Tilton Planning Board
Meeting Minutes – September 11, 2018

Agenda
6:30 PM Call to order.

Review the June 26 & July 10, 2018 Minutes

PB18-09 Continuation of Site Plan Review – proposal from Marc Bourgeois to expand the existing MB Tractor business to include additional outdoor equipment storage areas and associated stormwater management controls at 10 Bittern Lane in the Regional Commercial district (R24/4)

PB18-10 Conditional Use Permit (Wetlands) and Continuation of Site Plan Review – proposal from Marc Bourgeois to expand the existing MB Tractor business to include a new cold storage building and outdoor equipment storage areas at 18 Bittern Lane in the Regional Commercial district (R24/5)

Other Business:
- Correspondence
- Other business

Members Present:
Eric Pyra (Chair), Juliet Harvey, Jane Alden and Katherine Dawson (ex-officio Selectman)

Others Present:
Lenore Mead, Thomas Mead, Joe Jesseman, Chris Swiniarski, Jack McCormack, Kevin Lacasse (Highland Ridge), name illegible, Kent Brown, Marc Bourgeois, Naomi-Clare Praul and Dari Sassan (Planning Board Staff)

Call to Order
Chairman Pyra called the meeting to order at approximately 6:48 PM. He said that review of minutes would be conducted at the end of this meeting.

Planning Board Case 18-09
Chairman Pyra indicated that he expected the applicant to continue the case. Mr. Sassan said that the
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applicant has clearly been the party requesting the continuations, which he said constitutes waiver of the requirement that cases be decided upon within 65 days of acceptance by the Board. Attorney Swiniarski confirmed that the applicant waives the 65-day requirement in regards to this case.

MOVED by Ms. Alden to continue PB Case 18-09 to the 10/9/18 Planning board meeting. 
SECONDED by Ms. Harvey.

All in favor, none opposed: MOTION APPROVED.

PB Case 18-10

MOVED by Ms. Dembitzky to continue PB Case 18-09 to the August 14, 2018 meeting. 
SECONDED by Mr. Pyra.

All in favor, none opposed: MOTION APPROVED.

PB Case 18-10

The Board considered a Change of Use review form submitted pursuant to the case. Attorney Swiniarski said that he did not feel additional Site Plan Review and Conditional Use Permit review should be necessary, adding that he believes the proposed project is of lesser impact than the 2016 site plan approval for the site. Mr. Sassan said that he has been advised that site plan review should be conducted, if for no other reason than to approve a plan that accurately depicts what is being constructed. Attorney Swiniarski agreed that the town should be able to obtain and accept such a plan. Mr. Sassan said that Planning Boards are authorized through state statute to perform only certain operations, including site plan review. He said that the prescribed procedure for adopting a site plan is by conducting a site plan review hearing. Thus, all parties agreed to open the case at this meeting for site plan review.

MOVED by Ms. Alden to table consideration of the Change of Use review form for 18 Bittern Lane. 
SECONDED by Ms. Harvey.

All in favor, none opposed: MOTION APPROVED.

Ms. Praul presented the revised plans. Attendees discussed the wetlands buffer. Mr. Swiniarski said
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that no trees had been removed within the wetlands buffer. Ms. Dawson expressed disagreement.

Attendees discussed that plans presented at previous meetings to restore the wetlands buffer with nursery plants had been changed and that the revised proposal is to tallow the area to revegetate on its own. Ms. Harvey expressed approval of this proposal.

Chairman Pyra asked if anyone from the public wished to comment. No public comment was provided.

MOVED by Ms. Harvey to **approve the Conditional Use Permit (wetlands) associated with PB Case 18-10. SECONDED by Ms. Alden.**

All in favor, none opposed: **MOTION APPROVED.**

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MOVED by Ms. Harvey to **approve PB Case 18-10 with the following conditions:**

1. A note shall be included on the final plan indicating that this approval shall supercede the previous, 2016 approval.
2. A performance guarantee shall be provided, in an amount and form acceptable to the Town of Tilton, to serve as a financial surety for full and final completion of all buildings, paved areas, drainage and utility infrastructure improvements; and proper installation and maintenance of erosion and sedimentation control measures throughout the construction of all buildings, paved areas, drainage and utility infrastructure improvements.
3. A note shall be included on the final plan indicating that a 60-foot buffer surrounding Ice House Pond shall remain undisturbed, except for installation and maintenance of the approved drainage structures.
4. All stormwater maintenance logs and reports shall be submitted to the Land Use office.
5. The property owner shall contact the Board of Selectmen to determine whether improvements shall be made to Bittern Lane.
6. All necessary driveway permits shall be obtained from NH DOT.
7. All required local, state and federal permits shall be obtained.
8. A Certificate of Occupancy shall not be issued prior to the final plan being signed.
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SECONDED by Ms. Dawson.

All in favor, none opposed: MOTION APPROVED.

Other Business
Mr. Sassan reviewed the conditions of approval for Case 17-04. Mr. Mead asked who would be responsible for ensuring that the required background check procedures are being followed. Mr. Sassan said that the Code Enforcement Officer would be the person to check to see if the police department is following up on background checks.

It was discussed that one of the snow storage areas depicted on the plan might be located within the wetlands buffer. Mr. Sassan he would seek clarification from the applicant.

MOVED by Mr. Pyra to sign & approve the Site Plan for Case 17-04 pending clarification that the depicted snow storage areas are compliant. SECONDED by Ms. Dawson.

All in favor, none opposed: MOTION APPROVED.

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Mr. McCormack explained that a Variance has been obtained to allow for building footprints of 1,880 square feet within the Highland Ridge development on beside Country Meadows on School Street. He said that the Town Planner, DES and the Town’s third party engineer have all indicated that the 380 square foot per building increase would not result in substantive additional impacts, and that all three are accepting of the change without additional review.

Ms. Dawson asked if the change would result in an increase in the number of bedrooms per home. Mr. Brown said that it would not. Ms. Dawson said that the Chairman explicitly said that if such a change were to be approved by the ZBA, further Planning Board review would be required. Mr. McCormack acknowledged that the Chairman had made such a statement, adding that this visit to the Board was to ensure the Board is not bypassed. Mr. Jesseman said that Ben Wadleigh has mentioned a drainage problem associated with the development, but that Mr. Brown has not been able to locate the problem in the field. Mr. Jesseman asked whether the developer would have to fix the problem if indeed it does surface. Board Members and the applicant said that, if a drainage problem surfaces, it will have to be
corrected by the developer.

MOVED by Ms. Alden to determine that no further site plan review shall be required as a result of the additional 380 square foot per building footprint increase granted by the Zoning Board of Adjustment. SECONDED by Ms. Harvey.

All in favor, none opposed: MOTION APPROVED.

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MOVED by Mr. Pyra to approve the minutes of the June 26, 2018 Planning Board Meeting as corrected. SECONDED by Ms. Harvey.

All in favor, none opposed: MOTION APPROVED.

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MOVED by Mr. Pyra to approve the minutes of the July 10, 2018 Planning Board Meeting as corrected. SECONDED by Ms. Harvey (Alden abstained).

All in favor, none opposed: MOTION APPROVED.

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The Board reviewed and signed the final plan for Case 18-07.

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MOVED by Ms. Dawson to adjourn this meeting. SECONDED by Ms. Alden.

All in favor, none opposed: MOTION APPROVED.

The meeting adjourned at 9:54 PM.

-JT/ds