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

OTHERS PRESENT:
Rita & Andy Kaulbach                          Captain Linda Wilking
Joe Plessner                                      Ajay Chaloovi
Arun Chaloovi                                   Rick Lepene
Richard Calder                                Irene Ultsch
Laura Maynard                                   John Maynard
Rich Simmons                                       June Brown
Edward Balkon                                     Scott Finemore
Christina Gloddy                                Beverly Clements
Jim Clements                                       Bill Bernard
Jim Walker                                           Stephen Males
Jon Rokeh

AGENDA:

6:30 PM           Call to order.
Minutes of February 24, 2004
Correspondence
Any other business

6:45 PM           Case #04-04-Site Plan for Mountain Top Trailer Sales. Applicant proposes to move trailer sales business to a new location. Property is located at 454 W. Main St. Tilton, NH 03276. Tax Map U-8 Lot 11A in the General Commercial District.

7:10 PM           Case #04-05-Amended Site Plan Review for
Tilton Lakes Ventures, Inc. Applicant proposes to add a 550 square foot addition to an existing building. Property is located at 622 Laconia Road, Tilton, NH 03276. Tax Map R-9 Lot 47 in the Mixed Use District.

7:30 PM Case #04-06-Site Plan Review for Richard J. Morway, Sr. Applicant proposes to build a three story 30 unit apartment building. Property is located on Joscelyn Drive, Tilton, NH 03276. Tax map U-4 Lot 22 in the Mixed Use District.

8:00 PM Continuation Case #04-02 for a Condominium Subdivision / Site Plan for Winnisquam Country Lake Condominiums. (Country Lake Resort). Applicant proposes to convert existing structures into a condominium form of ownership. Property is located at 785 & 788 Laconia Road, Tilton, NH 03276. Tax Maps R-7 Lot 11 and R-9 Lot 1 in the Resort Commercial District.

MEETING:

6:40 PM Call to order. Chairman Curley asked if all had read the minutes of February 24, 2004. The Board approved the minutes of February 24, 2004.

CORRESPONDENCE:

1. DES Wetlands Non-Site Specific approval permit #2003-02106 for William Letendre, doing business as DAWW, LLC for Tax Map R-7 Lot 11-1.

2. Let from US Environmental Protection Agency to Municipal Officials advising all of the new requirements dealing with storm water and construction activity.

3. DES Wetlands dredge and fill application # 2004-00298 for Lochmere Meadows Development, LLC acknowledging receipt of the application.

4. Request for more information from DES to Fortin
& Redmond Associates for property located on Tax Map R-2 Lot 3.

6:45 PM Case #04-04 for Mountain Top Trailer Sales. Chairman Curley told the applicant there were items missing from the application. The applicant provided the missing information. The Chairman accepted the information and told the Board the application was now substantially compete 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.

Rita & Andy Kaulback, owners of the business, began by saying they would be moving their business to the lot next to their current location and would share the new location with the existing landscaping railroad ties business already located on the lot. Ms Kaulback stated there was an existing building on the site that they would use.

Discussion turned to snow storage and the location shown. When asked, clarification was given as to how far the wetlands were from the snow storage area.

Chairman Curley asked that an amended curb cut be applied for to show the expanded use and the applicant agreed.

Ms. Jackson asked how many trailers would be on site and was told there would be around 25 with less in the winter.

Chairman Curley asked about exterior lighting and was told there was none. The Chairman told them if they decided to have any exterior lighting, it should be downcast.

Board members asked about any proposed signage and was told they would place their sign on the existing sign poles located on the property. The signage location was shown on the plan.

6:50 PM Meeting was opened to public comment. None heard so meeting was closed to public comment.

Michelle Jackson made a motion to accept the site plan with the following conditions.
1. Obtain an updated DOT curb cut.

2. Signage to conform to the Tilton Zoning Regulations.

Bob Sharon seconded the motion. No further discussion. All voted in favor.

7:10 PM Case #04-05 for an amended Site Plan Review for Tilton Lakes Ventures, Inc. Chairman Curley stated the application was not complete and stated the information missing included:

1. No building elevation views for the new addition.

2. No size, height and width of proposed addition drawn to scale.

3. No elevation of first floor slab for the proposed addition.

4. No abutter information.

5. No septic shown on plan.

6. No snow storage shown on plan.

After a brief discussion, Michelle Jackson made a motion to continue the site plan review until April 13, 2004 at 6:45 PM to give the applicant an opportunity to provide the missing information. George Helwig seconded the motion. No further discussion. All voted in favor.

7:30 PM Case #04-06 for a Site Plan Review for Richard Morway, Sr. Chairman Curley stated the application was incomplete and the missing information included:

1. No snow storage shown on plan

2. No building footage elevation.

3. No elevation view of all buildings indicating their height, bulk and surface treatment.

4. No road design.
At this point there was an objection raised by Rick Lepene, engineer representing Mr. Morway, who stated it was not intended to be a roadway, but a driveway. Board members questioned whether or not they could consider this a driveway for the plan; however, the Chairman stated the Board was not to discuss the merits of the site plan as the application had not been accepted.

After a brief discussion, George Helwig made a motion to continue Case #04-06 for Richard Morway, Sr. until April 13, 2004 at 7:05 PM. Michelle Jackson seconded the motion. No further discussion. All voted in favor.

7:45 PM While waiting for the following case to begin, Jon Rokeh, engineer, presented plans to the Board for the 90 unit condominium site plan owned by DAWW, LLC. Mr. Rokeh stated he had gone over all of the conditions and felt everything had been met. Mr. Rokeh passed out copies of the permits obtained. Board members told Mr. Rokeh they would go over the plans at a later date.

8:04 PM Continuation of Case #04-02 for the Condominium Subdivision / Site Plan for Winnisquam Country Lake Condominiums.

Jon Rokeh passed out copies of a parking diagram the Board had asked for at the previous meeting to show there was ample parking for the motel and cottages. Mr. Rokeh also gave the Board a copy of the updated curb cut permit which included the property in the back that had been approved for a 90 unit condominium subdivision / site plan.

Mr. Rokeh stated they had met with the Fire Department representative, the State Electrical inspector and the town building inspector on the site to discuss and work out some of the issues raised at the last meeting. One of the issues raised was the form of ownership and the usage of the property. Mr. Rokeh stated they had revised the condominium documents which now stated the property would continue to be run as it is run today.

Stephen Males, attorney, stated the form of ownership was all they were going to change. There would be two separate
associations as the property was naturally subdivided by a roadway. Each of the condominium associations would govern the common areas on the two lots. George Helwig asked for clarification on R-9 Lot 1 and was told there were two separate cottages on that lot. Mr. Males continued by stating the intent of the developer was not to change the usage of the property. The cottages would remain rental units as they are trying to mirror what existed as closely as possible.

Sandy Plessner asked if Mr. Males was saying the cottages would be rental units and Mr. Males stated they would be just as they were at the present time. Ms. Plessner asked if they didn’t say they would be sold and Mr. Males stated that was correct, each owner would have a cottage and a percentage of the open land. Mr. Males stated the way everything would operate would be to keep everything the way it is currently used. The units are used as non-permanent seasonal rented units and their intent was to run it the same way after a condominium conversion. Mr. Males stated some of the issues included how the property had been operationally and how they intended to do that after the proposed conversion.

Mr. Males continued by saying the language put in the documents would give access for the cottages to the hotel on a 24 hour basis so that they would have coverage if there were any emergencies in any of the units.

George Helwig asked if there would be a management agreement between the hotel and the owners of the cottages and was told there would be a management agreement between the condominium association and the hotel that would allow the hotel to manage the units. Some of the things covered in the agreement would be absolute access to all of the units and the units would be available for rent. Mr. Males stated they would not force the cottage owners to use the hotel as their rental agent, they could use anyone they wanted to choose, but it would be convenient if they chose to use the hotel management.

Mr. Males stated his client was not trying to expand the operation or anything other than what had been there in the past. All that would change was the form of ownership.

Mr. Helwig asked if anything would restrict the expansion
of the units and Mr. Males stated the owners would have to comply with the documents and with all state, local and federal laws. Mr. Males stated any expansion would require approval from the association for encroaching into the common area and approval by the town for any building permits. Mr. Males continued by stating they documents stated the seasonal units could not be used as a permanent residence and that encumbrance was a restriction that shall run with the land and be enforceable by the Town of Tilton. Mr. Males stated any changes to this restriction must be approved by the town of Tilton as what they were doing was giving the Town the right to enforce the non permanent residency standard and any changes of use would require compliance with town regulations.

There was a general discussion on what the building inspector could give building permits for and Board members felt the only way to ensure the cottages would remain cottages was to make it a condition of any approval.

8:25 PM Open to public comment.

Bill Bernard, State electrical inspector, explained that if these cottages were classed as dwelling units, they would not meet the electrical codes. There was not enough outlets in each room and the cottages only had 40 AMPS of service.

Ms. Jackson asked Mr. Bernard what the state definition of a dwelling unit was and Mr. Bernard stated the electrical code definition of a dwelling unit was a permanent place for eating, sleeping, sanitation, and habitation. Mr. Bernard stated it appeared the Town regulations also had a square footage requirement, which would indicate these cottages would not be dwelling units. Mr. Bernard stated if they were not considered dwelling units, the electrical codes for dwelling units would not apply. Mr. Bernard stated that if the codes would not apply, his concern would be to see if they were safe. Mr. Bernard stated that from the inspection of the cabins, it appeared the applicant cosmetically took care of the cabins by closing up the walls and replacing broken existing switches and outlets. The grounding appeared to be good according to the testing Mr. Bernard did and he stated that everything appeared to be safe.

Mr. Bernard stated he did have an issue with the
electrical distribution. One of the cabins, Mr. Bernard believed it was Cabin 4, contained a 200 amp electrical distribution panel inside the cabin. Mr. Bernard continued by saying inside each of the cabins was a series of circuit breakers, two each, which controlled each of the cabins. Mr. Bernard stated that there should be one breaker per cabin, not two or they should be tied together so you would have to pull two switches at once to shut off the electrical to a cabin. Mr. Bernard stated it should be a double pull, which would be tied together. Mr. Bernard stated this could be a simple fix of replacing the breaker.

Mr. Bernard stated the problem he had with the location of the 200 amp distribution panel was it was located inside a unit. If any one needed to shut off their power, access might not be available. There were the small circuit breaker boxes with two, three or four breakers in each cabin, but there was no main. Mr. Bernard stated the main would be in the 200 amp electrical panel inside one of the cabins. Mr. Bernard stated that in a multi-family unit, which these were not, one could have a electrical panel with the main that might not be accessible to all but was tended by qualified personal twenty four hours a day. Mr. Bernard stated that would equate to an electrician not a hotel manager.

Discussion continued with Mr. Bernard saying he would like to see a disconnect at every building or a disconnect some where else that would be accessible to all of the tenants.

Looking at the main 200 amp panel, Mr. Bernard stated he felt it needed repair. In his opinion the panel had not been wired properly as they had used a blue wire instead of a green wire for the ground and that had never been permitted by code. Mr. Bernard stated in his opinion that was a hazard and should be replaced with a green wire. Mr. Bernard continued by saying the main box should be flipped around to the outside of the building and be weatherized.

Ms. Jackson asked what the amperage requirements might be of different appliances and Mr. Bernard went over some of them.

Mr. Bernard told the Board he could not research the grounding electrode system, which would dissipate any
lightening strike or serge. Mr. Bernard stated he had asked and was told they had them but he could not find any. Mr. Bernard stated every cabin should have the grounding electrode system. Mr. Bernard finished by saying the cabins were not up to code but they were better than they had been.

Captain Wilking, fire inspector, stated they had clarified the sprinkler issues with the hotel and she had a letter from the owner stating the hotel would be sprinklered by September. Captain Wilking stated her electrical concerns had been addressed by Mr. Bernard.

Ms. Jackson asked the applicant what upgrade plans, if any, did they have. Mr. Males stated they realized 40 amps was not much but they were keeping the cottages the same and they had always had 40 amps. Mr. Males stated they understood the concerns and had no problem with moving the panel box but did not want to get involved with having to bring everything up to code if they changed the panel box. Mr. Males stated his client was looking at separate meters and did not feel moving the main box outside would be a problem or changing the blue wire to a green wire or the circuit breakers in the units. What Mr. Males felt would be a problem would be changing the service from 40 to 60 or 100 amps. Mr. Males stated he felt the individual owners might very well make those changes themselves.

Ms. Plessner stated from what she had heard, she felt there should be no expansion considered unless the electrical was brought up to codes. Other Board members agreed.

Captain Wilking suggested the items Mr. Bernard had mentioned could be conditions and given the same time frame of September as the sprinkler system for the hotel.

Joe Plessner stated it would seem logical that if the Board made it a condition that there could be no expansion with out upgrading the electrical, the owners might work as a group to upgrade the electrical system.

9:00 PM Close to public comment.

Board took a brief recess to consider all the information they had heard.
Meeting resumed. Michelle Jackson made a motion to accept the condominium subdivision / site plan with the following conditions.

1. No expansion allowed until the electrical service is brought up to State codes for both Condominium associations.

2. Once electrical service has been brought up to code, expansion will be limited to less than the minimum dwelling square footage as defined in the Tilton Zoning Regulations.

3. Town requires one set of recorded condominium documents as presented to the Planning Board on March 9, 2004.

4. Beach area access is limited to condominium association members, guests or tenants.

By September 1, 2004, the following conditions must be completed:

1. 200 AMP circuit panel needs to be installed on the exterior of the primary unit (unit 4) and weatherproofed.

2. Circuit breakers need to be replaced with a single pole breaker for each cottage unit.

3. Blue wire needs to be replaced with a green wire.

4. Hotel must be sprinklered.

5. Grounding rods need to be installed on each unit if no present.

6. Compliance with all State Fire Codes.

Sandy Plessner seconded the motion. No further discussion. All voted in favor.

Board members learned the results of the vote taken on the proposed changes to the zoning regulations. All
changes passed except question 8 regarding allowing cluster
development in the RC District.

After a lengthy discussion, a motion was made and voted on to hold a public hearing for changes to the Subdivision Regulations to meet the new density standards in the Zoning Regulations. Paragraph 6.5 C. would be changed to read, “Zoning districts permitting multi-family dwelling units, apartments, townhouses and condominium subdivisions shall be limited to a density equal to that shown in the Table of Dimensional Values in the Zoning Regulations.”

Board members also wanted to change the definition of driveway to eliminate any confusion. The definition would read, “Driveway means an area located on a lot, tract or parcel of land and built for access to a garage or off-street parking space, serving not more than two (2) dwelling units.”

The hearing for the proposed changes to the Subdivision Regulation changes was set for April 13, 2004.

Board members also motioned to have a letter sent to Mr. Morway, Sr. advising him of the vote and the effect it would have on his site plan application as it had come in after the proposed zoning changes were noticed.

10:25 PM Meeting adjourned.

Minutes prepared by,
Sandy Plessner