TILTON PLANNING BOARD
Meeting Minutes – January 8, 2013

Agenda (Approved 1-22-13 with corrections)
6:30 p.m. Call to order.
1. Public hearing on Zoning Regulation changes for 2013.
   • Defining setbacks
   • Off-Street Parking regulations
   • Wetland Delineations
   (These changes will be on the Town web site at www.tiltonnh.org for review)
2. PB Case 13-01 Site Plan Review. Applicant is looking to build a deli/restaurant on the property located at
   215 Laconia Road in the Regional Commercial District. (Tax Map R22 Lot 4)

Other Business:
   Approval of December 11, 2012 minutes
   Correspondence
   Final Review of Master Plan
   CIP Project Review

Members Present: Rich Benson – Vice Chairman, Eric Pyra, Judy Tilton, Elaine Grace, Robert Haberman –
Alternate and Sandy Plessner – Ex Officio.
(Ms. Alden and Mr. Boudreau were not available for this meeting and Mr. Haberman was asked to sit a full board
member.)

Others Present: John Bernard, Stephan Nix, Roland Adams, Bob Brown, and Augusta Marsh.

Meeting: Vice Chairman Benson called the Planning Board meeting of January 8, 2013 to order at 6:30 p.m.

Vice Chairman Benson opened the first public hearing on proposed Zoning Regulation changes for consideration
at the 2013 Town Meeting and read into the minutes the following:

Setbacks: The purpose of most setback ordinances is to provide a buffer that is meant to prevent
encroachments over property lines, safety from possible traffic accidents, snow removal, buffers from other land
uses such as commercial to residential, and to provide open space around structures and lots. Setback areas
can also provide a structure free area for utilities for burying lines and pipes or placing electric/phone poles. The
setback distance is determined in the Town of Tilton by the zoning district. Residential districts generally have
smaller setback areas than agricultural as the lot sizes are smaller in residential. For complete setbacks for each
district, see the Table of Dimensional Tables (Appendix C) in the Tilton Zoning Regulations.

Items that may be exempt from setback requirements include: fences, gates, signs, lampposts, mailboxes,
flagpoles, well coverings and stairs (not attached to a structure), and walkways. All proposed exempt items in
residential districts should be approved by the Code Enforcement Officer to ensure no encroachment onto
abutting properties and to ensure site distance along roadways is not diminished. Commercial Districts
proposing structures in the setback areas are subject to site plan approval and off-street parking and retaining
walls within designated setbacks may be allowed by Special Exception only.

2.2.3.3 Wetland Delineation:
   • Wetland delineations older than 5 (five) years will not be considered valid for the purpose of the site
     plan/subdivision.
   • No wetland surveys conducted from December 1st to March 31st will be accepted as valid by the Tilton
     Planning Board. Also, no wetland surveys conducted at a time when snow cover, permafrost and or
     seasonal vegetative growth cycles impair the wetland or soil scientist’s ability to identify soil and
Off-street Parking

Off-street parking shall be provided as follows in connection with all new and renovated buildings erected or converted in the Town of Tilton.

All parking space shall not be less than nine feet (9’) by nineteen (19’) and the travel way between rows shall be eighteen feet (18’) for one way traffic and twenty four feet (24’) for two way traffic.

<table>
<thead>
<tr>
<th>Classification</th>
<th>Requirement</th>
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<tbody>
<tr>
<td>A. Residential dwelling:</td>
<td>Two (2) spaces per dwelling unit.</td>
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<tr>
<td>B. Place of Worship or Auditorium:</td>
<td>One (1) space per every two (2) seats</td>
</tr>
<tr>
<td>C. Inn, Hotel, Cottages, or Bed &amp; Breakfast:</td>
<td>One (1) space per guest sleeping room, plus one (1) space for each employee on the largest shift.</td>
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<tr>
<td>D. Restaurant, Diner, or eating place:</td>
<td>One (1) space per two (2) seats plus one space for each employee on the largest shift.</td>
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<tr>
<td>E. Financial Institution or Professional Office:</td>
<td>One (1) space per 200 square feet of floor space.</td>
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<td>F. Convalescent Home, Nursing Home:</td>
<td>One (1) space for each staff member on the largest shift plus one (1) space for ever bed.</td>
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<td>G. Industrial Uses:</td>
<td>One and half spaces (1 ½) for each employee on the largest shift.</td>
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<tr>
<td>H. Retail Stores and Shops:</td>
<td>One (1) space per 300 square feet of floor space plus one (1) space for each five (5) employees on the largest shift.</td>
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<tr>
<td>I. Other Commercial Uses:</td>
<td>One (1) space per 300 square feet of floor space plus one (1) space for each five (5) employees on the largest shift.</td>
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<tr>
<td>J. Handicap Parking</td>
<td>Will conform to ADA dimensional requirements.</td>
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(Example: Hotel with a restaurant and conference center would include C, D and I)

Vice Chairman Benson gave the public a chance to review the items being presented.

At this time, Ms. Plessner updated the Board on the Highway Impact Fee methodology. She stated Jane Alden, Dennis Allen and herself met with Mike Izard from the Lakes Region Planning Commission (LRPC) regarding the progress on methodology for the highway impact fee. Mr. Izard explained there had been some changes to the RSA pertaining this and there is a question to the legality on how far a town can go with impact fees on roads and highways. Mr. Izard suggested the town discuss with the town’s attorney. Ms. Plessner continued by stating authorization has been received from the Board of Selectmen to allow the Planning Board to contact the town’s attorney to review the information received from Mr. Izard and to make sure adopting a Highway Impact Fee would be in the best interest for the town.

Vice Chairman Benson opened the discussion to public for the zoning regulations changes.

Mr. Brown feels the changes to the zoning regulations as presented have been well thought out.

Ms. Plessner explained the parking regulations are simple but comprehensive. They can be added to at a later
date if the Board finds it is needed.

Mr. Bernard is glad to see the Board is working on parking regulations but feels the setbacks do not seem to be working and wonders if there is there any discussion about changing the setbacks.

Ms. Plessner responded to Mr. Bernard's question on setbacks by stating the setbacks in the Regional Commercial District were designed to allow for utilities and green space between the lots.

Mr. Brown suggested the Board should look at addressing windmills and wind turbines in the zoning regulations.

Mr. Benson feels the parking regulations seem to cover all the various types of parking scenarios.

Ms. Plessner gave a copy of definitions submitted by Katherine Dawson to the Board for consideration. Ms Dawson would like to ask the Board to consider the following changes of definitions:

**Dwelling:** A building or portion thereof that provides living facilities for one or more households and complies with all Tilton Zoning Codes, Health Codes, Tilton Northfield Fire District Codes and all applicable chapters of NH RSAs in TITLE XII: PUBLIC SAFETY AND WELFARE.

**Dwelling, Single Family Detached:** is a single residential unit comprised of a building or portion thereof, that provides complete and independent living facilities and is arranged, intended or designed for occupancy by a single household for year round habitation, consisting of contiguous rooms providing permanent provisions for living, sleeping, eating, self-sufficient bathroom and kitchen facilities connected to all required utilities, thus providing a complete independent living arrangement. Unit must comply with all Tilton Zoning Codes, Health Codes, Tilton Northfield Fire District Codes and all applicable chapters of NH RSAs in TITLE XII: PUBLIC SAFETY AND WELFARE.

**Dwelling, Two Family:** A single residential building containing two dwelling units designed for occupancy by not more than two families. Units must comply with all Tilton Zoning Codes, Health Codes, Tilton Northfield Fire District Codes and all applicable chapters of NH RSAs in TITLE XII: PUBLIC SAFETY AND WELFARE.

**Dwelling, Multi Family:** A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided. Buildings must comply with all Tilton Zoning Codes, Health Codes, Tilton Northfield Fire District Codes and all applicable chapters of NH RSAs in TITLE XII: PUBLIC SAFETY AND WELFARE.

**Seasonal Dwelling:** eliminate - substituting Transient Lodging

**Transient Lodging:** means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests for temporary occupancy such as but not limited to inns, motels, hotels, bed & breakfasts, tourist homes and cabins, ski lodges, lodging homes, condominiums, rooming houses, boarding houses, private clubs, hostels, cottages, camps, chalets, barracks, dormitories, apartments or other seasonal dwelling units for periods of less than 180 consecutive days.

**Structure:** Any object constructed, manufactured or installed by humans, as opposed to that occurring in nature and the use of which requires location on the ground or attachment to something on the ground. This definition includes, but is not limited to buildings, barns, fixed or portable car ports, parking lots, driveways, stadiums, reviewing stands, platforms, staging’s, observation towers, radio or telecommunication towers, water tanks, trestles, piers, wharves, open and closed sheds or other storage buildings, Storage containers, gazebos, open or closed-in decks, porches or breezeways, in or above ground swimming pools, tennis courts, animal shelters, coal bins, tents, shelters of any type, and display signs. Structures which provide
only a safe means of egress or ingress, such as handicap ramps, fire escapes, or stairs, may be exempt from property line setback requirements provided that the structure does not exceed the minimum to this requirements prescribed by the applicable code(s) adopted by the Town. All structures exempted pursuant section shall require a building permit.

**STRUCTURE, ACCESSORY:** An accessory structure is one that is customarily incidental and subordinate to the principal building on the property and is physically detached to the principal building. Accessory structures must be on the same property as the building or use to which they are accessory. Including but not limited to; garage, workshop, garden shed, gazebo, carport, pool house or cabana. Other structures may also be considered accessory structures.

Ms. Plessner explained if these definitions were adopted they would supersede what is currently in the zoning. She continued by stating she would ask Ms. Dawson if these definitions are directly related to the housing ordinance she is working on.

Vice Chairman Benson noted the public hearing will remain open for additional comments. At this time the Planning Board will hear PB Case 13-01.

**PB Case 13-01 Site Plan Review.** Applicant is looking to build a deli/restaurant on the property located at 215 Laconia Road in the Regional Commercial District. (Tax Map R22 Lot 4)

Vice Chairman Benson reviewed the application which appears to be substantially complete with the drainage and building elevation plans submitted. Motion was made by Ms. Plessner and seconded by Mr. Haberman to accept the application. Motion passed.

Mr. Bernard owner of the property located at 215 Laconia Road stated his plan is to build a deli/restaurant.

- Property size is 23,997 square feet.
- Building will be 2205 square feet (35 ft x 63 ft) with 27 parking spaces, 2 handicap spaces, a dumpster location and a raised walk way around the building.
- There will be seating capacity for approximately 50 seats
- Lot coverage of 66%.
- It will have municipal sewer and looking into the town water.
- Some snow storage will be in the back of the site but most will be removed from the site.
- The drainage system is an underground stormwater infiltration system. This has been designed to handle a 100 year storm. There are 5 catch basins to take the stormwater to the system. This system will work very well with sandy soil.
- Updated DOT curb cut application has been applied for.
- This building has been placed on the other side of the lot away from the abutter. We are planning a hedge fence.
- The house that is currently on the property will be removed.
- Proposing a 10 foot setback all the way around the property. This will require a variance to the 50 setbacks which is required per the zoning regulations in the Regional Commercial District.

Ms. Plessner has a concern if 27 parking spaces would be enough for the planned seating and employees. Mr. Bernard explained per the new regulations being proposed that is the number of spaces I can have.

Ms. Tilton asked if Mr. Bernard had the plan reviewed by the Fire Department to determine the number of seats the building would be allowed and access for emergencies. Mr. Bernard stated at this time he has not had them do a review.
Vice Chairman Benson opened up the discussion to the public.

Mr. Adams, an abutter to 215 Laconia Road, has no objection to this development and Mr. Bernard has agreed to put a hedge in for his privacy. He also stated this property is sitting on 120 ft of sand and gravel to allow the stormwater drainage to work very well.

Public discussion was closed.

Mr. Bernard stated he has met with the Tilton Sewer Commissioner and with the Franklin Sewerage Treat Plant. He also noted he has to meet with DOT concerning the railroad tracks.

Motion was made by Ms. Plessner to continue PB Case 13-01 to February 12, 2013 at 6:30 pm to allow Mr. Bernard to:

- Meet with the Fire Department for building capacity and emergency access.
- Seek a variance with the ZBA for setbacks.
- Meet with the Tilton-Northfield Water District.

Motion was seconded by Mr. Haberman. Motion passed.

The public hearing was continued with a discussion of the definitions submitted. A seconded public hearing for the Zoning Regulation changes for 2013 will be scheduled for January 22, 2013.

Other Business:

Minutes: The December 11, 2012 Planning Board meeting minutes were brought to the floor for discussion and approval.

Motion was made by Ms. Tilton and seconded by Mr. Pyra to approve the December 11, 2012 meeting minutes. Motion passed.

Correspondence:

- NH Division of Historical Resources – Project review – Ernie’s Auto Property at 180 E. Main Street.
- Liberty Utilities – Important Natural Gas Safety Information.
- Copy of the Budget Committee public hearing to be held on Jan 23, 2013 and second hearing will be held on February 13, 2013.

CIP Program:

The CIP application submitted were:

- Highway Department 10 year proposal for roads, sidewalks, and equipment.
- Resubmit of the Tilton-Northfield Island – retaining wall repair.
- Police Department – to replace existing mobile and portable radios.

Ms. Tilton made a motion to recommend the projects submitted to the Budget Committee and the Board of Selectmen to review. Motion was seconded by Ms. Plessner. Motion passed.

Hearing no further discussion, a motion was made by Mr. Pyra and seconded by Mr. Haberman to adjourn the meeting. Motion passed. Meeting was adjourned at 8:05 p.m.

Minutes were prepared by Augusta Marsh, Land Use Assistant.

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