TOWN OF TILTON
PLANNING BOARD MEETING
FEBRUARY 27, 2007

MEMBERS PRESENT:

Chairman Michelle Jackson    Sarah Paratore, Vice-Chair
Katherine Dawson, Ex-Officio  Sandy Plessner

OTHERS PRESENT:

Dan Appelquist                Kevin Dillon
Ted Kupper                    Alan Pollack
Eric Proulx                   Paul Clydk
Stephen Surette               Roland Huckins
Michelle Lederc               David & Ruby Lucier
Joe Plessner

AGENDA:

6:30 PM
Call to order
Approval of minutes for January 23 and February 13, 2007
Correspondence
Any other business (Master Plan workshop)

6:35 PM
Continuation of Case #07-01 for a Subdivision for Robert Partridge
Applicant proposes to do a boundary line adjustment between lot 58 and 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 and 58-1 in the Medium Density Residential District.

7:00 PM
Case #07-04 for a Subdivision for Thomas Labo. Applicant proposes to subdivide property into two lots. Property is located off of Scenic Lane, Tilton, NH 03276. Tax Map R-5 Lots 37 and 48. (Town is showing property as two lots for assessing purposes) in the Rural Agriculture District.

7:15 PM
Continuation of Case #07-03 for a site plan for COROC/Lakes Region, LLC, Tanger Outlet Mall. Applicant proposes to construct a 17,452 square foot stand alone retail store at the existing Tanger Outlet Mall. Property is located at 120 Laconia Road, Tilton, NH 03276. Tax Map R-20 Lot 3 in the Regional Commercial District.

MEETING:

6:35 PM
Call to order. Chairman Jackson asked alternate Sandy Plessner to sit as a full member for the meeting. Chairman Jackson told the Board they had been unable to
approve the minutes or go over the correspondence at the February 13th meeting as a quorum was not present so two sets of minutes would have to be approved and the correspondence would have to be addressed.

Chairman Jackson asked if the members of the Board had read the minutes of January 23rd. Sarah Paratore made a motion to approve the minutes of January 23rd as presented. Katherine Dawson seconded the motion. No further discussion. Motion carried.

Chairman Jackson asked if the members had read the minutes of February 13th. Sarah Paratore made a motion to approve the minutes of February 13th as presented. Katherine Dawson seconded the motion. No further discussion. Motion carried.

CORRESPONDENCE:

1. Copy of New Hampshire’s first newsletter concerning the National Flood Insurance Program.
3. Letter dated January 24, 2007 to Jacqueline Sullivan from the Planning Board regarding conditions of approval for her subdivision.
4. DES report dated January 21, 2007 regarding the groundwater monitoring data report prepared by Environmental Compliance Services, Inc on the Cumberland Farms Inc. site.
5. First page of a Site Specific Application for South Bay Resort.
6. Zoning proposals for the ballot approved at public hearing.
7. Petition recommended by the Planning Board after a public hearing.
8. Letter to David Griffin from the DES dated February 20, 2007 regarding Administrative order #WD05-041 concerning alleged violations to property located on River Road.
9. Letter dated February 22nd from Robert and Kathy Partridge asking for the Board to remove their application from the agenda.
10. Letter dated February 15, 2007 from the DES to the Planning Board advising the Water Division, Land Resources Management Program had received an application from R&K Revocable Trust of Atkinson, NH for an Alteration of Terrain Permit.
11. DES approval dated February 13, 2007 of a dredge and fill permit for Brooks Holdings, LLC.
12. Tilton-Northfield Fire department letter dated February 21, 2007 to Show “N” Go Cycles regarding a follow-up inspection conducted by the fire inspector, Captain Bradley Ober.
13. Letter dated February 22, 2007 from Captain Ober from the Fire Department regarding comments regarding a review of plans for reconstruction for the South Bay Resort coming before the Planning Board on March 13th.
14. Packet of various documents regarding site plan approval on property owned by Brooks Holdings, Inc. Also included is correspondence from the Conservation Commission, Notice of Decision of conditions of approval, and DES documents.

6:40 PM Case #07-01 for a boundary line/subdivision for Robert Partridge. Chairman Jackson read the letter from Mr. and Mrs. Partridge asking that their application be removed from the Planning Board agenda until further notice. Sandy Plessner told the Board she explained to Mr. Partridge he would have to re-apply if he did not ask for a continuation but elected to withdraw. The Board approved the withdrawal.

The Board used the time for the first case to go over the Conservation Commission’s concerns raised regarding the state approval for Brooks Holdings. The site plan approval was discussed and the conditions listed on the Notice of Decision. Katherine Dawson stated she felt the Planning Board should send a letter to the owners of the property explaining the concerns the Board and Commission had. Chairman Jackson stated the owner still had to abide by the conditions of approval and wondered if it wasn’t premature to send a letter when no one had spoken with the owner or the owners engineer regarding the dredge and fill conditions and what it might mean. Ms. Dawson felt it was worth while to send the letter. Chairman Jackson asked that a letter be sent to Brooks Holdings advising them of the concerns and that the conditions of approval would have to be fulfilled or the owner would return to the Board to seek an amended site plan approval as a building permit could not be issued until the notice of decision had been complied with. Motion to send letter carried.

The Board took a few minutes to look at a conceptual plan for a site plan proposal that may come before the Board in the future for property owned by Marquis Resort. Board members felt things that would need to be addressed would be recreation areas on the site including playground equipment for children, condo documents should include statement saying units would be seasonal, and if the original condo approval was not being expanded, remove parking shown on the previously approved plan.

7:00 PM Case #07-04 for a Subdivision for Thomas Labo. Hearing no disqualifications, Chairman Jackson told the Board she had reviewed the application and found it 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.

Stephen Surette, engineer, gave the Board a letter from Mr. Labo giving Mr. Surette authorization to represent the owner for the proposed subdivision. Mr. Surette explained the property location and that the town had shown it as two lots because of the old Westwood drive. Mr. Surette stated that section of Westwood drive had been abandoned many years before but the tax map had always shown the property as two lots for assessing purposes. Mr. Surette stated Mr. Labo had not realized his property was only one lot and had sold one side to a relative. Mr. Surette stated when the relative that bought part of the property decided to sell, the family learned they did not have a legal
subdivision so they have taken steps to correct the situation by coming before the Board to subdivide the property legally.

Mr. Surette went over the plan and explained the property sizes with and without wetland areas. Mr. Surette explained the wetland delineation had been done in January but before the first snowfall. The Chairman asked where the wetland scientist stamp was and was told it would be added to the final plan. When asked about the easement to the second lot, Mr. Surette stated they felt it would be easier to have the driveway at that end of the property. The Chairman explained the rules for subdivision did not allow more than two dwellings be accessed by one easement and there were already 4 dwellings on the one easement, Scenic Lane. Mr. Surette stated they would remove the easement for the northerly lot. Katherine Dawson stated they could keep the easement for utilities only as it would be easier than to try and bring utilities in from Perkins Road.

7:15 PM Open and close to public comment as no one came forward.

Hearing no further discussion, Chairman Jackson made a motion to approve the subdivision with the following conditions.

1. The 30 foot right-of-way remain as only a utility easement and not a driveway easement.
2. Final plans require a wetland stamp.

Katherine Dawson seconded the motion. No further discussion. Motion carried.

7:25 PM Case #07-03 for the Tanger Outlet Mall.

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

Ted Kupper, engineer, began by going over the site plan for the stand alone retail space. Mr. Kupper stated they would be extending the water from Uno’s to the proposed location, pointed out the gas line and electrical locations and stated the proposed site would be connected to the municipal sewer. Mr. Kupper spoke briefly about the truck bay on the side of the building unloading merchandise for the building.

Mr. Kupper stated parking spaces would be added to the backside of the mall and showed the locations. When asked where the buses would park, the Board was told the bus business had really been reduced and the mall just did not get that many buses coming in. Board members stated they had seen buses at the Mall and Mr. Kupper stated they occasionally have buses stop in but not that often.

Drainage was discussed. Chairman Jackson asked if the loading area would have an oil/water separator and was told one could be added. The drainage for the proposed
building would be incorporated into the existing drainage for the site. When Katherine Dawson asked about roof drains, Mr. Kupper stated the water coming off the roof would be dispersed onto the pavement.

Snow storage was discussed. The letter from the DES reviewing their visit to the Nickerson site where snow was being stored was discussed. Although the Board felt the letter answered some of the questions as far as the snow not being dumped into the wetland, members felt a letter should be sent to the owner of the property reminding him that ultimately the responsibility would be his if the wetland were contaminated from the storage of snow.

Signage was discussed. Mr. Kupper stated there would be signage on the building, but when asked, stated he did not know if there would be any further signage. The Chairman stated the signage should be compliant with the Town’s regulations and that any approval given by the Board would not include signage.

When asked if the DOT permit had been updated, Mr. Kupper stated it had not as he did not feel it was necessary as the original site plan had shown two outbuildings on the site. Board members explained updates helped by giving the DOT more accurate information regarding traffic counts. Mr. Kupper stated he would contact the DOT.

Parking for the proposed building was discussed and the islands used to prevent parking in the fire lane. The fire inspectors letter was discussed and Mr. Kupper stated some of the items discussed by Captain Ober had been incorporated into the plans.

Lighting was discussed and Mr. Kupper agreed any exterior lighting added would be downcast.

When asked if the Water District had been contacted regarding water hook up, Mr. Kupper stated they had and produced a letter from the Water District.

Discussion turned to the type of retail store the proposed building would be and the applicant told the Board they could not say who would be in the space as no contracts had been signed but it would be retail. Board members stated a lot of different types of businesses could be considered retail but some of them would be required to do their own site plan because of special conditions such as a higher than normal traffic count or hazardous waste such as oils or chemicals. The applicant stated they felt retail was retail but understood what the Board was saying. At this point, Chairman Jackson stated if the proposed business had any kind of discharge or hazardous waste or heavy traffic, they would be required to come back for a site plan so that the Board could make sure everything was done properly. Chairman Jackson stated when a building permit was pulled, it would be the Building Inspectors decision as to whether or not an additional site plan was required. Joe Plessner, building inspector, joined the conversation by discussing what the Board expected so he had a good understanding. Again, Chairman Jackson explained any business that would have hazardous waste, such as auto repair or a photo developing place, would be required to come before the Board so that the Board could
Chairman Jackson stated it would be Mr. Plessner’s decision, after looking at the application for a permit, to determine whether or not a site plan would be required.

8:00 PM Open to public comment.

Joe Plessner asked if there was enough space between the island and the store for parking and backing up, especially for larger cars. Measurements were taken which showed there was enough space.

8:15 PM Close to public comment.

Hearing no further discussion, Chairman Jackson made a motion to approve the site plan for Case #07-03 for COROC/Lakes Region, LLC with the following conditions.

1. Compliance with State Fire Codes and conditions and concerns listed on a letter dated 1/1/07 from the Tilton-Northfield Fire and EMS which included, but may be added to:
   • Access to this building during peak vehicle traffic in the parking lot.
   • Maintaining the minimum 20 foot separation between building #2 and the newly added parking spaces in the rear.
   • Maintaining adequate width distance in the entrance from Sanborn Road due to the newly added parking spaces.
   • Location and number of fire hydrants.
2. Furnish copy of amended DOT driveway permit.
3. No snow storage in the wetlands. Follow best management practices in the area of snow storage to eliminate impacts to the wetlands.
4. Exterior lighting to be downcast.
5. Add oil/water separator to the truck bay to the north of the building.
6. Approval does not include signage, which will be addressed by the tenants.
7. Approval limited to retail development that does not create a discharge source other than sanitary waste.
8. Compliance with conditions listed in the Tilton-Aqueduct letter sent to Provan & Lorber and received February 15, 2007. Listed was,
   • All that has been said is subject to Stantec’s approval, and the approval of the Tilton-Northfield Water District Board of Commissioners.
   • Stantec will provide all construction inspection during installation and connecting of pipe. This does not include digging.
   • Your 2” domestic line must be tapped in before the 8” gate valve that will lead to your 6” sprinkler line. This allows us to shutoff water for nonpayment without discontinuing fire service.
   • A temporary chlorination tap to chlorinate and pressure test line must be installed just after your 8” tapping sleeve and gate valve. Once good bacteria samples are taken and pressure test confirmed, this line can be removed.
   • It appears the water line going back to Uno’s from the water main is a private line as we cannot find an extension agreement in the records. We will
continue to research this matter and will keep you apprised of any changes that would result in fees related to an extension agreement.

- There may be additional changes upon plan approval by Stantec.

9. Obtain any required local, state, or federal permits and comply with all conditions of approval for the permits.

Sarah Paratore seconded the motion. No further discussion. Motion carried.

The Board spent time discussing the Master Plan draft and Chairman Jackson went over the draft she had completed for the Land Use section. Chairman Jackson discussed the future land use section with the Board and told them she felt they should have input into that section. Discussion ensued with various thoughts being explored. Chairman Jackson stated she would add a statement about finding a public beach to add to the recreational land the Town has for the benefit of its townspeople. Sarah Paratore agreed to go over the chapters and correct any errors and format all the chapters to be the same. Discussion included the possibility of asking Lakes Region Planning Commission to review the draft and suggest any changes needed or omissions that would need to be addressed. Maps the Board wanted to use were discussed.

9:30 PM Meeting adjourned.

Minutes prepared by,
Sandy Plessner