TILTON PLANNING BOARD
Meeting Minutes – June 22, 2010

AGENDA (Approved 7/27/10)
6:30 p.m. Call to order
Minutes of the May 26, 2010
Correspondence and Other Business

6:35 p.m. PB Case #10-04 – Site Plan Review of Cloverdale Place. Lepene Engineering & Surveying on behalf of Richard Morway to build a proposed 20 unit multi-family residential development at 15 Joscelyn Lane in Tilton, NH. The property is located in the Mixed Use District. (Tax map U4 Lot 22)

7:05 p.m. PB Case #10-05 – Site Plan Review of Wal-Mart expansion. Sulloway & Hollis on behalf of Wal-Mart Real Estate Business Trust proposes to expand its existing store on East Main Street Tilton, NH. The property is located in the Regional Commercial District. (Tax map R24 Lot 21)

7:45 p.m. Scott Ives and Mark Johnstone from Belknap Subaru to discuss the land at 18 Bittern Lane. The property is in the Regional Commercial District. (Tax map R24 Lot 5)

Members Present: Mike Curley – Chair, Sarah Paratore – Vice Chair, Joe Jessemen, Nick Canzano, Robert Haberman, Deana Cowan, and Sandy Plessner, Ex Officio


MEETING:
6:35 p.m. Meeting called to order.

Minutes of May 26, 2010. Motion made by M. Curley to accept the minutes as written. Motion seconded by R. Haberman. Motion passed.

Correspondence:

- Copy of letter sent to McLean’s Mobile Marine requesting a site plan review for the expansion of use adding “Story’s Sport Shop”. Also note that the island in front belongs to the state and no signs are allowed.
- LRPC – Grant Funding available - $400,000 in Brownfield Assessments.
- Town & City June 2010 issue –
- Belmont Planning Board agenda for June 28, 2010
- Belmont ZBA agenda for June 23, 2010

6:35 p.m. PB Case #10-04 – Site Plan Review of Cloverdale Place. Lepene Engineering & Surveying on behalf of Richard Morway to build a proposed
20 unit multi-family residential development at 15 Joscelyn Lane in Tilton, NH. The property is located in the Mixed Use District. (Tax map U4 Lot 22)

M. Curley has reviewed the application which appears substantially complete makes a motion to accept the application. Motion seconded by Joe Jessemen. Vote taken, motion passed.

Jim Bolduc from Lepene Engineering and Surveying presented the plan:
- The property is on Tax Map U4 Lot 22. The lot has 10.69 acres, lot extends north up the hill from Rte 3 also known as Joscelyn Lane.
- In the Mixed Use District – apartment building is an allowable use in this zone
- There is water and sewer on Rte 3 which we have intention of connecting into
- The application was previously submitted in April 2004 at that time the Planning Board identified 3 areas that need further work: (a) snow storage area (b) dimensions of the footprint of the building (c) elevation of the building. At that time the board did not accept the application
- Application has been modified slightly from the previous submittal: (1) updated all the abutters (2) reduced the size of the building due to zoning from 30 to 20 units (3) added a small storage building to house landscaping & maintenance equipment
- There are 55 parking spaces shown around the building as well as 8 handicap spaces 4 by each entrance
- Planning to rebuild 320 ft of Joscelyn Lane to town standards to access our driveway entrance
- Proposing a 700 ft long driveway which starts where the pavement ends and snakes up to the building to keep the grade down as low as we can, may be steep where we turn the corners
- Driveway application has been submitted to DOT by have not heard back yet
- Fire Dept reviewed the plan. We have discussed with them some of there concerns. The entryway would be designed to accommodate any emergency vehicles, also they had concerns with water pressure we are proposing a hydrant on site
- Been to Tilton-Northfield Aqueduct and received some test data today that we still need to review. They do pressure and flow tests for the existing hydrants on Joscelyn Lane and Rte 3
- Abutters have been notified and all fees have been paid.
- I received a memo from the Conservation Commission tonight. They discuss drainage, size, capacity, storm drains all which we will address by the next meeting

M. Curley – have you done a wetlands survey and have the wetlands been deducted from the buildable acres.

J. Bolduc – Wetland survey was done in 2004 and the wetlands have been deducted. Wetland area was .8 acres so the buildable area is slightly less than 10 acres.

M. Curley– Wetland survey has expired and will need to be redone.
TILTON PLANNING BOARD
Meeting Minutes – June 22, 2010

S. Plessner – This property is one lot, according to the town zoning the density is 2 dwelling units per lot. You are showing more dwelling units than what is allowed. If you were going to do a subdivision it would be difficult to get an approval due the steepness of the lot. The Planning Board does not have the authority to approve something that is in conflict with the town’s zoning. You would need to go to the ZBA to see if you can get some type of relief from the zoning regulations.

J. Bolduc – That was part of the discussion we had at earlier Planning Board meeting about 2 units per acre.

S. Paratore – The lot size is per acre but the density is by lot.

J Bolduc – I thought we discussed this at the last meeting that if we came down from 30 to 20 units we wouldn’t have to go to the ZBA for a variance.

S. Plessner – Is there going to be drainage along the road?

J. Bolduc – Storm water run off would be carried to a swale and a retention facility before it reaches the residential area.

S. Plessner – what is the area you are going to be disturbing.

J. Bolduc – about 3500 sq ft and will be applying for Federal Stormwater

J. Jessemen - Drove up Joscelyn Lane today and noticed that the left hand side of the road is washed away. I don’t see any storm drains on this plan.

J. Bolduc – right now it just runs out on to Rte 3 and pickup by the highway dept drains.

M. Curley – you stated that you would be rebuild 320 ft of Joscelyn to town standards then we will need a copy of plans showing the profile and cross sections.

J. Bolduc – The plans for the rebuild of Joscelyn are in the packet we supplied.

M. Curley – The 700 ft driveway will have to be build to town standards as it is over the 200 ft. Will also need to submit the build plans for that road also.

S. Plessner – Will need a lighting plan of the building area and the parking lot.

J. Bolduc – There will be lighting and landscaping plans for the building if this process moves forward.

S. Plessner – asked if you read the table of dimension value concerning the backland lot.

J. Bolduc – Yes I have read the table of dimension values.
7: 00 p.m. Having no additional questions from the board we will open discussion to the public.

Bill Tobin – I am an abutter with a building at the corner of the Joscelyn and Rte 3. Have concerns with runoff into my driveway also has a traffic study been done, in this area it is very difficult to get out on Rte 3. What is the minimum road frontage on private roads?

Steve Malcolm 11 Edwards St – I think it would be a benefit in making this a town road.

Board – The grade in the road won’t let the town make this a town road.

Rich Benson 20 Joscelyn – Road expanded beyond the retention pond the entrance to this development is designed to the washout area. The road issues need to be repaired. Also one hydrant he’s tapping into the grade would not be able to get up there. Any plans to do any repairs to the road. The runoff is substantial and the washout is continuing above where the road is going to be upgraded.

J. Bolduc asked how a subdivision was created without a road being constructed.

S. Plessner – this subdivision was done back in the 1960’s. If this subdivision was presented to the town today with the current regulations it won’t be approved due to the steepness of the grade.

D. Cowan – asked J. Bolduc if he understands the question. The people that lived up there won’t be able to get to their homes.

J. Bolduc – Any contractor is going to build the road better as they have to use the road as they are going to have to use it.

R. Haberman – This driveway is your conception of what it maybe. Has the Fire Dept looked at this plan?

J. Bolduc – The Fire Dept has reviewed the plans and given a letter of their concerns and suggestions. If extending the improvement to Joscelyn beyond the driveway entrance responds to the issue you are raising then that is what we will do.

K. Dawson – Why won’t you improve the road up to the hydrant beyond the entrance. There is no way the Fire Dept can get up Joscelyn Lane. Also is that easement a deeded 50 ft right of way?

There is huge water shed above there and a few years ago when we had those 100 year storms and retention ponds failed and could not retain all the water. The same thing happens on Joscelyn Lane runs down thru right onto Rte 3. What has been done in the plans to keep those waters leaking out and becoming a river?

Sandy – We don’t have a drainage plan as of yet.
Don Hodgdon 2 Edwards St – This plan is adding a 20 unit apartment building which will add 40 more cars trying to get out on Rte 3, we will need a traffic light. On any Friday night you can wait 15 or 20 minutes to get on Rte 3.

M. Curley – DOT during the review of the driveway permit will look at what may be done for entering and exiting Joscelyn onto Rte 3. DOT will decide if a traffic study is needed.

Laura Maynard 30 Grant St – read a letter from John Maynard concerning the building of Lowes. They destroyed the wetland has caused us to have frogs, deer and bear in our yard. Also Lowes we have problems with the lighting, dumpster being empty and deliveries at all times of day. This apartment building would be on our quiet side of the house which is the only quiet area we have. (Copy with the minutes)

Robert & Marjorie Hutchinson 14 Grant St – How many bedrooms with there be in these units/apartments?

John Saldowski representing of Mr. Morway – There will be 2 or 3 bedrooms, parking was for a 30 unit building so we could reduce the parking. I can sympathize with Laura Maynard but everyone was an abutter when someone builds beside you. We have been paying taxes on this land for a long time and we are just trying to use it.

S. Paratore – We don’t want to keep you from using your land we just want to do it in the best interest of everyone involved and it follows the rules of the ordinances.

Peter Subocz 153 E. Main St – I live at the bottom and have had water problems in the past and I can’t afford another gallon of water on the property. As long as anymore water doesn’t come down than I won’t fight it.

Roland Cullen – I lived on Joscelyn Lane for 25 year and still own property up there. My biggest concern that improving Joscelyn Lane will be only 12 ft wide per lane and there is no way you can make a left hand turn on to Rte 3. My understanding is the person who owns this property also owns the right of way. Wouldn’t it benefit him to help his neighbors to improve the right of way he owns? Why wouldn’t they let the people use the new driveway to eliminate the hill for the people that live beyond Moore St?

7:35 p.m. Public discussion closed and moved back to the board.

S. Paratore got a copy of the minutes from April 27, 2010 and we did inform J. Bolduc that you would need to go the ZBA to get a variance. We couldn’t do anything more then what was stated in the zoning.

S. Paratore read from the 4-27-10 minutes:
“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.”
S. Plessner – There is a lot of missing information. At this point I think this application is premature. With the missing information there is nothing we as board can do at this time. We can not approve a plan that would be in conflict with the town’s zoning regulations.

We need to sit down with DOT to see what they require, that the drainage will take care of the water runoff so not to disturb the properties below or run out on Rte 3.

S. Paratore – Suggest a traffic study would be helpful piece of information.

S. Plessner – would like to have a peer review of the project to give us an idea if the plan would work or not work.

N. Canzano – Need to go to the ZBA first before proceeding further.

J. Bolduc – I would like to ask that the board continue the application until the July 27 meeting with the additional information that we have received from the board and the abutters. This will give us time to go to the ZBA for a variance.

J. Jesseman – The Tilton Master Plan sites with 15% or more slope are identified as wild life habitant or corridor are subject to environmental review.

K. Dawson – As a Selectmen of the town I would like to request a traffic study be done.

Motion made by S. Paratore to continue Case # 10-04 to July 27, 2010 at 6:35 p.m. with the following information:

- Seek a variance from the ZBA for density
- Traffic Study showing the impact on the proposed development
- Drainage Plan that accommodates 100 year Storm Event
- Wetland Survey needs to be updated, over 5 years since last one.
- Ways to block noise and light from the neighbors
- Plans for the extended roadway design for Joscelyn Lane

Motion Seconded by S. Plessner. Vote taken, motion passed.

8:00 p.m.  PB Case #10-05 – Site Plan Review of Wal-Mart expansion. Sulloway & Hollis on behalf of Wal-Mart Real Estate Business Trust proposes to expand its existing store on East Main Street Tilton, NH. The property is located in the Regional Commercial District. (Tax map R24 Lot 21)

The application appears to be substantially complete motion made by M. Curley to accept the application, motion seconded by N. Canzano. Vote taken, motion passed.

Peter Imes from Sulloway and Hollis presented the application.
S. Decoursey, Bohler Engineering - This plan is for the expansion of the Tilton Wal-mart with a 33,000 sq ft addition with a small addition to the back. When we make this modification we will end up with about 707 parking spaces. Based on the feedback we got a year and half ago we have made changes to the parking area. The two features we have added are important to discuss. We are proposing a 12 ft wide landscaped island to channel traffic, the other improvement is a new entrance up further on Sherwood Drive that will allow people to come in and help alleviate some of the traffic at the store front. The site is currently on a well we are proposing to be connecting the site onto town water by a water line extension on Sherwood up to the site.

There will be some sewer work for the new expansion area. Storm drainage will change very little, to compensate for the building expansion we are proposing small storm water management pond to handle roof runoff.

We are proposing some lighting improvements obviously the parking lot has existing lighting we are maintaining most to the existing lighting however some new lighting that will comply with the new lighting regulation the town has.

Landscaping changes will be along the island which we will be using low level growing shrubs like juniper. We are proposing 11 deciduous street trees like red maple with some white pines between the properties.

J. Jesseman – Was wondering if the garden type material that is currently stored in the parking area be stored in the building in the future.

-Not sure but we can look into it.

Jason Plourde, Traffic Engineer - We conducted a traffic study for the proposed expansion project. Part to the project we had to meet with NH DOT as it is there jurisdiction. We have to go thru the DOT process for the driveway permit. We had a scoping meeting with the state in May of 2009. We did traffic counts in April of 2009 and the state recommended that we expand our study area to do sensitivity analysis. The original scope of study was to include traffic signal at Sherwood Drive and the interchange. With the state’s project that they had been working back in 2008 had asked if our traffic would negatively affect the 3 other signal coordinate system with Sanborn Rd, BJ, and Home Depot. These signals are time based system. The clocks slipping so the state is looking in upgrading the system to include either radio controlled or GPS system. As part of this project the developer is willing to commit financially towards the equipment and installation whichever system is chosen. We have not filed a driveway application as yet. The items I like about this proposed plan is it addresses the 3 items of concern: 1) traffic coming off Market St and coming into the site the 12 ft strip in the middle will keep traffic on either side, 2) will be having new driveway off the site it help to alleviate traffic on Market St., 3) the interaction of all the vehicles with the pedestrian on the site by having the additional driveway.

Jim Gallagher, PB2 Architectures – We have a new Wal-mart branding in new earth tone colors with the canopies, windows, etc. The style is more earth tone colors. There will now be
2 entrances one for Market and Pharmacy and for the Home & Living, the garden center will be the same. There will be canopies to provide some protection. This will be a more attractive building, provide more choices for the customer, and cleanup some parking and signage issues.

We are changing the signs. The new signs are front of building there are 3 signs and direction signs at the auto shop area. We will be changing the two existing pylon signs on the site will be change to the new logo and be internally illuminated to eliminate the light fixtures that are currently on top of the signs.

S. Paratore – Is this the only design you have for the Wal-mart buildings. We have gone thru several big box stores but we would like to insist that buildings reflect the character of the town. The board has discussed in the past that we retain our small town character. Do you have any alternative designs?

J. Gallagher – This is the basic design, we make some variations. Every city doesn’t look exactly the same. No we don’t have other plans but we could work with the board and see if we could bring it closer to where you want to be. Wal-mart wants to maintain there identity.

S. Plessner – is pleased with the changes you have put in the parking area and the green spaces you are including.

Peter Imes – We were presented tonight comments from the Fire Dept and the Conservation Commission and we didn’t see any of those comments as being controversial.

I am passing out a reduce copy one of the sign sheets and circle on that sheet are the signs that exceed 4 sq ft and there is a provision in your ordinance that all site signs should not exceed 4 sq ft. There are exceptions for traffic and directional signs. I am looking for confirmation or input from that board that the stop sign is fine but the truck entrance, turning, parking lane and exit signs are all fall within your interpretation of traffic signs. Does the board agree and we don’t have to go for relief.

The board does agree with traffic signs are OK but the incidental signs that exceed the 4 sq. ft. will require seek a variance.

Issue 1 – on the reduced sign sheet there are 6 signs that exceed 4 sq ft and you have a provision in the ordinance site sign can not exceed the 4 sq ft. there are exception for traffic signs.

S. Paratore – Under the wording of our ordinance 2.3.3 (e) incidental signs relative to parking spaces, loading spaces, entry and exit drives, direction of traffic flow and pedestrian ways on private property that do not exceed four (4) sq ft each.

M. Curley – You will need seek an area variance from the ZBA to allow signs over 4 sq ft. P. Imes – The other issue we are looking for input from the board relates to the sign on the front of the building the Walmart with the spark on it. On one place in your regulations 2.3.7
(h) states no sign over 25 ft above grade without a conditional use permit from the planning board. The other regulation 2.3.10.5 states no sign above 20 ft without a special exception from the ZBA.

S. Paratore 2.3.7 (h) is referring to wall signs this does not apply as it referring to covering windows and does not apply to this situation. 2.3.10.5 that is for a free standing sign which does not apply.

P. Imes – Looking for confirmation that the store is a non-conforming use as it relates to both the lighting ordinance and the ground water protection ordinance. In the lighting ordinance the only item we picked out that there may be an issue is that the parking lot lights have to be turned off at 11 p.m. the store operates until midnight.

M. Curley – feels that if the store were going to stay open 24 hours that would be a substantial increase in the amount of light pollution. I think that require changing the lights to cut down on the light pollution.

P. Imes – Think the chair is correct if you expanded over 50% all the lighting had to up to compliance. We know that the 10 year provision when the lights must all be brought up to compliance.

Issue 2 – Lighting ordinance states that lights must be turned off at 11:00 p.m. There are times that the store will remain open beyond that time and need the lights for safety of the employees and customers.

M. Curley – You will need to seek a use variance from the ZBA for the lights to remain on past 11:00 p.m.

The board questioned if the expansion and the lighting would mean the store will be remaining open 24 hours? Chris Buchanan senior mgr of public affairs states that there are no plans at this time but would not rule it out in the future.

The board asked that the plan for this expansion would include the soils and mulch that is currently stored in a section of the parking lot near the garden center. We ask that soil and mulch be stored undercover out the rain so it doesn’t affect the ground water runoff. This would free up parking spaces that may be needed due to the expansion.

S. Plessner asked if this expansion will have bathrooms or a deli area that will draining into the sewer. Have you met with the Sewer Dept to see what they will require if not you will need to.

P. Imes thanked the board for their time and we will be submitting the paperwork for the variances.

9:00 p.m. Discussion opened to the public
C. Curley asked with this expansion will there be any additional cashier on duty so we can check out faster. C, Buchanan replied there will be more checkouts.

K. Dawson expressed concern with the increased traffic on Rte 3 and asked if the traffic study considered the increased volume of traffic. Jim Plourde, Traffic Engineer said the study did look at the possible traffic increase.

K. Dawson – I don’t feel the area needs any more low paying jobs.

Doreen Piper – I started at Walmart as a part time cashier and had to opportunity to enter the training program which I am now a manager.

Deana Cowan – Asked about $3500 in contribution had been given out in the Tilton area.

Darren Tilton Walmart Manager – They have given a $1000 to the Fire Dept. and $250 grants each month and other contributions.

S. Plessner – Walmart is very good with donation at Christmas time for baskets and toys for the kids.

9:15 p.m. Discussion closed to the public and opened back to the board.

Peter Imes – they have been taking notes and would like to come back on July 27. We will be submitting for the variance with the ZBA and hopefully have answers for the next meeting.

Joe Jessemen – asked how it was decided to increase this store by 33% and creating 85 jobs.

Chris Buchanan – This decision was made by feedback we have received by the customers and surveys we taken.

S. Paratore – I would like more information about actual jobs full time verse part time position and information about your plans to stay open 24 hours.

S. Plessner – I would like to see at the next meeting:
1) Sewer – grease traps
2) Drainage changes in the new addition

M. Curley made a motion to continue PB Case 10-05 to 7:05 p.m. on July 27, 2010, seconded by R. Haberman. Motion passed.

9:30 p.m. Scott Ives and Mark Johnstone from Belknap Subaru to discuss the land at 18 Bittern Lane. The property is in the Regional Commercial District. (Tax map R24 Lot 5)
Scott Ives representing Belknap Subaru and Hyundai and the owner Mark Johnstone. The in business has been open since 2001 and in 2007 acquires Hyundai.

The dealership is located in Belmont across from the Belknap Mall. The business is growing and Tilton is a very good opportunity for this business to find a new home.

We are currently looking at the property at 18 Bittern Lane behind MB Tractor. This property has the acreage to support 2 dealerships. We would like to move the Subaru and Hyundai businesses to that property. You have seen and approved plans for an auto dealership on that property.

We have some concerns about the property expressed by our manufactures. We would like to get some guidance from the board.

The issues the manufactures have are:

1) Bittern Lane has the pond and there a lot growth and no visibility. How we might change that to have some site accessibility into the property.

2) Small frontage of 90 ft and the both the manufactures requires to have signage on the road.

S. Plessner – When you talking about 2 businesses to you mean 2 dealerships or having another business. S. Ives – There will be 2 dealerships

S. Plessner – Asked if the original site plan had been reviewed and the acreage that is there. During the site specific and DES permitting they were showing a parking behind the building which had to be removed due to wetlands. This is a large piece of land but there is very little that is useable. S. Ives that they are in the investigative stage. We have been told there is about 7 acres of buildable land.

S. Plessner – The growth on the property is in area on that goes out to Rte 3. The other group who was approved had contemplating giving that area as a conservation easement for additional protection for the water. Part of the land that would be yours along the road as long as you don’t get to where the pond is shouldn’t be an issue with the board. When this was approved this area was as grown up.

Mark Woglom from Opechee Construction: At the time there was no wetlands board approval of the filling of the wetlands so we back that portion of the site plan approval and may have pulled it out of the site specific approval as well. Subsequent to that the wetlands board did grant an approval to fill all the isolated wetlands and that permit is still valid today. We could go back today reapprove doing work back there given there is a valid wetlands permit but it would be a different plan and DES approval.

They also asked the question if some clearing could be done between Ice House Pond and Bittern Lane. There is a wetland delineation that meanders in some as close as 5ft and in
other areas 20 to 25 ft away from the pond. The town has the 20 ft vegetative buffer. This would require a conditional use permit from the planning board in conjunction with recommendation from the conservation commission. The level of vegetative clearing on the site plan approval would still be appropriate. I suggested they come before the board to see what you would recommend. Right now there is a mix of big trees that either falls into the wetlands buffer or the pond. I think they would require considerable clearing to ultimately get a clear view of the buildings further in.

S. Plessner – would like to go out and walk the property and see what’s in the buffer. I am not receptive to working in the wetland area itself.

M. Curley suggests that the Conservation Commission may also want to walk the site.

S. Plessner – you said you would have 2 dealerships does that mean 2 buildings.

S. Ives – Yes there would be 2 separate buildings.

J. Jessemen – asked how many cars would there be on the site.

S. Ives – we are not sure of the exact number of cars but there would be quite a few.

S. Paratore suggests that you take into consideration the design of the buildings. Think Meredith before doing your drawings.

S. Ives – Subaru and Hyundai have architectural standards for their façade. These are both eco-friendly companies. I am sure they would be using that pond in the design. They have been making the dealerships in New England flavor. The big decision is that the dealership would like the visibility into that property.

S. Paratore – Suggests that the board schedule a walk through the property and let the Conservation Commission have a lot at the property for their opinion.

S. Paratore – asked if the drawing that Mark from Opechee showing the areas around the pond could be email for us to have to review.

M. Curley suggested we schedule them to come back on July 27, at 7:45 p.m. The board members should all have had a chance to walk the property. We will contact the Conservation Commission to have them view the property and give their findings and/or suggestion.

Augusta will contact the Conservation Committee.

**Other Business:**

S. Plessner – I have had a number to calls concerning the Cloverdale and Walmart cases. I told them the cases have not come before the board yet there was nothing to say. It used to
be the board had a policy in dealing with the press was left to one individual. Generally the Chairman would take all the call and deal with the press. I don't think we should say anything concerning a case that hasn't been heard yet.

Suggestion was made that if calls come in Augusta can take a message with the person name and number which she can forward to the Chairman to make the call backs.

Motion made by D. Cowan to adjourn meeting, seconded by S. Plessner. Motion passed.

10:05 p.m. Meeting adjourned.

Minutes prepared by Augusta Marsh

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