TOWN OF TILTON
PLANNING BOARD MEETING
SEPTEMBER 13, 2005

MEMBERS PRESENT:

Chairman Michelle Jackson  George Helwig, Vice-Chair
Mike Curley    Bob Sharon
Sarah Paratore    Sandy Plessner

OTHERS PRESENT:

Lee Tessier    Allan Clark
Gordon King    Ted Kupper
Corey Johnston    June Brown
Ed Balkon    Chris Rice
Michael Folsom    Elaine Demello
Bill Weisgerber    Josh Swerling
Joe Plessner

AGENDA:

6:30 PM  Call to order.
Minutes of September 6, 2005
Correspondence and any other business

6:35 PM  Conceptual with REI Development Co. concerning the possible
development of property located on tax map R-16 Lot 8 and R-26 Lot 60.

7:05 PM  Conceptual with Corey Johnston from North Point Engineering,
concerning proposed plans for development for tax map R-24 Lot 1-4
(Konover plaza)

7:20 PM  Case #05-23-Site Plan Review for Michael Folsom & Elaine Demello.
Applicant proposes to convert business location into business/apartment
use. Property is located at 291 Main Street, Tilton, NH 03276. Tax Map
U-5 Lot 33 in the Downtown District.

7:40 PM  Case #05-24-Amended Site Plan for Uno Restaurant Corp. Applicant
proposes to amend plan to add a patio on the north side of the existing
building within the existing sidewalk area. Property is located at the
Tanger Outlet Mall, 120 Laconia Road, Tilton, NH 03276. Tax Map R-20
Lot 3 in the Regional Commercial District.

8:00 PM  Case #05-25-Site Plan Review for Brinker International. (Chili’s
Restaurant). Applicant proposes to create a one story Chili’s restaurant.
Property is located on East Main Street (Konover site) Tilton, NH 03276.
Tax Map R-24 Lot 1-3 in the Regional Commercial District.
MEETING:

6:30 PM Call to order. Chairman Jackson asked if all the Board Members had read the minutes of September 6, 2005. Chairman Jackson stated she had seen a typo on page one and that was corrected. George Helwig made a motion to approve the amended minutes for September 6, 2005. Bob Sharon seconded the motion. No further discussion. All voted in favor.

CORRESPONDENCE:

1. Information received from the Office of Energy and Planning regarding an upcoming conference at the Mountain Club on Loon in Lincoln, NH on Saturday November 5, 2005.

2. Site observations report dated 9/13/05 submitted by Bill Rollins from Vollmer Engineering regarding the Konover site.

6:36 PM Conceptual with REI Development Company for the possible development of property located on tax maps R-16 Lot 8 and R-26 Lot 60. After a brief discussion, Sandy Plessner stated she would not take part in discussions regarding this conceptual as the property belonged to her husband and herself.

Before beginning this conceptual, Allan Clark, principal of REI Development and his partner Lee Tessier, gave the Board a brief update on the Winnisquam Village project approved by the Board. Mr. Allan told the Board they were expecting the amended wetlands permit to arrive at anytime and they had completed what was necessary for the water system and the new wells would be tested next week. Mr. Clark stated they were looking to start construction soon.

Mr. Clark stated they were meeting with the Board tonight to discuss property owned by Sandy and Joe Plessner and that they had a purchase and sales agreement on the property. Mr. Clark stated the property consisted of 50 acres and described its location as being on both sides of Clark Road. Mr. Clark stated they understood the abutters had not been notified and were meeting with the Board for guidance only regarding cluster development and density calculations before they went any further with their plans for the property.

Mr. Clark continued by saying they had met with the Sewer Commission to discuss how they could sewer the property; they would be meeting with the Conservation Commission on Monday, September 19th to discuss the minor wetland crossings, storm water management, and the proposed conservation easements. Mr. Clark stated they would also be meeting with the Water Commission, once the water company purchase was completed, and the DOT for discussions on the proposed roadway curb cuts.

Mr. Clark described the property as 50 acres; existing buildings consist of a house and barn; and the zoning for the property was split between Rural Agriculture and
Mr. Clark stated:  
1. The minimum lot sizes for the cluster would be 15,000 sq. ft. and some would be larger.  
2. Sewer would be brought to the property.  
3. Water pressure could be an issue on the north side of the property. Would provide individual wells or propose a community well system for all of the lots on the proposed Fairview Drive. (North side)  
4. Roads will be built to Town standards and turned over to the Town.  
5. Proposed development is designed to minimize impact to the wetlands.  
6. There will be underground utilities and street lights.  
7. Proposed lots will have 100 ft of frontage with setbacks of 20 ft. in the front, 15 ft. on the side and 15 ft. in the rear.

Discussion ensued on the frontage and setbacks as they weren’t covered in the cluster regulations. Board members felt they would prefer to see setbacks of 20 ft all around to be consistent with the general area and that the 100 ft. of frontage was fine.

Mr. Clark mentioned studies they would be doing such as determining the value and function of the wetlands with Jim Gove; the drainage and storm water would be looked at by New Point Engineering and Steve Pernaw would look at the impacts to Clark Road.

Chairman Jackson asked if they would be phasing the development and Mr. Clark stated they had not planned to but could.

Chairman Jackson stated she would prefer to see a minimum of 15,000 square foot lots without wetlands. The Chairman also stated the roads would have to be built to town standards and meeting with the Conservation Commission regarding easements and wetlands would be required.

George Helwig stated he thought the proposal was well thought out and he liked the idea.
Chairman Jackson asked Sandy Plessner to sit as a full member for the cases to be heard the rest of the evening.

7:09 PM Conceptual with Corey Johnston, engineer from North Point Engineering, to discuss a front lot located in the newly approved Konover plaza. (Tax Map R-24 Lot 1-4)

Mr. Johnston stated they were proposing a Pizza Hut, approximately 3,950 square feet, and a second smaller building for perhaps the sale of donuts or coffee but the total square footage would be less than the 5,650 square feet shown on the original plan approved by the Planning Board for Konover Development.

Mr. Johnston stated the two businesses would have peak traffic at different times and understood they would need to do a traffic study to prove they were not adding any more traffic to the road than what had been approved by the DOT.

Mr. Johnston stated they would tie into the approved drainage system.

Mr. Johnston stated he understood that an access for the Ryan property had run through this property but an agreement had been reached to have the Ryan lot utilize the Plaza road. Mr. Johnston stated the building and development for this lot would be shifted to make room for that new access.

Mr. Johnston stated they were before the Board this evening to see what the Board thought of the two building proposal before they went too far with the design.

Chairman Jackson stated her concern was traffic as this plan would change what the DOT had approved. Chairman Jackson continued by stating the DOT had reduced the square footage of a building in the rear of the property because of the traffic counts and felt Mr. Johnston would have to address the traffic issue with the DOT and see whether they would even consider this proposal of two businesses on one lot.

Mike Curley stated this type of change would require another scoping meeting with the DOT.

Mr. Johnston stated they had anticipated they would have to provide traffic information to the DOT and to the Planning Board to show traffic would remain what was anticipated or below what had been proposed originally.

Bob Sharon stated originally they (Board) were told there would be no drive thru restaurants and now Mr. Johnston was proposing one.

Chairman Jackson asked if Mr. Johnston was aware of the zoning requirements as far as setbacks and lot coverage was concerned and Mr. Johnston told the Board he was showing the setbacks of 30 ft. in the front and 50 ft. on the sides.
Chairman Jackson stated the Board also likes to see landscaping anywhere it can be used to help both aesthetically and with the storm water run off. Board members warned Mr. Johnston special care would have to be used as the pond was right beside this lot and that snow storage should not be placed on that side and the paving should be curbed to help prevent run off from leaving the paved area and flowing into the pond. When asked, Mr. Johnston stated the closest the pavement would be to the pond was 25 feet.

Mr. Johnston was also told any lighting should be downcast and the Board would expect compliance with the signage regulations. Mr. Johnston stated the fire department has also asked for a dry hydrant to be located near the pond.

Sandy Plessner stated if the applicant returned with a site plan application, he would be required to bring authorization from the owners of the property in order to present the application to the Board for consideration.

Chairman Jackson stated the Board would also require documentation for the right of way for the Ryan property.

Chairman Jackson stated she felt the primary concern was the traffic issue and Mr. Johnston should deal with the DOT first as if the plan was not acceptable to the DOT, it would not be acceptable to the Board. The Chairman continued by saying Mr. Johnston should keep the chart of dimensional values in mind when designing the site. Mr. Johnston asked if they would need to know what the second business would be for the site plan process and was told the DOT would require it and if they did not, the Board would or they would have to do an amended site plan for the second site if and when they did know who the tenant would be. Board members felt the tenant could affect the traffic calculations so they would not consider any approvals for a proposed second site without knowing who would occupy the second building.

7:20 PM Case #05-23 for a Site Plan for Michael Folsom and Elaine Demello to convert part of their building into 2 apartments.

Ms. Plessner told the Board she had made copies of the original subdivision of this building as she felt the plan submitted was a little confusing without the subdivision to show exactly what areas of the building were being site planned.

Hearing no disqualifications, Chairman Jackson told the Board she had looked at the application and found it 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.

Mr. Folsom stated they wanted to create 2 efficiency apartments in the rear of the building. Mr. Folsom stated at the present time, there were two apartments and office space upstairs and downstairs had been a doctor’s office on one side and storage on the other. Mr. Folsom stated he had a business located on one side in the front of the building.
and the apartments would be located in the rear of the first floor with access through a back door to the outside.

Chairman Jackson asked what the square footage of the proposed apartments was. Mr. Folsom stated he thought one was approximately 600 square feet and the other around 400 plus square feet. Discussion ensued as the zoning definition of dwelling unit says the minimum size for a dwelling is 650 square feet. The Board spent a few minutes calculating the square footage of the proposed apartments. The Chairman told Mr. Folsom the one apartment appeared to be close but the other apartment was too small to be considered a dwelling unit and asked if he would like to continue the case in order to adjust the site plan so that the apartment sizes would comply with the regulations. After a brief discussion, Chairman Jackson made a motion to continue Case #05-23 for a site plan for Michael Folsom and Elaine Demello until September 27th at 8:00 PM so that adjustments could be made to make the proposed apartments compliant. George Helwig seconded the motion. No further discussion. All voted in favor of the continuation.

The Board had 10 minutes before the next case could begin so Ms. Plessner told them she had attended the Lakes Region Planning Commission Drinking Water meeting in Belmont earlier that evening and brought the Board up to date. Ms. Plessner told the Board the ultimate goal was the creation of a book for each of the Towns on the best management practices for the aquifer areas and it would offer suggestions for regulations and protective practices the Town’s could put into place for the protection and preservation of the drinking water supplies for the different communities. Ms. Plessner stated they had discussed septic system designs and wells and the possible need for regulations for the protective area around wellheads and whether or not the three towns required well testing for private wells.

Progress on work for the new Master Plan was discussed briefly. Ms. Plessner told the Board once she had finished collecting and adding the updates she would schedule a workshop with the Board to go over the changes so public hearings could be scheduled.

7:40 PM Case #05-24 for an amended Site Plan for Uno restaurant Corp. Hearing no disqualifications, Chairman Jackson told the Board she had looked at the application and found it 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.

Ted Kupper, engineer, told the Board they were proposing the addition of a patio to the north side of the building. Mr. Kupper stated the existing area was raised and once the proposed 12’ X 42’ patio was put in, there would still be a raised side walk area left. When asked what was in the proposed patio area at the current time, Mr. Kupper stated it was landscaping. Mr. Kupper stated the only changes to the existing building included moving some tables around inside and adding an exterior door so that customers could access the patio from inside the restaurant.
Mr. Kupper stated the patio area would be fenced in using a 4 foot mesh type fencing. Mr. Kupper stated the floor of the patio would be raised about 12 inches to meet the floor elevation from the restaurant and that the area was already raised about 6 inches so that would put the 4 foot fencing high enough to offer diners privacy from traffic going by.

Mr. Kupper added the drainage would be changed slightly as they would add two catch basins inside the patio area and one outside the area. Mr. Kupper stated none of the existing pavement would be disturbed outside of the area.

When asked, Mr. Kupper stated they might have candles on the tables but no additional lighting would be used for the patio area.

7:50 PM Open and close to public comment as no one asked to speak.

Hearing no further discussion, Chairman Jackson made a motion to approve the amended site plan for Unos Restaurant with the following conditions.

1. Compliance with State Fire Codes.
2. Compliance with Tilton Signage Regulations.

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

8:00 PM Case #05-25 for a Site Plan for Brinker International (Chili’s Restaurant)

Hearing no disqualifications, Chairman Jackson told the Board she had looked at the application and found it to be substantially complete and asked for a motion. Sandy Plessner made a motion to accept the application. Mike Curley seconded the motion. No further discussion. All voted in favor.

Chris Rice, engineer, told the Board he was there doing a site plan for the Chili’s restaurant. Mr. Rice gave a brief description of what had been approved for the Konover site and stated the original plan had shown a proposed restaurant on this particular lot and about the only difference was this site plan was for a restaurant that was about 700 square feet smaller that what was shown as originally proposed.

Mr. Rice stated the only thing he left off of this plan was his original plan had shown a sidewalk extending out to the road and he left it off as he thought he would need a variance to have it in the setback area but was told by the land use office that he would not need a variance so the sidewalk would be shown on the final plan when it was submitted.

Chairman Jackson asked if the restaurant would have grease traps and was told it would and Mr. Rice stated the details for the traps was on page 9 of the plans. Chairman Jackson asked if there was a maintenance plan for the grease trap and Mr. Rice stated one would be provided.
Mike Curley asked about exterior lighting and Mr. Rice told the Board the lighting plan was in the site plan package.

When asked, Mr. Rice stated the building was about 23 feet high and they had about 68% lot coverage. Ms. Jackson asked what the heat source was and was told it would be gas and Mr. Rice added that all the utilities would be underground.

Snow storage was shown away from the western side because that was the detention basin area.

Chairman Jackson asked if the surface water went through an oil/water separator and was told there were oil/water separators on all of the catch basins. The Chairman asked if there was a maintenance plan for them and was told one was included in the overall site plan. Mr. Rice stated he would make sure a copy was provided.

8:05 PM Open to public comment.

June Brown asked what the hours of operation were and was told it would be from 11 AM to 11 PM. Chairman Jackson asked if they would be open later on the weekends and was told they had later hours in some locations but they would wait until the restaurant was opened to see whether or not this particular location would be opened later on Friday and Saturday nights.

Ms. Brown asked which way the building faced and was shown.

Joe Plessner asked about signage and Mr. Rice responded the only signage would be on the building front and the front plaza sign.

June Brown stated she had been unaware that the subdivision of the property would keep her from being an abutter and therefore not notified of the meeting. Ms. Plessner explained what constituted an abutter by State RSA’s and that with this particular lot, Ms. Brown was not an abutter. Ms. Plessner also stated she ran an ad in the newspaper, hung notices in two public places, put the agenda on public broadcasting and the web site for the Town, which was far more than what was required by law.

8:15 PM Close to public comment.

There was a brief discussion on details including snow storage, dumpster location, parking, including 5 ADA spots and 4 to go spots, the building would be sprinklered, the landscaping locations, the seating capacity and the footing elevations.

Hearing no further discussion, Sandy Plessner made a motion to approve the site plan for Chili’s restaurant with the following conditions.

1. Compliance with State Fire Codes.
2. Compliance with Tilton Signage Regulations.
3. All exterior lighting to be downcast.
4. Provide maintenance plans for oil/water separators and grease traps.

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

Board members spent time discussing additional items to be added to the newly created Mixed Use II District through out the zoning regulations. This included a definition of the district. Board members agreed to use the wording on the petition. The members decided the Mixed Use II District be shown with the MU District as far as signage went. Ms. Plessner told the Board she would plug the newly created district into the Zoning Regulations everywhere needed and bring a draft copy to the next meeting for final inspection. The following amendments are to be added to the newly created district.

Amend Section 2.3.5.1 to read, MU, MU II and MR (Mixed Use, Mixed Use II and Medium Density Residential Districts) One unlighted name plate or sign, not exceeding one and one half (1-1/2) square feet in area for each dwelling unit indicating the name of the occupant or use of the premises, one identification sign not exceeding twelve (12) square feet in an area for buildings other than dwelling; church bulletin board; an unlighted sign or signs appertaining to the prospective rental or sale of the property on which said sign or signs are located. Maximum height, to top of sign, not to exceed 6 foot above grade except by special exception in the MR District and 12 foot in the MU & MU II District. EXCEPTION* In the MU & MU II District, any business that fronts along Rt. 3 & 11 will meet the same standards set in the RG, RC & GC Districts.

Amend Article IV to include:
MU II (Mixed Use II District) is designed to accommodate a variety of residential, retail, institutional, recreational and service uses in an integrated, planned, village-like setting, where water and sewer service is available.
Add this description of MU II District to the Chart of Zoning Districts in the back section of the zoning regulations. (Page located just before the beginning of the Chart of Permitted Uses.)

Chart of Permitted Uses and Table of Dimensional Values were discussed at the workshop on September 6, 2005. The Board still has to work on which properties they would like to see be a part of this new district.

10:00 PM Meeting adjourned.

Minutes prepared by,
Sandy Plessner