TILTON PLANNING BOARD
Meeting Minutes – March 27, 2012

6:30 p.m.  Call to Order
Minutes of the February 14, 2012
Correspondence, Other Business

6:35 p.m.  PB Case 11-14 Continuation of Conditional Use Permit for 570 Laconia Rd, LLC

6:40 p.m.  PB Case 12-4 Site Plan Review for Lochmere Meadows Affordable Housing Phase II.
Applicant proposes to construct 19 residential rental units at Lochmere Circle in Tilton, NH 03276. Property is in the Mixed Use District. Tax Map R10/7-1 Land Unit B)

7:00 p.m.  Conceptual discussion with the Board for use of property at 293 Laconia Rd.
Other Business: Projects subject to site plan review and new driveway permit application.
Reappointments/appointments of PB members

Members Present: Jane Alden – Chairman, Rich Benson -Vice Chairman, Robert Haberman, Eric Pyra, Elaine Grace – Alt, Sandy Plessner – Ex Officio. (Nick Canzano not available – Florida)


Meeting: Called to order at 6:30 p.m.

Minutes: Motion made by Ms. Plessner, seconded by Mr. Benson to bring the meeting minutes of February 14, 2012 to the floor for discussion and approval. The Chairman asked if the members had read the minutes and had any changes or corrections. Hearing none, motion was made by Ms. Plessner, seconded by Mr. Benson to approve the minutes of February 14, 2012. Vote taken motion passed all in favor.

Correspondence:

- NH Town & City – March 2012
- Winnisquam Village – Alteration of Terrain Permit Application – DES No. 120302-035
- Lochmere Meadows Affordable Hsg – Alteration of Terrain Permit Application – DES #120312-038
- Shoreland Impact Permit 2012-00296 for JAL Winnisquam Development approved.
- Flood Lines – Winter 2012
- Update from Sanbornton ZBA meeting of 2/28/12 variance for Giguere Auto Wholesalers.
- DES Shoreland Program Permit for 26 Dublin Dr was received on 3-12-12
- DOT – Driveway application for JAL Winnisquam Village (R7/11-100)
- Annual Drinking Water Source Protection Workshop on May 2, 2012 in Concord @ Grappone Conference Ctr.
- LGC Workshop for newly elected & appointed municipal officials
- Copy of letter from DOT to Lenard Birke for Permit # 451-555 with open new restaurant District 3 is requiring Mr. Birke to complete the shoulder widening mitigation this year.
- Copy of letter to Con Comm regarding Winnisquam Village Condo from Andrew Sullivan.
- Memo from Board of Selectmen regarding policy for use of legal services. Boards are directed to the NH LGC prior to consulting the Town’s attorney.
- LGC Seminar for Telecommunications Update on April 5, 2012 at 9 am - 12:00 pm in Concord.
- Brochure from Colorama in Riverfront Place they do color copies, business cards, etc.

6:35 p.m.  PB Case 11-14 Continuation of Conditional Use Permit for 570 Laconia Rd, LLC

The Chairman read an email from Mr. Bernard requesting his case be continued to May 8, 2012 after he meets with the ZBA on April 17, 2012.

Motion made by Ms. Alden, seconded by Mr. Haberman to continue PB Case 11-14 Conditional Use Permit to
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May 8th at 6:35 pm. Motion passed, all in favor.

6:40 p.m. PB Case 12-4 Site Plan Review for Lochmere Meadows Affordable Housing Phase II.
Applicant proposes to construct 19 residential rental units at Lochmere Circle in Tilton, NH 03276. Property located in the Mixed Use District. Tax Map R10/7-1 Land Unit B)

Chairman Alden reviewed the application and told the Board that the application appeared to be substantially complete. Motion made by Ms. Plessner, seconded by Mr. Benson to accept the application for a Site Plan Review for Lochmere Meadows Affordable Housing Phase II. Motion passed, all in favor.

Steve Schuster, representing Lochmere Meadows Affordable Hsg Ltd Partnership introduced Erin Reardon, civil engineer from Nobis Engineering and George Hickey, the architect for Phase II.

Mr. Schuster stated they were here to do a site plan review for Phase II of this project. Phase I has four buildings consisting of 28 rental units was completed in 2010. When we built Phase 1 we also built the infrastructure for Phase II so roads are done, sidewalks are in, sewer and water were sized and conduits installed over the wetlands. In 2011 we came before the Planning Board to get approval for a condominium subdivision to establish Land Unit A and Land Unit B with the rest of the land being common area. We are here seeking approval for Phase II which consists of three (3) buildings with 9 units to be built on the Land Unit B site.

Erin Reardon, engineer, discussed the details of the plan and drainage.

Erin Reardon stated she did the civil site design for Phase II of this project noting the following:
• Proposing 19 units in 3 buildings. 7 units in building #1, 5 units in building #2 and 7 units in building #3.
• 2 parking spaces per unit for a total of 38 spaces plus 8 ADA spaces in 4 locations close to the ADA units in each of the buildings. In building #2 the mechanical room is larger to allow for a meeting space.
• Lochmere Circle slopes down 5% so the building will be terraced to allow more level parking.
• 2 dumpsters – 1 for recyclables and 1 for trash and will be fully enclosed and buffered. This area will have a grass buffer to catch water runoff.
• All infrastructure was put in during Phase I. The project will be serviced by municipal water and sewer. The sewer and water main are in place so we only have to make a connection.
• There will be a fire pump for these 19 units.
• The driveways are made two way so if looking for a parking space the occupant would not have to go all the way around the one way loop (Lochmere Circle).
• Buildings will all have drip edges and closed drainage. The stormwater in the parking areas will be collected to flow to the detention pond. All the drainage has been designed to meet the new NH DES Alteration of Terrain rules for both control and treatment of stormwater. We have applied to DES Alteration of Terrian permit.
• Retention pond will be installed with a fence with locked gate for maintenance.
• No wetland areas are to be disturbed.
• We have an erosion control plan.
• There will 12 new light poles and the lighting will all be downcast. One light pole will be relocated to allow for the driveway.
• Landscaping will have 58 new trees as well as shrubs and ground cover which will compliment Phase I.
• The plans submitted had a retaining wall but grading has been revised and the wall is no longer needed.
• The site plan shows an area without trees to allow for snow storage.

Steve Schuster stated this plan is very similar to Lochmere 1 which has 4 building consisting of 7 units. These units are 6 townhouse and 1 flat unit. Phase II we have 3 building with 2 buildings having 7 units and 1 building with 5 units. The buildings are designed the same as Phase 1 with 2 story townhouses and the end units are
single story. All units are 2 bedrooms. We have been in contact with all the utilities to let them know we are looking to proceed with Phase II.

Ms. Alden asked about the playground area. Mr. Schuster explained there is a playground in the common area where there is a building partially open on the sides for the mail and where kids can wait for the school buses. The playground will be fenced in. There is an area of approximately 5 acres which was a conservation set aside that will remain as wooded area. There is no parking area by the playground but there is space for a car to pull over area to get the mail or pick up a child from the bus.

Ms. Plessner asked if there is a maintenance schedule for the drainage and retention pond. Ms. Reardon explained the new Alteration of Terrain rules really took a look at maintenance of these and the AOT permit does require the maintenance schedule which will be done annually or semi-annually. All the catch basins have sumps in them and hopefully they will catch the sediment and prevent it from entering the retention pond.

Mr. Schuster noted we will be putting in solar panels to help preheat the water before going into the boiler for hot water, heat and site lighting. These panels cannot be placed on the roof due the exposure required so they need to stand alone. We also hope to install solar panels in Phase I.

The Chairman opened the discussion to the public.

Pat Consentino asked about fire protection and if there will be cistern. Mr. Schuster stated a concrete cistern will be created with a doghouse building on top with a pump in it. This would provide the water and pressure needed for the sprinkler system.

Normand Boudreau stated the impact fee was passed at town meeting, so is Phase II going to be subject to impact fees. Ms. Plessner explained the impact fee ordinance was approved but the methodology for the impact fee has not yet been adopted by the Planning Board.

The Chairman hearing no further questions closed the discussion to the public and reopened back to the Board.

Ms. Plessner asked if the Town had received a recorded copy of the 2 Lot Condominium documents. Ms. Marsh stated she has not received them. Mr. Schuster stated he had brought them in but will bring a copy in on Wednesday. (Copy of the recorded condo documents are now on file)

Conservation Commission has received a complete set of plans to be reviewed at their April 16 meeting and a set of plans has been given to the Fire Department for review.

Hearing no further discussion, Ms. Plessner made a motion to approve the Site Plan for Lochmere Meadows Affordable Housing Phase II with the following conditions:

• Compliance with all State, Federal and Local permits and conditions imposed for each.
• Compliance with State Fire Codes and Tilton Northfield Fire Department conditions
• All building plans to be reviewed by the Town Building Inspector/Code Enforcement Officer and the Tilton Northfield Fire Department.
• Town to receive a copy of the maintenance schedule to include the catch basins and retention ponds.
• All lighting to be downcast.
• Provide copy of the recorded condo documents to the Town of Tilton.
• Compliance with Conservation Commission conditions/recommendations.
• Contact the Sewer Commission for sewer hookup and application.
• Contact the Lochmere Village Water District for application and hookup.
Motion seconded by Mr. Haberman.

Pat Consentino stated she has an issue with approving this case when they have not been to the Conservation Commission yet. I would like to go on record that I disagree with them getting an approval before they have met with the Conservation Commission. I feel in the past we have fallen short of meeting the conditions of approval before permits have been issued.

Ms. Plessner noted that meeting with the Conservation Commission will be part of the conditions of approval and they will have to comply with all the conditions of approval before they will get a building permit.

The Chairman stated there is a motion on the floor and a second. The Chairman asked for a vote and motion passed all in favor.

7:00 p.m. Conceptual discussion with the Board for use of property at 293 Laconia Rd.

Mr. Santoro explained to the Board that he owns the property at 293 Laconia Rd. This property was used as an office for the sale of modular homes with model home on display. The model home is gone and the property is now vacant and I have not been able to rent the building. I am trying to find a way to get the property occupied. I also own Winners Circle Auto Sales and thought I would like to use the property as an annex to display cars and do a few car rentals. I have a bankers license and would like open an office in the building to help people obtain auto loans.

Ms. Plessner explained to Mr. Santoro that at the recent town meeting voters voted on new regulations for the zoning. The town voted overwhelmingly not to permit motor vehicles sales and rental or sales and installation of vehicle parts in the Resort Commercial District.

Ms. Dawson explained there is an existing site plan for the property at 293 Laconia Rd. The site plan goes for the property which he would have to meet those conditions such as lighting and signage. If he deviates from the approved site plan then he would have to come in for an amended site plan. If any structural changes are made or cars are moved on the lot then the Code Enforcement office needs to be advised.

The building at 293 Laconia Rd is in the Resort Commercial District. The display of cars or car rental would not be permitted. If you just want to use the property as an office for banking/financing that would be allowed as the property was site planned as an office. Mr. Santoro would need to update the DOT driveway permit from the State, would need a signage permit and getting an approved Certificate of Occupancy prior to opening the office.

Other Business:

Site Plan Review – when is a site plan required and when it is not.

Discussion with the Board about the document. Ms. Plessner noted that she had Katherine Dawson review this and a few changes were made. Such as this statement: “Any change of use which in the opinion of the Board which requires Planning Board approval in order to insure safety of the Tilton citizens.”

Also change “In instances where a change of use is questioned by the Planning Board or the Land Use Secretary as to whether or not it would require a site plan, a change of use review will be done.”

Ms. Plessner stated she made a change where is says “Proposal submitted for change of use review” changed to “Proposal submitted for proposed Site Plan Review”.

Projects subject to Site Plan Review could be simplified by saying it would be required if any changes are made
to the structure in anyway or change of use to what was there previously. The Town now requires a Certificate of Occupancy for all new business before they are allowed to open. A certificate of occupancy requires an inspection from the Building Inspector and the Fire Department to make sure all safety issue have been addressed.

Driveway permits and fees:

The Chairman asked if the Board had reviewed the proposed driveway application which will be included in the Town of Tilton Subdivision Regulations.

Ms. Alden thinks the driveway permit application is very complete but questioned the suggested fees being charged. I asked Ms. Marsh to check with some of the surrounding towns for their driveway permit fees. Some of the towns don’t charge but are considering driveway permit fees, some town don’t charge at all and other towns charge between $20.00 to $50.00. Ms. Alden asked Ms. Dawson where she came up with the fee amounts.

Ms. Dawson explained she had checked with Laconia, Hanover, Rye and several other communities and they charge $75.00 which I thought was too much, but after I wrote the regulations and the considered the cost of the Public Works Director's time, $75 didn’t seem to be too much. This proposed application will require the Road Agent to go to the site minimum of 2 visits and this should not cost the town money.

Mr. Benson doesn't feel the fee is unreasonable. This driveway permit with the inspection criteria will help in the protection of the individual to have their driveway installed correctly. The permits will differ depending if they are for a residential driveway and commercial driveway which would require several visits by Public Works Director.

Ms. Plessner stated DOT doesn't charge a fee for a driveway permit. I don't feel we shouldn't charge but I wonder if the suggested fees are too high.

Ms. Dawson stated the state only makes one visit but the Town's Public Works Director would be going out to inspect the site and give instruction on grading for proper drainage then he would revisit the site to make sure the work was done correctly. A fee should be charged to cover the costs incurred for these visits.

The Board had a discussion on the pros and cons of the driveway fees and what is required with the driveway permit as far as drainage and environmental impact. There were also discussions on when a permit was needed for repairs, repaving and how this would be enforced.

Ms. Plessner had a question about #1 “Only one driveway is permitted without Planning Board approval.” The rules have been established for driveways for site distance and how far way the need to be so why would they have to come to the Planning Board if they want 2 driveways? Wouldn't this be covered by the driveway application. Ms. Dawson explained the Planning Board review was suggested by one of the towns I spoke to. Maybe it should state commercial lot so we will change to read “only one driveway entrance per commercial lot is permissible without Planning Board approval.”

Ms. Plessner questioned #6 “Corner lot driveways shall be accessed only from the less traveled road to be determined by the Public Works Director.” There are cases which would depend on the direction the house is facing on the lot. Ms. Dawson explained this was also taken from several other driveway permits she reviewed in order to put this permit together. If that is the case then the Public Works Director would have to take house placement into consideration. We can change #6 to read “Corner lot driveways access shall be determined by the Public Works Director”. This would allow for some flexibility for the Public Works Director.

Also #16 “A shared driveway facilitating greater than 2 dwellings will require Planning Board approval.” In the Subdivision Regulations definition it states a driveway can't serve more than 2 dwellings on a shared driveway. After some discussion the decision was made to remove #16 and to renumber the remaining items.
Mr. Pyra has printed out the City of Concord's driveway permit which has boxes to be checked for the type of driveway such as residential, commercial, industrial, and other.

Chairman Alden states under penalties the suggestion is to adopt the new driveway permit and when adopted and incorporate them in the Subdivision Regulations. There should be a statement in the ordinances in the driveway regulations stating "Whoever violates any provision of Section 7.6 – F or the rules and regulations made under the authority thereof shall be charged with a violation and upon conviction thereof shall be punishable by a fine of not more than the State of New Hampshire maximum penalty for each day of the violation. In addition, shall be liable for the cost of the restoration of the highway to a condition satisfactory to the Town of Tilton."

Mr. Pyra offered to make the suggested changes to the driveway permit and email to the Board.

Motion was made by Mr. Benson to hold a public hearing on the driveway permit application at April 10, 2012 at 7:00 p.m., seconded by Ms. Plessner. Vote taken, motion passed.

Reappointments and appointments of Planning Board members for 2012.

Mike Curley does not want to be reappointed to the Board which leaves a vacancy. We have an alternate, Elaine Grace, who is interested in moving to a full Board member.

Mr. Haberman's term is expiring and would like to be reappointed. Mr. Canzano’s term is expiring and would like to be reappointed. The Board, after some discussion, felt that Mr. Canzano’s 4 month absence has put a burden on the board in order to have a quorum to conduct hearings and felt it maybe reason not to reappoint.

The Chairman stated Judy Tilton and Normand Boudreau have applied to become members of the Planning Board. Chairman Alden stated we now have to many wanting to be full member and no alternates. Mr. Haberman told the Board that he would willing to become an alternate member as he had things coming up that would cause him to miss meetings.

Motion was made by Ms. Plessner to move Elaine Graces from alternate to full member, appoint Judy Tilton and Normand Boudreau as full members, re-appoint Robert Haberman as alternate and not to reappoint Dominic Canzano due his 4 month absence each year.

Motion was seconded by Mr. Pyra. Vote taken, motion passed by 5 affirmative votes. Chairman Alden abstained from voting.

(Letter of these appointments and re-appointments of Planning Board members to be sent to the Selectmen)

Building Fees:

The Building Inspector has submitted a proposal of the new building fees. He has researched surrounding towns and found that Town of Tilton fees are low in comparison.

Current Building Fees:

FEES:

Alterations, additions and new construction:

- $20.00 up to $2,500.00
- $40.00 for $2,501.00 up to $5,000.00
- $60.00 for $5,001.00 to $10,000.00
- $10.00 for each additional $10,000.00

Demolition or Moving of Buildings or Manufactured Housing Unit:

- Demolition of a building up to 1200 square feet in size: $50.00
- Demolition of a building over 1200 square feet in size: $100.00
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Initial installation of Manufactured Housing Unit: $40.00

Proposed Building Fees:

FEES:

New Residential Building $215.00
Commercial Building (New & Additions) $215.00 + .03/PER SQ.FT.
FINES FOR BUILDING WITHOUT A PERMIT WILL DOUBLE THE FEES.
Residential Additions (Decks, Sheds, Garages, ETC) $.30/PER SQ.FT (CAP OF $250)

Demolition or Moving of Buildings or Manufactured Housing Unit:
  Demolition of building up to 1200 square feet in size: $50.00
  Demolition of a building over 1200 square feet in size: $100.00
Initial installation of Manufactured Housing Unit: $40.00

The Chairman asked for comments.

The Board had questions about the fees and how Mr. LaPlante determined the fees submitted. Discussion on the cost for decks, sheds, garages feels these costs maybe to high. The Board would like have Mr. LaPlante present to discuss the proposed building fees.

Motion made by Mr. Benson and seconded by Mr. Pyra to table the proposed building fees discussion until the next meeting and have Mr. LaPlante present to explain the changes. Vote taken, motion passed.

Motion made by Chairman Alden and seconded by Ms. Grace to adjourn the meeting. Vote taken, motion passed.

Meeting adjourned at 10:15 p.m.

Minutes prepared by Augusta Marsh

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