TILTON PLANNING BOARD
Meeting Minutes – June 12, 2012

(Approved with Correction on 7/10/12)

Agenda

6:30 p.m. Call to Order
   Minutes of the May 8, 2012
   Correspondence, Other Business

6:35 p.m. Continuation of PB Case 11-14 for Conditional Use Permit for 570 Laconia Road, LLC. Property is located at 570 Laconia Rd, Tilton, NH 03276 in the Mixed Use District. (R9/53)

6:45 p.m. Conceptual discussion with Leonard Birke concerning a plaza type signage for businesses at 496 & 504 Laconia Rd, Tilton, NH in the Mixed Use District (R10/7 & R10/7B)

7:00 p.m. PB Case 12-05 Amended Site Plan for Haven Grove. Applicant amending the site plan change of use for a Chiropractor office. Property located at 7 Grange Rd in Tilton, NH in the Mixed Use District. (R9/55)

Other Business:
   • Review Master Plan - updated chapters

Members Present: Jane Alden – Chairman, Rich Benson – Vice Chair, Eric Pyra, Judy Tilton, Normand Boudreau, Elaine Grace, Sandy Plessner – Ex Officio and Robert Haberman – Alternate.


Meeting: The June 12, 2012 meeting of the Tilton Planning Board was called to order at 6:32 p.m.

Minutes: Ms. Plessner made a motion, which was seconded by Mr. Benson to bring the minutes of the May 8, 2012 Planning Board meeting to the floor for discussion and ultimate approval. Motion passed.

Ms. Plessner noted corrections on Pg 1 to add her name as Ex Officio to members present. Also Ms. Plessner and Ms. Alden noted grammatical changes on Pg 2, 3, 4. Hearing no further discussion, Mr. Boudreau made motion, seconded by Mr. Pyra to approve the minutes as corrected. No further discussion. Motion carried.

Correspondence:
   • Tilton Driveway permit for Mill Street parking area for Riverfront Place. Permit has been reviewed and signed by D. Allen – Director of Public Works.
   • Letter to Mr. Cropsey from the Planning Board concerning parking area at Mill Street.
   • Letter from Mr. Cropsey addressing status of parking area at Mill Street.
   • DOT letter to Mr. Birke subject driveway permit #451-555 for 496/504 Laconia Rd concerning the way the center driveway was closed off. DOT wants a permanent solution such as earth berm, low hedge or connecting existing curbing.
   • DES Letter – Drinking Water Program at NHDES recommends that municipalities adopt or amend groundwater or aquifer protection zoning ordinances to protect both stratified-drift aquifers and well-head protection areas.
   • ZBA notice of decision for 570 Laconia Rd, LLC regarding driveways and vehicle parking within the setback areas was Granted.
   • ZBA notified Giguere Auto Wholesalers an appeal for variance to display autos in front setback was not required.
   • DOT Driveway permit #451350A3 for the Woodworking shop and Shiloh's restaurant on 5/2/12.
   • Supply Lines with the Source – Spring 2012
   • DES approved Alteration of Terrain permit #AoT-0413 for Lochmere Meadows Affordable Housing Phase II. (R10/7-1)
   • DES approved Alteration of Terrain Permit #AoT-0406 for Winnisquam Village Condominiums (R7/11-100)
   • NH Town & City – June 2012 issue
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- NH Livable Walkable Communities Tool Kit 2012 (CD) from Southern NH Planning Commission

Chairman Alden commented on letter from Mr. Cropsey for a Town driveway permit for the Mill Street parking area for Riverfront Place. In order to move into Phase II the parking on Mill Street must be completed. Mr. Cropsey had said the parking lot was complete but there was grass coming up through the gravel. He has sent a letter stating he is addressing this issue and new gravel will be installed.

The Chairman commented on the letter from DOT to Mr. Birke, who is on the agenda for later this evening. The DOT letter addressed some concerns in how Mr. Birke closed off the center driveway. DOT is requesting a permanent solution such as an earth berm or hedge. Chairman Alden stated the Board should discuss this letter with Mr. Birke at his conceptual meeting.

6:45 p.m. Continuation of PB Case 11-14 for Conditional Use Permit for 570 Laconia Road, LLC. Property located at 570 Laconia Rd, Tilton, NH 03276 in the Mixed Use District (R9/53)

After Mr. Bernard introduced himself, he stated he had requested parking in the setback at the last meeting. There was a question on whether or not parking was allowed in the setback. He went to the ZBA for an appeal to an administrative decision. A decision by the ZBA was reached in favor of allowing the parking of card in the setback. Mr. Bernard stated he was here tonight looking for final approval of a Conditional Use Permit to all us to move forward. There is a parking problem and this will help alleviate the situation.

Ms. Plessner stated Mr. Bernard is here for a Conditional Use Permit. Ms Plessner added when this case was presented in December Mr. Bernard stated he would be going into the the wetland buffer and had applied for a Conditional Use Permit. Mr. Bernard agreed. Ms. Plessner went on to explain the Conditional Use Permits are for anytime you would be disturbing the buffer or wetland area. At the last meeting he asked if I moved the road over and avoid the buffer then the Conditional Use Permit would not be needed, and I stated that was correct.

Attorney Nix, representing Mr. Bernard agreed the Conditional Use Permit is not necessary. Mr. Bernard thought he was filing for Site Plan and Conditional Use Permit but if that is not the case, then he will file for Site Plan Review immediately. Hopefully, he can make the July 10th agenda. Atty Nix's asked, while people are present could he use this time for a non-binding conceptual discussion. The Board agreed to the non-binding conceptual discussion.

Atty Nix's asked if the proposal is to move the parking area out of the buffer towards the property line, since the issue of parking in the setback has been determined by the ZBA. The plan will be for 6 parking spaces in the area outside of the buffer with the driveway coming out onto Grange Rd. Atty Nix's asked there are any issues the abutter would like to address before Mr. Bernard submits the Site Plan Review application.

The Chairman opened the discussion to the public.

Selectmen Consentino has the same issue as she has raised prior at a prior meeting. If he moves driveway over to avoid the wetlands then he is closer to the Grange's well head and she strongly objects to that.

Selectmen Dawson objects to the fact Mr. Bernard is using the Grange Rd entrance when he already has a driveway curb cut to this lot from Rte 3/11, which would keep cars completely away from the Grange well.

Atty Nix thanked the Board and the public for their input.

6:57 p.m. Conceptual discussion with Leonard Birke concerning a plaza type signage for businesses at 496 & 504 Laconia Rd, Tilton, NH in the Mixed Use District (R10/7 & R10/7B)

The Board waited until 7:00 pm and Mr. Birke did not appear.
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7:00 p.m.  PB Case 12-05 Amended Site Plan for Haven Grove. Applicant amending site plan for change of use for a Chiropractor office.  Property located at 7 Grange Road in Tilton, NH in Mixed Use District. (R9/55)

Chairman Alden after reviewing the application, stated the application appears substantially complete. Motion made by Ms. Plessner to accept the amended site plan application for Haven Grove, seconded by Mr. Pyra. Motion passed.

Atty Nix representing Haven Grove, LLC building located at 7 Grange Rd. The site currently has an existing building which is used for the Awakening Chiropractor practice. The prior site plan was approved with 10 parking spaces which is inadequate for the present business and more parking spaces are needed. The Board of Selectmen requested Mr. Bernard submit an amended site plan to show the parking. The application was submitted to allow him to get on the agenda for the June 12 meeting knowing the plan still needs more work. The surveyor, Frank Yekes, did a good job preparing this plan but in doing the research found the original layout for Grange Rd dated 1770. This showed Grange Rd as a laid out 2 rods road, meaning the property line needs to be amended. The plan being present is a conceptual of what Mr. Bernard wants to do. He does have a curb cut approval from the DOT but the driveway needs to be defined. The additional parking spaces are being laid out but with the 2 rod road the parking spaces will move and he may be able to get more spaces.

Atty Nix asked the Planning Board to continue this case to the next meeting to allow the surveyor to correct the boundary line to reflect the 2 rod road. This being a noticed hearing, we would like to hear from the Board and abutters with any concern they might have. The lot coverage has not been calculated as yet. Mr. Bernard would like to use permeable pavers or pavement instead regular pavement which sufficiently reduces the amount of runoff from the site.

Atty Nix read a letter from Jillian Stogniew owner of Awakening Chiropractic at 7 Grange Rd. The letter described her business, the patient scheduling, and the type of classes such as yoga. She feels if the parking lot is improved as Mr. Bernard is proposing it will help to eliminate any unauthorized parking in and around Awakening Chiropractic. (Copy of letter file with meeting minutes.)

Chairman Alden asked what the square footage of the lot was? Mr. Bernard stated the present calculation is at 17000 sq ft. but the lot has not been delineated.

Mr. Benson asked Ms. Consentino if the Town was still working with Mr. Bernard for parking at the Senior Center. Ms. Consentino stated “there is no longer any agreement between Mr. Bernard and the Town of Tilton for parking for the Senior Center.”

Question was asked concerning the location of the utility box and being able to drive by it. Mr. Bernard explained the utility box is being turned and will be shown in greater detail on the final plans.

The question was asked about the rate of leaching for the impermeable pavers. Atty Nix explained UNH has been doing studies for 10 years and DOT is now allowing these type of pavers to be used as they drain so well ice doesn't form on them. The surveyor still has not calculated the percentage of lot coverage.

Atty Dan Crean explained he has been asked to advise the Planning Board on behalf of the Town. On the question of adequacy of parking, Atty Crean thinks the major questions is not the uses or events but the number of patient visit daily and the classes to determine the required parking spaces for the property. The other issue which needs to be addressed is  whether parking is include or excluded in the lot coverage, the zoning ordinance doesn't specify.

Mr. Boudreau made a motion to continue PB Case 12-05 to July 10, 2012 at 6:35 p.m., motion seconded by Ms.
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Tilton. Motion passed.

Other Business:

Chairman Alden and Ms. Plessner recently attended a law lecture at the Local Government Center. Atty Crean was the instructor for a class on RSA 91.a (Right to Know) which was very informative. Atty Crean will be giving some lectures on Land Use which are very reasonable and the Selectmen are checking with several other towns to see if they are interested in attending and sharing the costs. These lectures would be very informative for the Board when reviewing site plans and subdivisions.

Copy of booklet on ethics was given for the Board members to read. Also copies of Law Lectures books were made available for the members to take and read.

Change of Use Review application was submitted for the Lakes Region Cupcake. They are looking to open a cupcake shop at 289 Main Street. The Board reviewed the application and determined this a change of use and site plan review is required.

Master Plan:
Copies of the updated Master Plan have been given to the Board for review.
Master Plan Chapters:
Chapter 1 Vision Statement
Chapter 2 Natural Resources – copy sent to Con Comm to review
Chapter 3 Economics & Demographics
Chapter 4 Community Facilities
Chapter 5 Land Use
Chapter 6 Transportation

Steep Slopes XX – This should be part of the zoning. The Board should working on having a public hearing and putting this on the ballot for next March.

Vision Statement refers to signage in Section C. Capital Improvements was a top priority with the revision of the sign ordinance to help eliminate over-signage and light pollution. Discussion by the Board concerning the number of not permitted signs such as banners, a-frame which the need to be addressed by Code Enforcement. Maybe this Board should compile a list of the sign violations for the Code Enforcement to check into.

Chapter 4 – Community facility Mr. Pyra questioned the Northfield Pines, thought it was private enterprise. The Northfield Pines group leases a publicly owned buildings.

Also Mr. Pyra suggested a maps for the parking be added to this Master Plan. Ms. Plessner explained there are maps which Ms. Marsh will have to add these chapters.

Ms. Plessner suggested once this Master Plan has been adopted then every year the Board take one chapter to review. If the Board updates a chapter annually then the Master Plan is not such a massive project.

Chapter 6 Transportation: Need to make changes from G.L.T.A. now Winnipesaukee Transit and change Concord Trailways to Concord Coach. Also there is a typo on Chapter 2 section C. Public Works Table II-5: Classified highway Class I should be changed to 13.21 from 13,213.00. Also a typo Peterbilt on Public Works Vehicles. Section F. Pines Community Center should remove “(50/50 cost share)” as amounts change yearly. Mr. Pyra asked if the Master Plan should include sidewalks.

Mr. Pyra noted on Chapter 5 Land Use under Resort Commercial sentence needs to be changed to read "Sewer is planned but not yet available to much of the area. Traffic controls are important to safe and orderly
development along the arterial highway."

After some discussion it was suggested the members should review each chapter and note any change, corrections or a section which should be added and let Ms. Plessner know so she can add the changes and send everything back to Ms. Marsh. The Master Plan review will be continued at the next meeting.

Ms. Plessner reminded the Board that they need to amend the Subdivision Regulation to agree with the new Town driveway permits and to have a public hearing so the changes can be adopted.

The Chairman was hoping to discussion parking regulations which seems to be a real issue with the case we will be hearing in July. We need to put parking regulations discussion on the agenda for the July meeting.

Hearing no further discussion a motion was made by Ms Plessner and seconded by Ms. Grace to adjourn the meeting.

9:20 p.m. Meeting adjourned.

Minutes prepared by Augusta Marsh
(Minutes are subject to the review and approval by the Planning Board at the next meeting.)