Tilton Planning Board
Meeting Minutes - August 12, 2014

Agenda
6:30 PM Call to order.

PB Case 14-01 Continuation for Site Plan Review proposal to remove existing building and construct a retail/office building at 304 Laconia Road in the Resort Commercial District (R20/27)

PB Case 14-09 Continuation for Site Plan Review proposal to retrofit existing space and operate a real estate office at 477 Laconia Road in the Mixed Use District (R10/60)

PB Case 14-11 Site Plan Review proposal to operate a U-Haul rental business in the rear of the Raven's Roost Artist's Gallery & Rustic Raven Bakery parking lot at 407 West Main Street in the Mixed Use District (U8/41)

PB Case 14-12 Site Plan Review proposal to operate a tattoo and piercing business at 263 Main Street in the Downtown District (U5/37)

PB Case 14-13 Preliminary Site Plan Conceptual Consultation proposal to convert land along Laconia Road into ten new residential lots at the Gaslight Village Cooperative at 5 Quinn Street in the Mixed Use District (R10/25)

Other Business:
- Review the July 8, 2014 minutes
- Review the July 15, 2014 minutes
- Correspondence
- Other Business

Members Present:
Jane Alden (Chair), Judy Tilton (Vice chair), Elaine Grace, Juliette Harvey, Katherine Dawson (Ex-Officio Selectman), Eric Pyra, Christine St. George and alternate Robert Haberman

Others Present:
Steve Smith, Jim Reagan (Better Homes and Gardens Realty), David Liberatore (Better Homes and Gardens Realty), Rick Lepene (Granite State Septic Designs), Peter Fogg (Tilton Sewer Commission), Josh Laroche, Tina Cullen, Darrin Harbour, Mary Dubia (Gaslight Village), Betty Worster (Gaslight Village), Jeanee Wright (Gaslight Village), Nick Sceggell (DuBois & King for Gaslight Village), Vinal Worster (Gaslight Village), Michael Cyr (Gaslight Village), Amanda Bracy (Gaslight Village) and Dari Sassan (Planning Board Staff)

Call to Order
Chairman Alden called the meeting to order at 6:30 PM.

PB Case 14-01
Mr. Smith said that he had met with the Conservation Commission to go over the plan and had addressed the Commission's concerns by adding a guard rail fence in front of the detention pond, providing a test pit, relocating the building, decommissioning existing tanks, and addressing snow storage. He confirmed that a stormwater management plan had been submitted. Mr. Smith restated that Town Zoning does not allow for a septic system anywhere on the site, adding that necessary relief would still need to be secured in order to construct a septic system. Mr. Smith said that he anticipated the space being used for retail.

Chairman Alden asked if anyone from the public wished to comment. Mr. Fogg said that the site would have to connect to public sewer if it came within 150 feet of existing infrastructure. Mr. Smith confirmed that the site was not within 150 feet of existing infrastructure.

MOVED by Ms. Dawson to approve PB Case 14-01 with the following conditions:
1. Existing tanks shall be removed or otherwise decommissioned in accordance with applicable best management practices under the supervision of the Code Enforcement Officer
2. The lower catch basin shall contain a permanent oil/water separator and any necessary maintenance shall be added to the maintenance schedule
3. The sediment trap at the outlet of the detention pond shall remain permanently and any necessary maintenance shall be added to the maintenance schedule
4. Necessary relief required to allow for a septic system shall be obtained
5. Any future use other than office or retail shall be subject to further site plan review
SECONDED by Ms. Harvey.

All in favor, none opposed: MOTION APPROVED.

PB Case 14-09
MOVED by Ms. Harvey to accept application 14-09. SECONDED by Ms. Grace.

All in favor, none opposed: MOTION APPROVED.

Mr. Lepene explained that the proposal was to convert space in the existing Tilton Nursery building into a real estate office. He indicated that parking spaces were depicted on the plan and said there would be 24 parking spaces. Mr. Lepene said that the owner plans to connect to public sewer. He said that a landscaping company currently headquartered at the property would continue to operate from the site, adding that all existing greenhouses would be removed and that excess snow would be stored in the vacant area created by removing two of the greenhouses. Mr. Lepene said that impervious area would be reduced and that existing drainage infrastructure should remain sufficient.

Mr. Pyra expressed concern that a dirt pile currently near the site entrance could erode and contribute to stormwater pollution. Mr. Reagan said that the site owner has agreed to remove the pile.

Chairman Alden asked if anyone from the public wished to comment. None was offered.
MOVED by Mr. Pyra to approve \textit{PB Case 14-09 with the following conditions:}
\begin{enumerate}
\item All greenhouses and the dirt pile shall be removed by September 15, 2014
\item The building shall be connected to public sewer within 45 days
\item The existing holding tank shall be removed or otherwise decommissioned in accordance with applicable best management practices under the supervision of the Sewer Commission
\item Greenhouses #2 and #3 (as depicted on the plan) shall be removed and the associated vacant land shall be vegetated within 30 days
\item No alterations to the site shall contribute to increased runoff volume or pollutant loading to abutters or surrounding water resources.
\end{enumerate}
SECONDED by Ms. Tilton.

All in favor, none opposed: \textbf{MOTION APPROVED.}

\textbf{PB Case 14-11}
Chairman Alden said that PB Case 14-11 had been tabled.

\textbf{PB Case 14-12}
MOVED by Chairman Alden to accept application \textit{14-12}. SECONDED by Ms. Tilton.

All in favor, none opposed: \textbf{MOTION APPROVED.}

Mr. Laroche explained that he would like to open a tattoo shop. He said that his application contained further details. He reviewed a diagram of the proposed arrangement of the space. He reiterated the proposed hours of operation as outlined in the application.

Mr. Pyra asked about potential health or environmental requirements regarding any possible discharge into the public sewer system. Chairman Alden explained that the facility would need to conform to all applicable health regulations. Mr. Sassan said that the Sewer Commission Administrator had advised that Winnipesaukee River Basin Project be contacted and informed of the new business. Ms. Harvey asked about the quantity of ink disposed. Mr. Laroche indicated that very small amounts of ink are used and only a small fraction of that is disposed, as most is used up in the tattoo art.

Ms. Dawson asked if the applicant was aware of the Town's Tattoo ordinance as well as the pertinent state regulations. Mr. Laroche said that he was aware of both levels of regulation.

Chairman Alden asked if anyone from the public wished to comment. None was offered at this meeting, however Chairman Alden said that she had been approached by someone with a concern that the shop would attract an undesirable clientele. She said that she expressed her belief to the individual that tattoos have become a widely accepted art form appreciated by all types of people.

MOVED by Ms. Harvey to approve \textit{PB Case 14-12 with the following conditions:}
\begin{enumerate}
\item The applicant shall notify the Winnipesaukee River Basin Project superintendent that the site will be used as a tattoo parlor
\end{enumerate}
2. The applicant shall obtain all necessary licensing and inspection from the State and the Town
SECONDED by Ms. Dawson.

All in favor, none opposed: MOTION APPROVED.

PB14-13
Mr. Sceggell said that Gaslight Village is a resident-owned community, which has been in cooperative form of ownership since 2004. He indicated that the park would like to expand to 39 units and he would need clarification as to whether he would be preceding with a subdivision application or a site plan review application. He asked how Zoning regulations would impact the Cooperative's proposed expansion, questioning whether it might be possible to subdivide a portion of the property as opposed to seeking a variance. Mr. Sceggell indicated that 30 units on six acres, as is allowed in Zoning, would result in an average density of 0.2 acres/unit, whereas 39 units on the site's 9 acres would result in a lower density of 0.23 acres/unit.

Mr. Sceggell said that water is, and will be, provided by the Lochmere district. He said that sewerage is currently processed in several on-site systems, but that part of the current proposal would include connection to the public system. He said that the front lots would connect near Laconia Road, but the lots in the back would connect on Church Street, pending acquisition of an easement from an abutter. Mr. Sceggell said that proposed buffer strips along the road would serve a dual purpose of screening residents from traffic, as well as providing land area for some low impact stormwater treatments such as rain gardens. He said the amount of impervious surface per unit would be reduced.

Mr. Sceggell said that he had approached DOT with the idea of expanding the driveway leading in and out of the park to include a second exit lane to divide left from right-turning traffic. He said that DOT was not only excited about that idea, but also excited to see the additional buffering from the roadway. Mr. Sceggell said that residents had expressed interest in planting evergreen trees in the portion of the buffer strips furthest from the road.

Mr. Sceggell sought clarification as to whether the project would require a Zoning variance. Mr. Sassan said that a variance would be required to exceed 30 units. He said that he could not give an indication of the likelihood of the necessary relief being granted.

Other Business
Review the July 8, 2014 minutes
Corrections to the July 8, 2014 minutes were provided by Board members.

MOVED by Chairman Alden to approve the minutes of the July 8, 2014 Planning Board meeting as amended. SECONDED by Ms. Harvey. (Tilton abstained)

All in favor, none opposed: MOTION APPROVED.
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Review the July 15, 2014 minutes
MOVED by Chairman Alden to approve the minutes of the June 24, 2014 Planning Board meeting.
SECONDED by Mr. Pyra.

All in favor, none opposed: MOTION APPROVED.

Planning Board Correspondence
Chairman Alden reviewed the following documents:
   1. Septic approval from DES
   2. DES Newsletter
   3. Dredge and Fill approval from DES
   4. Driveway permit from DOT
   5. ZBA Notice of Decision
   6. Gilford Planning Board meeting public notice
   7. Topography Survey from DOT
   8. Septic approval from DES

Other Business
Chairman Alden said that the Zoning Ordinance needs to be reviewed and, in some areas, revised. She encouraged Board members to review the Ordinance and pass along any potential revisions to Mr. Sassan.

Chairman Alden said that future approvals should capture all conditions that arise during deliberation and to ensure that the conditions are enforceable and that they include appropriate time frames for satisfying conditions.

Mr. Dawson said that a logger who had refused to apply for and secure a conditional use permit was in violation of the Zoning Ordinance. She said that situation is ongoing. Mr. Sassan said that he would work to schedule a visit from the NH Timberland Owners Association (NHTOA) at an upcoming meeting to discuss the legality and practicality of the Zoning Ordinance's requirement that loggers secure a conditional use permit from the Town prior to crossing a wetland.

Mr. Sassan said that he would bring a laptop and projector to a future meeting to go over the new land use website.

MOVED by Mr. Pyra to adjourn this meeting. SECONDED by Ms. Tilton.

All in favor, none opposed: MOTION APPROVED.

The meeting adjourned at 8:21 PM.

JA/ds