the remaining acreage. The second part of the two-part plan was the development of the proposed site.

Mr. Rokeh continued by offering the following:

1. Proposed development would have a central water system with two or more wells, or whatever would be needed to run a water system for the site.
2. Roads would be built to Town standards and remain private.
3. Utilities would be underground. With the new trunk line for sewer running past the proposed development, all of the units would be connected.
4. Road plan altered to show widening of the left turn out of the proposed development as stated by the DOT.
5. A cistern would be located toward the middle of the development for fire protection for the homes to be located in the back of the property.
Mr. Rokeh continued by saying permits applied for included;

a. the site specific application had been sent to the state,
b. a wetlands dredge and fill was at the State,
c. Sewer commission and Franklin waste water approved and were before the State for review;
d. Had done a site walk with the Conservation Commission and had received preliminary approval from them with recommendations. (Letter provided and on file.)
e. Rodney Dyer, attorney, was writing the condominium documents.

Chairman Curley asked what the development would appear as looking up the hill. Mr. Rokeh stated a few homes would be visible but because a lot of the land would be untouched, it would be aesthetically pleasing.

George Helwig asked where the vehicle maintenance area would be. Mr. Rokeh stated it would be away from the wetland areas.

Michelle Jackson asked where the corrected boundary line was on the plan and was shown.

Mr. Helwig asked if the fire department had looked at the turn arounds and Mr. Rokeh stated the road was designed and would be built to town regulations but would be held privately by the condominium association.

Chairman Curley asked if the project received approval, would development be built in phases. Mr. Rokeh stated they were thinking it would go together in two phases at the present time. Phase one would be the front units, the loop road, utilities and water system and phase two would be the rest of the road and homes.

George Helwig asked about the private driveway for lot 11A located on the northerly side of the proposed plan. Mr. Rokeh stated they were bringing the driveway into the proposed roadway and it would be better. Mr. Rokeh stated the existing driveway would remain in the same location.
Katherine Dawson asked if they had allowed for the old Rt. 3 right of way and not blocked it. Mr. Rokeh stated it would be clear and after the sewer line had gone through, the right of way had been repaired and was in better condition. Ms. Dawson stated the right of way could be used by the Town for emergency vehicles in case of accidents.

Michelle Jackson asked about the breakdown of the wetlands. Mr. Rokeh stated the site had 62 acres. They removed 6.28 acres for steep slopes and 8.4 acres for the delineated wetlands. The remainder of the land was used for all of the density calculations.

Chuck Mitchell, chairman of the Conservation Commission, stated the Commission was very satisfied after the site walk but would always prefer to see drainage areas sized for a 50 year storm, especially for the lower area of the property.

8:05 PM Open for public comment.

Margo Racicot stated she was very concerned about the impact on the school system and people and children crossing Rt. 3 to get to the lake.

Mr. Rokeh stated there would be no beach rights for the proposed development.

Ms. Racicot stated she would prefer to see a retirement community there instead of families for safety and no impact on the schools.

Frank Dalton asked where his fence was located and was shown.

James Walker stated he felt the proposed development would have an impact on the lake because of salt and sand use, landscaping and lawn fertilizers and oil droppings as the detention ponds would not remove those things. Mr. Walker wondered about the runoff going into Sanbornton and the Sanbornton runoff coming onto this property. Mr. Walker also stated he felt there would be an increase in traffic and there seemed to be a gap between the State and the Town. He felt the State stated the Town should recommend controls and the
Town stated the State controlled what happened on Rt. 3.

Mr. Walker wondered what the procedure for site plan was and was this the final opportunity to discuss the site plan. Chairman Curley stated the Board could continue the case depending on what concerns and unanswered questions they might have.

Vinnie Garafalo stated there had been serious accidents between the Country Lakes resort and Jays Marina and gave the board copies of the accident reports for 1997, 1998 and 1999 obtained from the police department. Mr. Garafalo also felt the children would use the beach across the highway as he did not know how one would keep the children from going over to the lake.

Mr. Walker suggested the setbacks be increased. A discussion ensued concerning the Planning Board and the Zoning Board and the decision of the Zoning Board to require fencing and a buffer between the proposed site and the abutter who felt the people would come over on his land. Sandy Plessner stated the abutter had been satisfied with the fencing and the buffer.

8:25 PM Close to public comment.

Michelle Jackson asked if the Board wanted to phase in development, how would Mr. Rokeh want to handle it. Mr. Rokeh stated they were already looking at phasing. Mr. Rokeh stated the Board could make it more formal by making it a condition. Mr. Rokeh also stated he didn’t feel one could say each unit in the proposed development would have children in school. Ms. Jackson stated that perhaps the board needed to look at the occupancy and the possible effect it might have on the schools. Ms. Jackson stated that perhaps phasing would be better and have less impact on all of the services including police, the fire department and the schools.

Ms. Jackson asked Mr. Rokeh to address Mr. Walker’s concern about the runoff and affecting the lake. Mr. Rokeh stated the detention ponds were only a part of the drainage plans as treatment swales were also a part of the plan. Mr. Rokeh stated the sand, salt and oil issues would be addressed in the
treatment swales. Ms. Jackson stated if they upgraded to the 50 year storm on the lower area, it would even be better. Mr. Rokeh stated the runoff was also covered by the density of the site and in this case, the density was very low.

Sandy Plessner stated with everything that had been discussed and the Board wanting input from the police and fire departments and the schools, she was recommending the case be continued.

Chairman Curley asked how they wanted to proceed. Ms. Plessner stated she would contact each of the departments and ask for input. Hearing no further discussion, Sandy Plessner made a motion to continue the Country Lake Resort site plan and boundary line adjustment to October 14th at 6:45 PM. George Helwig seconded the motion. No further discussion. All voted in favor.

8:35 PM   Continuation of Case #03-23 for a site plan review for Freedom Honda.

Peter Howard introduced the various people attending the meeting that were connected to the Freedom Honda site plan case. Mr. Howard explained to the Board that the State had purchased the Freedom Honda site in Belmont and that was why they were trying to re-locate.

Mr. Howard stated he wanted to spend the evening going over the Board’s concerns as well as the list of concerns he had received from the Conservation Commission. These concerns included:

1. Floor drains to an oil/water separator to the municipal sewer. Mr. Howard stated they had been to see the Tilton Sewer Commission and they had approved the sewer plan and the Franklin Waste Water Treatment Plant had also given their approval for the oil/water separator to the sewer line.

2. Isolate wash bay so water from there would go into an oil/water separator and then into the sewer line. There are no other floor drains in the building.

3. Sewer manhole next to the building for clean out and inspections. This should address Mr. Chaille’s
concerns.

4. The DOT curb cut is being reviewed by the State.

5. Site specific at the state but won’t be reviewed for a month.

6. Mr. Howard presented a copy of the easement agreed to with Gerald Chaille for the use of Mr. Chaille’s property for access to the Freedom Honda site. Copy presented had not been recorded.

7. All State and Federal permits required are either being reviewed or will be shortly. Retention area is being reviewed by the DES Dam Bureau. The Federal storm water permit will be filed within two days of construction.

8. Snow storage. Mr. Howard explained there was a retaining wall in front of the wetland area and about three feet from the retaining wall was a guard rail so there was about six to six and one half feet from the guard rail to the actual wetland area. Mr. Howard stated they were proposing to place a sign stating “Wetland area-No dumping snow” in front of the wetland area to help remind anyone plowing the snow to stay away from the wetland area. It was suggested a fence also be added to the area, but Mr. Howard stated he would rather not have a fence as there was already a guard rail. Mr. Howard stated he had done calculations to determine now storage areas and felt the amount of snow storage would be sufficient. Discussion on snow and the building roof continued. It was reported that the building roof would be built to the new building code standards.

9. Signage: One sign meeting Town regulations and at the entrances it would be directional signs only with no advertising.

10. State Fire Codes: All fire codes will be complied with.
11. Lighting: Mr. Howard gave the Board information relative to the lighting they planned on using which would create downcast type lighting.

12. No surface or underground discharge concerns had been addressed by the oil-water separator to municipal sewer.

Michelle Jackson asked about water storage on the site for fire protection and was told it would be an underground tank and not a pond.

Mr. Howard addressed issues raised by the Conservation Commission. (Items listed that were also covered by the Planning Board concerns were not repeated.)

Chuck Mitchell stated when the Commission had gone over the plans they only saw snow storage on either side of the back parking lot and there were no calculations shown on the plan so based on one snow storage area shown on either side of the parking lot, the Commission did not feel it was adequate storage. Mr. Howard stated he had since labeled the other snow storage areas.

Ms. Jackson stated the front swale took snow and runoff from Rt. 3 and then asked Mr. Howard if he had included that into his calculations. Mr. Howard stated he did not count the snow but did consider the runoff.

Chuck Mitchell asked if the treatment swales would be used for snow storage and was told they would be used. Mr. Howard took a few minutes to discuss the water flow on the property into the different treatment swales. Mr. Howard also stated that the State was also reviewing the drainage for the site in the site specific application.

Chuck Mitchell asked Mr. Howard if he was saying the site had 3 catch basins and was told it was 2 catch basins and a drain manhole, all with oil/water separators.

In regard to protecting the wetland area, Mr. Howard again stated the retaining wall had a guard rail in front of the retaining wall and felt the signage about no dumping of snow would be sufficient to protect the area. Mr. Mitchell stated he
could appreciate not wanting a fence but the sign, once under snow, would not do much good to someone plowing.

Rupart Dance commented his present site is small and whenever they had a heavy snow, they trucked it off.

In regard to the recommendation to have catch basins equipped with oil / water separators installed in all parking lots, Mr. Howard stated there was one drain manhole with the oil/water separator and two catch basins with the oil / water/ separators.

Mr. Howard, in addressing the fueling on site issue, stated they did put fuel in sold bikes but they did not sell fuel. They would like to have a 250 gallon above ground storage tank. Mr. Howard stated they were proposing to construct a curbed concrete pad near the side maintenance doorway. They would set a vault on the pad and the tank would sit inside the vault so if there were any spillage, it would be contained inside the vault until it could be cleaned up. Mr. Howard stated there would also be a roof over the tank area. Ms. Jackson asked if Mr. Howard had spoken to the Fire Department about the tank and was told he had been working with Captain Wilking.

Mr. Howard addressed the issue of storage of fuels and oils including waste oils to be stored. He stated the new and used oil would be stored inside in a room designated for storage until used in vehicles or hauled off as waste oil.

Mr. Howard stated the drainage report was being reviewed by the State and they were satisfied with his calculations for determining the size of the retention pond.

In reference to the Commissions note on the plan not showing the EPA drainage data, Mr. Howard stated they were aware of the Federal permit and it would be filed at the proper time. Mr. Howard added that what he usually did was take the site specific paper work and build on that.

Mr. Howard addressed the concerns the Commission had regarding the drainage from the storage building not going into the wetlands. Mr. Howard stated the drainage from the building would go into a treatment swale and not into the wetland area
and stated he defined it more on the plan so it was easier to see it. Mr. Mitchell asked if that particular treatment swale went into the detention pond and was told it did not as it went into a stone level spreader. Mr. Mitchell asked, for clarity, if the storage building and rear parking lot went into the stone level spreader and not the retention pond and Mr. Howard agreed.

Drainage continued to be discussed including Mr. McIntyre’s property located on Noyes Road. Mr. Howard stated Noyes Road was raised and any water that might flow to Noyes Road would be caught on the easterly side of Noyes Road and would not affect Mr. McIntyre’s property.

Mr. Howard commented that the Commissions concern about contacting the DES in regard to the dam permit had been resolved.

(The Conservation Commission’s list of concerns and Mr. Howard’s letter of reply will be attached to the office copy of the minutes.)

Mr. Howard stated one other issue brought up by the Planning Board was a dumpster. Mr. Howard stated there would be a screened 6 X 6 foot dumpster placed on a concrete pad in the back of the building.

Chairman Curley asked Mr. Mitchell if the Commission’s concerns had been addressed. Mr. Mitchell told the Board they had gone over the plans without the benefit of responses. Mr. Mitchell stated they had approached the plans with good faith and tried to ask the proper questions based on the site plans. Mr. Mitchell continued by stating the calculations and the water drainage to the treatment swales instead of the detention pond was different from what they had considered from looking at the plans. Sandy Plessner asked Mr. Mitchell if there were any issues left that he would still have concerns about. Mr. Mitchell stated he would still like to see the one swale empty into the detention pond and he would go on site to observe the swale along the road that dumps into the abutting property. Mr. Mitchell stated if he were the abutter, he would not want the runoff on his property. Mr. Howard stated it was a very stable grass lined swale that had existed in that location for a long time and seemed more than adequate to handle the runoff. Mr.
Howard stated the idea for the drainage was to take the before construction calculations and after construction calculations and the run off should be close to the same.

Mr. Mitchell stated the containment of the fuels, oils and trash were fine additions to the site plan.

9:45 PM Open and close to public comment.

Katherine Dawson asked if anything could be done to prevent snow from being pushed into the wetland. Mr. Howard stated the curbing along the area was granite and would help control the runoff. There was a brief discussion concerning the guard rail and what could be done to help protect the retaining wall and wetland area. It was decided to have the guard rail 4 feet off the ground with double rails.

Joe Plessner asked how much lighting would be left on at night. Mr. Dance responded the signage light would be on from dark to around midnight and they would leave a few exterior and interior lights on for security.

Hearing no further discussion, George Helwig made a motion to approve the site plan with conditions. Conditions included;

1. DOT cub cut approval.
2. All State and Federal permits required.
3. Compliance with the Tilton signage regulations.
4. Compliance with the State Fire Codes.
5. Downcast lighting.
6. Copy of the DOT traffic study.
7. Design fencing in front of retaining wall to be 4 feet off the ground with double rails.

Katherine Dawson seconded the motion. No further discussion. All voted in favor.

The Board members spent a few moments discussing correspondence and signing the John Bernard subdivision plat.

10:30 PM Meeting adjourned