TOWN OF TILTON
PLANNING BOARD HEARING
JANUARY 9, 2007

MEMBERS PRESENT:

Chairman Michelle Jackson          Sarah Paratore, Vice-Chair
Mike Curley                         Sandy Plessner

OTHERS PRESENT:

Donald & Ruby Lucier                Linda Pauwels
Pat Clark                           Scott Davis
David Krause                        Cindy Clark
Doug Bestick                        Christopher Harris
Stephanie Storey                    Cynthia Balcius
Dean Holt                           Bill Goebel
Craig Snow                          Fritz Moeckel

AGENDA:

6:30 PM    Call to order
Minutes of December 12, 2006
Correspondence and any other business

6:35 PM    Case #07-01 for a subdivision/boundary line adjustment for Robert &
Kathy Partridge. Applicant proposes to do a boundary line adjustment
with lot 58-1 and then subdivide lot 58 into 2 lots. Property is located at
160 Winter Street, Tilton, NH 03276. Tax Map R-26 Lots 58 & 58-1 in
the Medium Density Residential District.

7:00 PM    Design Review for Pat Clark Discussion on proposed subdivision for Tax
Map R-14 Lot 13 in the Rural Agricultural District.

7:15 PM    Case #07-02 for a subdivision for Christopher Harris. Applicant proposes
to subdivide existing lot into 2 lots. Property is located at 75 High Street,
Tilton, NH 03276. Tax Map U-7 Lot 9 in the Village Residential District.

7:30 PM    Continuation of Case #06-33 for Mark Investments conditional use permit.
(Walgreens) A conditional use (or special use) permit is required for work
the applicant proposes to do in the wetland area. Tax Map R-23 Lot1 in
the Regional Commercial District.

8:15 PM    FIRST PUBLIC HEARING ON PROPOSED ZONING CHANGES FOR
CONSIDERATION AT THE 2007 TOWN MEETING
Under Section 2.1, add the following definitions:

Façade:          The exterior front wall face of a building.
Façade Signage:  Refers to a sign that is mounted flush (not
perpendicular*) to the building. * except in the Downtown District.
Town of Tilton
Planning Board Hearing
January 9, 2007

Seasonal Dwelling: Shall mean a dwelling constructed as a secondary place of residence for seasonal vacations and recreational purposes and not as a principal residence of the owner or occupant there of.

This is the complete proposed zoning changes and can be viewed at the Town Hall during normal business hours of 8:30 AM to 4:15 PM.

MEETING:

6:34 PM Call to order. Chairman Jackson asked alternate Sandy Plessner to sit as a full member for tonight’s meeting and public hearing.

Chairman Jackson asked if all the members had read the minutes of December 12, 2006. Sarah Paratore asked for two word corrections. Hearing no further discussion, Chairman Jackson made a motion to approve the amended minutes for December 12, 2006. Mike Curley seconded the motion. No further discussion. Motion carried.

CORRESPONDENCE:

2. Holiday card to the Planning Board from Vollmer Associates.
3. Memo from Chuck Mitchell, Chairman of the Conservation Commission, asking the Board to consider changing the minimum lot size for the Rural Agricultural District from 3 acres to at least 5 acres. No action taken at this time.
5. NHDES certificate of no further action for George Stafford and Sons, Inc. after reviewing a Geoinsight report.
6. NHDES Notice of Administrative Completeness for a dredge and fill application for Dennis Manning.
7. NHDES letter dated 12/1/06 to Joseph Christi regarding proper procedures for filing applications and areas dredged on site were not part of original application submitted. Mr. Christi needs to add additional areas to application.
8. Wetlands and non-site specific permit #2006-03079 issued to Dennis Manning.
9. NHDES letter dated 12/27/06 to Susan Sprague concerning Northern Shores EPA ID#2352020-001, Sanitary Protective area easement for the artesian well.

6:45 PM Case #07-01 for a Boundary line/Subdivision for Robert and Kathy Partridge. Chairman Jackson read a letter from Mr. Partridge asking for a continuance until February 27, 2007. Chairman Jackson made a motion to continue case #7-01 for a
boundary line/subdivision for Robert Partridge until February 27, 2007 at 6:35 PM. Sarah Paratore seconded the motion. No further discussion. All voted in favor.

While waiting until time for the second case to begin, Water District Commissioner Scott Davis addressed the Board concerning problems the Water District was having with water hook up issues with the Hampton Inn Hotel site. Commissioner Davis explained the extension of the water line would have to be presented to the voters at the Water District meeting in the Spring and that all work done regarding the water lines would have to be inspected by the engineers working for the Water District before the applicant would be permitted to hook the site up to water. Commissioner Davis stated the people working on the hotel site were talking like everything had been approved when, in fact, it had not.

After a brief discussion, Board members agreed a letter would be sent to the owner of the site stating the Hampton Inn engineers needed to meet with the Water District engineers with plans for the extension of the main from Wendy’s to the hotel site and that all work done for the hook up of water must be inspected by the Water District engineers. The Board wanted the owner to understand no CO would be issued until the proper procedures were taken care of and the site was hooked up to water.

Board members, after discussion, decided that a letter required by the Water District would be required as a condition of any future site plan that came before the Board that wanted water provided by the Water District.

7:06 PM Design Review for Pat Clark. Mr. Clark spoke to the Board about a proposed subdivision he was considering. Mr. Clark went over his proposal and told the Board he had a surveyor working on the site to mark the property boundaries and had hired Blue Moon Environmental to flag the wetlands. Mr. Clark stated he had plenty of frontage so he could have two front land lots but because of the topography of the proposed lot, he may need to seek variance approval for setback as the property drops off so he would not be able to move the house 40 feet back, which is the setbacks for the RA District.

There was a general discussion on the proposed plan and Mr. Clark explained he wanted to build a smaller energy efficient home. Board members told him to subtract any wetlands from the proposed lot as no wetlands could be included in the minimum lot size, to make sure he had the proper frontage, the plans were stamped and he had DOT driveway approval. Mr. Clark asked about doing a boundary line adjustment with his neighbor and the need for a conditional use permit for work in the wetland buffer or perhaps a wetland crossing. Chairman Jackson told Mr. Clark the application to the DES for the crossing would be separate but he could address the boundary line, conditional use permit and the subdivision at the same time with the Board.

Mr. Clark asked if he could get relief from the required topo’s required for a subdivision. Chairman Jackson stated topographic information would not be needed for
the proposed lot but not be required for the existing house site as everything was already there.

Mr. Clark stated it might be awhile before he would move forward with a formal application and the Board stated they didn’t feel that would be a problem.

7:18 PM Case #07-02 for a subdivision for Christopher Harris for tax map U-7 lot 9. Hearing no disqualifications, Chairman Jackson told the Board she had reviewed the application and it appeared to be substantially complete and asked for a motion. Sandy Plessner made a motion to accept the application. Sarah Paratore seconded the motion. No further discussion. Motion carried.

David Krause, engineer, told the Board the property was in the Village Residential District, the lot size was just over three quarters of an acre, and they were proposing to subdivide the lot into two lots. The lot with the existing house would have 16,352 square feet and the proposed new lot would be 16,999 square feet. Mr. Krause also stated the property would be served by municipal sewer and water.

Mr. Krause and Mr. Harris presented letters from Peter Schauer, wetland scientist, stating the property had no wetlands and letters from the Sewer and Water Commissioners stating the property would be allowed access to water and sewer. Mr. Harris had spoken with the Road Agent regarding a driveway access for the proposed new lot and was told the access would be off of High Street. Mr. Harris said he did not apply for a driveway permit yet as he had no plans to do anything with the lot yet.

7:20 PM Open to public comment.

Gail Smart wondered what the owner planned to do with the lot and Mr. Harris told the abutters he was going to sell the lot. Ms. Smart asked if Mr. Harris had a buyer and Mr. Harris stated he had a potential buyer but had nothing in writing. When asked what kind of home the buyer would build, Mr. Harris told the abutters the potential buyer was a contractor and he wanted to build a single family ranch.

Holly McKee asked about the boundary lines. Mr. Krause explained where the boundary lines were and that pins would be set once the approval was in place.

Discussion ensued as to the type of home that would be built and the Board explained to the abutters that a duplex could be built in that district but no more than a duplex could be built on the site. Off street parking was discussed and someone mentioned the abutters would know more when the new owner applied to the Planning Board. Joe Plessner, building inspector, explained the new owner would only need a building permit and not another trip to the Planning Board.

7:30 PM Close to public comment.
Hearing no further discussion, Sarah Paratore made a motion to approve the subdivision for Case #07-02 for Christopher Harris with the condition that the applicant get a driveway approval from the Public Works director. Sandy Plessner seconded the motion. No further discussion. Motion carried.

7:36 PM Continuation of Case #06-33 for the Conditional Use Permit for Mark Investments. (Walgreens)

Fritz Moeckel began by saying they were there tonight to go over the results of the meetings with Bill Rollins from Vollmer Associates concerning the flood way and flood elevations.

Bill Goebel began by saying they had submitted a plan for the Planning Board to review and they were at the meeting to resolve the issues of the impact on the flood elevations or the floodway. Mr. Goebel stated they had discussed this with Vollmer Associates and they were in agreement and stated their only condition was for Bohler Engineering to send a letter to the Planning Board stating their plan would have no impact on the flood elevations or the floodway.

Bill Rollins, Vollmer Associates, confirmed what Mr. Goebel had said and stated the floodway map was not all that clear and Vollmer had asked Mr. Goebel to do a little more field work. Describing the proposal, Mr. Rollins stated there was a small loss of storage and they looked at what affect, if any, this would have upstream. Mr. Rollins continued by saying the area they were proposing to fill was quite small and after research and looking at the additional field work results, felt there would be no impact upstream.

Chairman Jackson asked Mr. Rollins if he had read Mr. Goebel’s letter. Mr. Rollins stated no and then took the time to read it. Mr. Rollins stated the letter stated what they had asked Bohler Engineering to say.

7:45 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 conditional use permit for Case #06-33 for Mark Investments subject to the conditions of the December 12, 2006 Site Plan approval. Mike Curley seconded the motion. No further discussion. Motion carried.

Fritz Moeckel took a few moments to ask the Board if they would clarify some of the conditions issued with the site plan approval on December 12, 2006. Discussions included the need for clarity on condition #2, the exterior lighting being downcast. After a discussion on the low voltage small sconces located on the building, the Board agreed the candle watt was so low that there was no concern with them adding light pollution. For clarity, the verbiage was added to the condition, which stated: #2. Exterior lighting to be downcast. The architectural elements (wall sconces) represented on the lighting
plan are exempt from downcast lighting as long as the sconces are used with low candle watt lighting.

#3. The third condition: Mr. Moeckel asked that the words “Allen Block” be changed to proposed retaining wall as “Allen Block” referred to a brand name. The Board agreed to the change.

#4. Mr. Moeckel asked about the Conservation Commission conditions as they had not all be included in the Notice of Decision but the conditions did say compliance with the Conservation Commission conditions and recommendations on letters dated 11/21/06 and 12/06/06. Chairman Jackson explained the Conservation Commission’s recommendations were all addressed in the minutes and every condition was addressed and agreed to by the Walgreen’s engineer except for the flood plain issue (the commission request that the Planning Board require the developer to hire an independent hydrologist) and that was addressed and resolved tonight. Chairman Jackson stated if they listed all of the conditions, when they were already addressed at the meeting and included in the minutes, the notice of decision would be quite lengthy. Mr. Goebel stated he was in agreement with what the Chairman had just stated.

Mr. Goebel asked about the Conservation Commission recommendation that stated the preference was for a wooden guardrail but Walgreen would be using a steel guardrail. Chairman Jackson stated the wooden rail was the Conservation Commission’s preference; the addition of the guardrail was the condition.

Mr. Goebel asked about the condition which said no salt or sand should be stored on site. Mr. Goebel stated Walgreen’s keeps a container of salt on hand to do the entrance way. Board members all agreed the condition was referring to bulk storage and added that to the condition. Condition would now read, “Limit salt used on paved areas and no bulk salt storage on the property.”

Discussion turned to the condition which stated compliant on ZBA conditions. Mr. Moekel stated they were looking for a change to the Special Exception condition and wondered how it would affect the Planning Board decision if it were changed. After much discussion, the condition was removed as the Zoning Board would enforce their Notice of Decision if it was not complied with.

Mr. Moockel asked if the discussion of seeking clarity on the Conservation Commission conditions could be reflected in the minutes and was told it would be.

Hearing no other discussion, Chairman Jackson made a motion to clarify the conditions of approval listed on December 13, 2006 Notice of Decision. Sarah Paratore seconded the motion. No further discussion. Motion carried.

8:15 PM Public hearing for proposed changes to the zoning regulations.
Chairman Jackson began the first public hearing on proposed zoning changes for consideration at the 2007 town meeting by reading the changes into the record. They were:

Under Section 2.1, add the following definitions:

Façade: The exterior front wall face of a building.

Façade Signage: Refers to a sign that is mounted flush (not perpendicular*) to the building. *except in the Downtown District.

Seasonal dwelling: Shall mean a dwelling constructed as a secondary place of residence for seasonal vacations and recreational purposes and not as a principal residence of the owner or occupant there of.

8:30 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 proposed definitions as written and to present them for a vote at the 2007 town meeting. Mike Curley seconded the motion. No further discussion. Motion carried.

Board members asked Joe Plessner to look at a couple of new signs in the area and make sure they were compliant with the Town Zoning Regulations.

9:00 PM Meeting and hearing adjourned.

Minutes prepared by,
Sandy Plessner