TILTON PLANNING BOARD
April 27, 2010 – Meeting Minutes

(Approved 5-25-10)

Members Present: Sarah Paratore – Chair, Nick Canzano, Deana Cowan, Robert Haberman, and Sandy Plessner, Ex Officio

Others Present: Jim Bolduc, Lepene Engr & Surveying and Augusta Marsh

AGENDA

6:30 p.m. Call to Order
Minutes of the February 23, 2010 & March 23, 2010
Correspondence
Other business

6:35 p.m. Lepene Engineering – Conceptual on behalf of Avatar Properties to discuss developing property at 15 Joscelyn Lane (Tax map U4/22)

6:45 p.m. Workshop

Meeting:

6:30 p.m. Call to order. Chairman Paratore noted that Mike Curley will not be available for tonight’s meeting. Chairman Paratore asked if the members had read the minutes of February 23, 2010 and March 23, 2010. Hearing no further discussion, Sarah Paratore made a motion to approve the minutes of Feb 23 & March 23, 2010. Nick Canzano seconded the motion. No further discussion. Motion passed.

Correspondence:

• 2010 Local Officials Workshops at LGC on June 5 & 12 in Concord
• Selectmen’s Policy – any expenditure made in the amount of $500.00 or more shall be made by competitive bidding at least 3 sources.
• UNH Stormwater Center – 2009 Biannual Report
• DOT driveway permit for Lochmere Meadows Affordable Housing on Rte 3/11.
• LRPC – Recognition Award Nominations – submittals due May 10, 2010
• DOT driveway permit for David C Huckins on Sanborn Rd (Rte 132)

6:35 p.m. Lepene Engineering – Conceptual on behalf of Avatar Properties to discuss developing property at 15 Joscelyn Lane (Tax map U4/22)

Jim Bolduc of Lepene Engineering representing Mr. Morway of Avatar Properties in Salem, NH. I received an email from Mr. Morway asking me to pull out my archives the plans for the property off Joscelyn Lane which is off Rte 3/11. Joscelyn Lane looks like a dirt driveway rather than a road.

The property has been sitting there undeveloped since 2004. The property had been before the planning board previously. Two submittals have been made to
the town of Tilton on this project. A conceptual that was done in 2003 and application for site plan review that was done in 2004. Mr. Morway has hired a John Saldowski. He is a property manager in the area and would be Mr. Morway local representative on the project.

This is a 10.69 acre site in the Mixed Use District. The proposal was to put a 3 story 30 unit condominium on the site.

They are not sure how they want to proceed. I expect to hear tonight some of the issues about the property and hurtles they would have to overcome to even get an acceptable application into the town.

Their proposal is to build a 30 unit 3 story building. They are going to only use a portion of the property. They are proposing to improve Joscelyn Lane to town road standards up to where they would place a serpentine driveway. This driveway needs accommodate the steep grades in the middle of the property to keep the grades at an acceptable level. The plans and profile previously submitted to the town show reasonable grade for Joscelyn Lane.

What I found in reviewing the records of the town. The minutes of the April 13, 2004 planning board meeting, the second meeting to review the project. The principle discussion of that meeting was why the board did not accept the application one March 9, 2004. Atty David Hiltz present who wanted to know why the board didn’t accept the application. The board explained that the application was not accepted on March 9, 2004 because on the ballot for March 9 vote was the changed to zoning density in that district which seriously impacted this project.

The current density is 2 units per acre. They were proposing a 30 unit building which was a potentially approval project on March 8 to one where they would have to go to the zoning board to seek variance approval to have 30 unit condo on 10.69 acres.

Sandy Plessner commented that they would have had done that anyways. At the time anything that goes before the voters for approval first has to have public hearings which were done back in November and December. Once the public hearing has happened cases that would be affected are put on hold until it is voted on at town meeting. All applications are put on hold until the vote.

Mr. Morway application in the file and the one I have been showing was never accepted by the town. As best I can tell there was not evidence that they went to zoning board.

In the packet there is a notice of decision from the planning board meeting of March 9 describing the primary deficiencies such as snow storage, building elevation, and building footage elevation. The latest set of plans that Lepene had
on file that show those deficiencies had been corrected. These plans were brought back to the April meeting but because to not accepting the application the plans were never reviewed. I didn’t see that they proceeded any further with seeking a variance for the density.

My client is interested in bring back this project. He is just asking me to look at the project again and tell his client what he needs to do proceed with the project or do we need to redesign it. Does he extend Josceley Lane all the way up and put 2 units per acre which the zoning would allow.

Deana Cowan spoke about the Josceley Rd area having sufficient water problems. If they were only going to improve up to a certain area then the road could be affected with the water run off. Mr. Bolduc the plans have a drainage plan.

Sarah Paratore notes there are quite a few issues that need to be addressed.

1) The Planning Board can not do anything about the zoning which states 2 units per lot. Need to seek a variance for density from the ZBA.

2) Issues with traffic on Rte 3. The bus company and the fire department is asking that we look at the turning radius for the buses and emergency vehicles.

3) Grading issue of the road and driveway.

Nick Canzano suggests that your client go to the ZBA first and see if the variance could be approved. Then you can rethink how to address the issues.

Sandy Plessner suggests if they are serious about moving forward with this project is to sit down with the fire department. The grading and driveway has to be built to standards that allow the emergency vehicles to get up there.

Sandy asked it DOT has been contacted. There is an old permit in the file #451-388 which would need to be updated. Rte 3 has changed since 2004.

Deana Cowan comments that Josceley Lane is private road and privately plowed.

Some discussion about another entrance through Lowes parking lot which abuts this property.

Mr. Bolduc agrees that the first step would be to go to the ZBA for a variance.

Other business:
Sandy said that Mr. Jessman would like to be on the Planning Board. He has filled out an application. The BOS will need to interview before the approval.

The Rules and Procedures could be changed to add standards, such as if you are breaking the zoning the regulations then you could be removed from the board.

Deana Cowan would like to attend the 2010 Local Official Workshop at LGC on June 5 & 12 in Concord. Augusta will register Deana for this.

Nick Canzano has an issue with the old Adams Marine property, which are now McLeans Mobile Marine. I noticed that town didn’t know that a new person was there. I saw a new sign going up and had Al LaPlante, Code Enforcement to check it out as they didn’t get a sign permit. He has an a-frame sign on the sidewalk blocking a public walk way. He had 2 trucks on the town island. I called the police department about the a-frame; one to the trucks was so large it was half on Rte 3 and half on old Rte 3.

My problem is there are so many signs on the property. He just got a temporary signs for bait that was issued this week. The portable signs should not be put on town property. They are not the only sign problem Lobster Connection puts the big lobster out there.

Nick also would like to town to ask him where his parking is. During the winter he pushes the snow on my property and then sits a sign for Live Bait on top of the snow pile. There are boats stored in the back so there is not room for snow storage.

Sarah states that you get 1 temporary sign for 90 days out of each year. If you need more signage you can have 10%.

According to 2.3.7 Signs Prohibited Under This Ordinance.

2.3.7 (f) Signs, other than signs erected by or on behalf of a governmental body, that are located in, or on a public right-of-way.

Sarah comments that Al may have misinterpreted the temporary sign ordinance. They should have to add up all the dimension of the sign they currently have to see if they have more than what’s allowed. The sign on the trailer is prohibited per the ordinance.

Sarah states that the signage problem is huge. There are many that are not in compliance with ordinance. We could write letters to all the people that are in violations.
Sandy suggest that we sit down with LRPC go over the whole signage ordinance. Make sure everything in there is legal and enforceable. If it is then start going after the violators and take them to court. Go through the proper procedures and make sure that all the letters are sent certified. You must have a paper trail.

Chairman Paratore - it is time to elect officers.

Sarah nominates Mike Curley as Chairman seconded by Deana Cowan. Vote taken and approved making Mike Curley Chairman.

Deana Cowan nominates Sarah Paratore as Vice Chairman seconded by Robert Haberman. Vote taken and approved making Sarah Paratore Vice Chairman.

Sarah nominates Nick Canzano as Secretary seconded by Sandy Plessner. Vote taken and approved making Nick Canzano Secretary.

Katherine Dawson gave a copy of letter from Chris Northrop to the board. Katherine asked Chris a question concerning the zoning ordinance we have for manufactured housing. He states that the Tilton ordinance may not comply with RSA 674:32. RSA 674:32 requires any town with zoning to allow manufactured housing (MH) on individual lots.

Sarah put the letter in the folder of items the board needs to review for changes or amendments to the zoning ordinances.

Sarah Paratore made a motion to adjourn the meeting, seconded by Nick Canzano. Vote taken, motion passed.

Meeting adjourned at 8:30 p.m.

Minutes prepared by Augusta Marsh.

(These minutes are subject to the review and approval of the Planning Board at the next regular scheduled meeting.)