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

OTHERS PRESENT: Allen Obey, Rachel M. Downes, Karen Pettengill, Martin Wilson, Judith Suzedelis, Joseph Wichert Patrick Houghton, June Main, Colette Tessier, Christine Sibulkin, Jackie Sibulkin, Andrew Tessier, Cecille Taylor, Reggie Caldwell, Estelle Scott, Jason Sibulkin

AGENDA:

6:30 PM Call to order.
   Approval of Minutes of January 11, 2005
   Correspondence & any other business
6:35 PM Conceptual with Alan Obey and James Spaulding from Burd Engineering concerning property located on Tax Map R-23 Lot 25.

6:50 PM Case #05-01 for a Condominium Subdivision/Site Plan Review for Patrick Houghton. Applicant proposes conversion of 16 existing residential housing units into a condominium form of ownership. No other changes are proposed. Property is located at 4 Deer Street, Tilton, NH 03276. Tax Map U-8 Lot 16 in the Village Residential District.

7:30 PM Any other business. Helen Hanks to speak to the Board in regard to the wetlands and the Master Plan draft.
MEETING:

6:32 PM Call to order. Chairman Curley asked if all the Board members had read the minutes of 1/11/05. Bob Sharon made a motion to accept the minutes of January 11, 2005. Katherine Dawson seconded the motion. No further discussion. All voted in favor.

CORRESPONDENCE:

1. Newspaper article from the Concord Monitor regarding the New funding for the Schools.

2. Letter dated January 18, 2005 to Gerald Boudreau letting him know his lot merger had been recorded and included a recorded copy of the merger.


4. Letter dated January 18, 2005 to Christina Gloddy advising her of what she needed to do in order to obtain a building permit. Included was the subdivision regulations in effect at the time of the subdivision approval.

5. Letter from the DOT acknowledging receipt of an application for a curb cut for Rosemary Gauthier.

6:35 PM Conceptual for Allen Obey and Martin Wilson. Mr. Wilson is present instead of James Spaulding. Conceptual is for property located on Tax Map R-22 Lot 25.

Martin Wilson, engineer, stated Mr. Obey was proposing to place two buildings on the lot and they knew they would have to try and get a variance from the Zoning Board of Adjustment as the Town zoning did not permit paving and parking in the setback area. Mr. Wilson added all of the lots on Rt. 140 had been subdivided and developed with setbacks much less than the current regulations permitted.

Mr. Wilson continued by saying the proposed front building would be a fireworks outlet and would be sprinklered; the building in the rear could be created with a drive around similar to a bank or fast food restaurant although they did not know yet what it would be. The building could also be two stories. Mr. Wilson added the lot would also be in the Shoreline Protection area because it abutted
the Winnipesaukee River; and they had talked to the DES in regard to the site specific and were told they could discharge directly into the river without detention as long as they treated their runoff with a treatment swale or a vegetive buffer of 75 feet prior to the runoff going into the river.

When Mr. Wilson asked what the storm water retention time was, Board members stated it was for a 50 year storm.

Mr. Wilson continued by stating the site distance was good and they had spoken to DOT and no problems had been raised with a curb cut. Mr. Wilson stated the proposed site would have 47 parking spaces and when asked, Mr. Wilson stated they would have 67% lot coverage when the project was completed.

A brief discussion ensued on a Zoning Board of Adjustment variance application and dates for the meeting and submission deadlines for the application. Mr. Wilson was furnished with a meeting date schedule.

Other items discussed and would be required included snow storage, landscaping, lighting, renderings of buildings, elevations & footprint site elevations and any required state or federal regulations regarding the selling of fireworks.

When asked if there were any other things the Board would want to see on the plans, Board members went over various items on the check list including details on drainage, snow storage and signagelocation. Mr. Wilson thanked the Board and stated they would submit a formal application after seeing the Zoning Board.

6:50 PM Case #05-01 for a condominium subdivision/site plan for Patrick Houghton. Hearing no disqualifications from the Board members, 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. Sandy Plessner seconded the motion. No further discussion. All voted in favor of acceptance of the application.

Joseph Wichert, engineer, gave a description of the site on 4 Deer Street and explained there would be no changes except the form of ownership. Mr. Wichert stated he was asking the Board for a waiver to the requirements for the utilities, topographically information and the wetlands as everything was existing and no
Mr. Wichert stated they had met with the Fire Chief and presented a letter from Chief Carrier. The Chief’s letter stated:

“An inspection of your apartment building was conducted on December 14th, 2004 at approximately 1100 hours.

The following items must be corrected:

1. On every floor level and in each common stairway and in each common hallway of a multi-unit dwelling, there shall be an automatic warning device. (NH RSA 153:10-a) All of the detectors in these common areas should be inter-connected and all shall sound when one activates. The basement smokes (detectors) should activate the hallway smokes (detectors). This will alert those adjacent to the common areas of a problem. The basement smokes (detectors) need to be re-installed.

2. Where a partial smoke detection system is required...(they) shall be provided in all common areas and work spaces, such as corridors, lobbies, storage rooms, equipment rooms, and other tenantless spaces...(NFPA 101, 9.6.2.9) In the basement, smoke detectors must be provided in each of the enclosed areas and activate in a manner that notifies the tenants of a problem in the basement. If new areas are created for the workshops, they must be protected with smoke detectors, as well.

3. Laundries outside of dwelling areas, maintenance shops, rooms or spaces used for storage of combustible supplies and equipment in quantities deemed hazardous by the authority having jurisdiction—1 hour sprinklers. (NFPA 101, Table 31.3.2.1.1 Hazardous Area Protection). The laundry area, the maintenance workshop, and the electronic equipment workshop, all in the basement, are considered hazardous areas and must be protected. Sprinklers off the domestic water supply along with sheetrock on the ceilings would protect these areas. Otherwise, the areas must be fully enclosed by materials providing a 1 hour fire rating.

4. No person owning or having control of any property shall allow any combustible waste material to accumulate in any area or in any manner that creates a fire hazard to life or property. (NFPA 1, 12-1.1). The fire load in the basement workshop is excessive and must be cleaned out and organized.
5. When an outlet is abandoned, discontinued, or removed, the sections of circuit conductors supplying the outlet shall be removed from the raceway. No splices or reinsulated conductors, such as would be the case with abandoned outlets on loop wiring, shall be allowed in raceways. (NFPA 70, 390.7) The wiring leading to an old washing machine by the telephone box in the basement must be removed and discontinued.

6. Panel-boards shall be mounted in cabinets, cutout boxes, or enclosures designed for the purpose and shall be dead-front. (NFPA 70, 408.18) The openings in panels 9, 13, 15, and 16 must be covered.

7. Dumpsters and containers shall not be placed within 10 feet (3 m) of combustible walls, openings, or combustible roof eave lines. (NFPA 1, 19.2.1.4) The dumpster should not be located under the eaves of a building. As discussed, a more suitable location may be to the right of the building at the end of the paved area.

8. The shed, on the right side of the building, must be kept neat and orderly in an effort to eliminate fire hazards. It is very close to the building, and is under the eave line. No flammable or combustible gases or liquids should be stored in the shed.

Our records indicate that this is the first inspection ever conducted at your apartment building. We realize that the list may seem intimidating, but we are willing to work with you to develop a plan for implementing these improvements. The improvements are necessary to protect your investment and the people who live there.

The first priority should be to assure that the common areas are properly covered by smoke detectors and that all the common area detectors sound together when one is activated.

Please contact me by January 15th to confirm your receipt of the letter and discuss a plan of action to address the items outlined. I look forward to working with you to improve the fire safety of your building.”

Discussion ensued regarding the condominium documents. Points brought up relative to the documents included the tenancy at 7 days and parking and how the spaces would be assigned. Ms. Jackson asked if the owner intended to have transient residency as the documents seemed to indicate with the 7 days. Mr. Wichert stated they wanted to provide home ownership. Ms. Jackson stated she felt
7 days implied transient residency

7:05 PM Open to public comment.

Judith Suzedelis asked if the applicant had any buyers in mind and was told they did not as the condominium process was only beginning. When Ms. Suzedelis asked about changes, Mr. Wichert stated there would be no changes except for the way the property was owned.

June Main wondered what would happen to all of the tenants. Mr. Wichert stated the opportunity to buy a unit would be presented to the residents first.

Jason Sibulkin asked about inspections, fire codes and electrical codes as the use would be changing. Mr. Wichert stated the use of the property was not changing, only the form of ownership. The building inspector, Joe Plessner, stated there would be no inspections as the Town had not adopted the building codes but added the Planning Board had made conditions in the past to comply with State Fire codes which would cause the Fire Department to inspect the property as they had adopted the fire codes.

Chairman Curley asked how many parking spaces were on the site and was told there were 26 parking spaces. Michelle Jackson asked if they were going to assign parking spaces in the condominium documents. Mr. Wichert stated each unit could be assigned one space and the rest of the parking spaces could be for overflow parking or purchased by owners who might need an extra space.

Several people including Christine Sebulkin, Estelle Scott, and Judith Suzedelis all stated there were several elderly people living there and all wondered what would happen to them. They wondered why the new owner didn’t go for government subsidies, which would give him money and the people could stay in the apartments. Ms. Scott stated the ownership had changed a lot and she wondered whether or not they all still had the security deposits they were required to make when they moved in and was assured they did still have their security deposits.

Ms. Suzedelis felt the Town was obligated to have apartments. Discussion ensued on the number of apartments in Town and Board members explained apartments were permitted in the zoning.

Jason Sibulkin stated he understood nothing was changing except
ownership but he hoped the Board would make it a condition that the Fire Department inspect the electric service in the building. Chairman Curley explained to Mr. Sibulkin that the Board had done that in the past.

Mr. Wichert stated they were pro-active and Sandy Plessner had suggested they meet with the fire department when they inquired about applications and they had met with Chief Carrier.

Conversation continued with tenants asking various questions again that had been asked through the meeting. They also wanted to know what the policy was in regard to notifying them of the meeting and the process was explained that property owners were notified. Ms. Plessner stated they personally had not been notified as they did not own property but she had also posted the meeting on the internet, the newspaper, the public access tv, and notices were posted at the post office, the town hall and the police station. Ms. Plessner stated she encouraged all that called regarding the application to come in and look at the plans and to attend the meeting.

Reggie Caldwell asked what the time frame was if his Mother had to move out and was told residents over a certain age had 18 months to relocate.

7:30 PM Close to public comment.

There was a brief discussion among Board members on the information discussed. Michelle Jackson made a motion to approve the Condominium Subdivision/Site Plan with the following conditions:

1. Change the tenancy on page 9 of the condominium documents to reflect non-transient use of a minimum of 30 days rental.

2. Compliance with State Fire Codes.

3. Copy of the recorded Condominium Documents be filed with the Town of Tilton.

4. Work with the Fire Department to determine the adequacy of the electrical system of the building.

5. Add parking assignment of one parking space per condominium to the condominium documents.

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

Helen Hanks joined the Board to discuss the Master Plan draft and she wondered whether or not the Conservation Commission was going to be provided with copies and afforded the opportunity to make comments and add information that should be part of the draft. Ms. Hanks stated the Conservation Commission felt the wetlands map was missing information and they wanted more conservation and preservation in the draft.

Sandy Plessner explained they had not been provided with copies as the Planning Board had not dealt with the draft yet. Ms. Plessner stated it was certainly her intent to provide copies to people but it was her obligation to give the draft to the Planning Board first to review so they could make changes and prepare themselves for future hearings. Discussions continued on various aspects of the draft. Ms. Plessner told the Board and Ms. Hanks that the meeting scheduled for February 8th had been posted as a Master Plan workshop to review the draft and ready it for public comments.

8:30 PM Meeting adjourned.

Minutes prepared by,
Sandy Plessner