

the names and addresses of the people and ask the public by order in which the hands shown were shown. There will be a 3-minute limit for all. There were no questions. The Chair closed the Public Hearing.

Brian Mycko made a motion to: approve the Site Plan Review application from Yatin Patel and Nirali, LLC, 21 Riverside Drive, Map 206, Lot 110, with these conditions:

- 1. The board would like a clear delineation of the acreage.**
- 2. The board would like a copy of the flood plain change.**
- 3. The board would like a copy of a letter from the Fire Chief stating that he is okay with everything.**

Bonnie Moroney seconded and the motion passed unanimously.

Donna Foster asked to again join the board and was reseated on the board.

Next on the agenda was Hunt Properties, LLC, 675 Route 3 South, Map 207, Lot 36. Hunt Properties was before the board for three Public Hearings. The first Public Hearing was to amend the conditional subdivision approval for Ruby Way of April 2011 to change the ten-lot subdivision to condominium ownership.

Chairman Mills said this was part of an application that has been ongoing for 5 years. The Chair said he had a question:

- Ownership of road – Dave Scalley said they are going to have an association for the condominiums. At this point and up until the association has been formed, he will own and maintain the road. Once the association is created, the association will own and maintain the road. Dave said that he willwould retain a lawyer to help with the Condominium Regulations of the State and to the forming of the Association.

The Chair told the board and public that if they wanted to know more about this they could look up RSA 356, A-K.

Chairman Mills asked if the board had any questions. There were none.

Bonnie Moroney made a motion to: accept the application from Hunt Properties, LLC, 675 Route 3 South, Map 207, Lot 36, Ruby Way, to amend the conditional subdivision approval of April 2011 to change the ten (10) lot subdivision to condominium ownership as complete. Michael Hogan seconded and the motion passed unanimously.

The Chair opened the meeting for a Public Hearing. There were no questions from the public. The Chair closed the Public Meeting. The Chair asked if the board had any other questions and there were none.

Bonnie Moroney made a motion to: approve the application from Hunt Properties, LLC, 675 Route 3 South, Map 207, Lot 36, Ruby Way, to amend the conditional subdivision approval of April 2011 to change the ten (10) lot subdivision to condominium ownership. Michael Hogan seconded and the motion passed unanimously.

The next Public Hearing for Hunt Properties, 675 Route 3 South, Map 207, Lot 36, Ruby Way, was for an application to determine whether the conditions precedent of the conditional subdivision approval of April 2011 had been met so the Mylar could be signed. The Chair stated that at the last meeting the board had a letter from Horizons Engineering stating that a third inspection of Ruby Way would not be needed. The board voted on that last notice. Then after that meeting an email from Horizons was found and it raised four questions about the road they felt needed to be addressed.

1. Water bacteriological results which are typical
2. Water leakage results
3. Soil degradation analysis
4. Storm water testing

The Chair said he had asked Greg Hogan to present to the board his findings. Greg said that all the tests had passed that Iron Works out of Jackson, NH had ~~done~~completed. He said they are all licensed for this and they do present findings to the state all the time. Everything DES

requires passed and ~~everything~~ the noted items as well as all other issues raised in the project's progression is/were in compliance with applicable standards and regulations. ~~He~~ Greg stated he had visited Ruby Way several times and he has a list of the ~~times~~ occasions; he went ~~there~~ to the site without the prior knowledge of ~~anyone~~ the applicant or contractors. Greg further stated he ~~and has~~ had met and conferred with all of the engineers involved in the project.

Brian Mycko made a motion to: accept the application for Hunt Properties, LLC, 675 Route 3 South, Map 207, Lot 36, Ruby Way, to determine whether the conditions precedent of the conditional subdivision approval have been met is complete. Bonnie Moroney seconded and the motion passed unanimously.

The Chair opened the Public Hearing and asked if there were any questions from the public or board. There were none. The Chair closed the Public Hearing.

Brian Mycko made a motion to: approve the application from Hunt Properties, LLC, 675 Route 3 South, Map 207, Lot 36, Ruby Way, to determine whether the conditions precedent of the conditional subdivision approval of April 2011 have been met so the Mylar could be signed. Bonnie Moroney seconded and the motion passed unanimously.

The final Public Hearing for Hunt Properties, LLC, was a Site Plan Review for a change of use from a restaurant and motel units to restaurant, retail and four, two--bedroom apartments. Bonnie Moroney recused herself for a possible conflict of interest.

Submission Requirements as listed on the application (changes only based on the prior application):

- No changes

Michael Hogan made a motion to: accept the application from Hunt Properties, LLC, 675 Route 3 South, Map 207, Lot 36 for a change of use, as complete. Brian Mycko seconded and the motion passed unanimously.

The Chair opened the Public Hearing. There were no questions. The Chair closed the Public Hearing.

Brian Mycko made a motion to: approve the Site Plan Review application from Hunt Properties, LLC, 675 Route 3 South, Map 207, Lot 36, for a change of use from restaurant and motel units to restaurant, retail and four 2 bedroom apartments with the condition that the Fire Chief submit a written report on the fire provisions. Michael Hogan seconded and the motion passed unanimously.

Bonnie Moroney asked to join the board again and was reseated on the board.

A Wireless Communications tower application was had been now submitted before to the board. The application is before the board for “substantial completeness.” The secretary did tell the board that the ad for the balloon test for the 180-foot tower is in this week’s paper. The test will be held on Saturday, May 14th, from 9 AM to 11AM. If the weather is not good it will be on Sunday, May 15th, same time. And if the test cannot happen on either of those days, the next scheduled test will be on Saturday, May 21st, same time. Photos will also be taken of the test and be available for the public to view.

The Chairman ~~brought up~~ raised the matter of “visual impact studies” and had mentioned that it was something he felt Jeanne Stapleton had brought up at the last meeting. Ken said that ~~it~~ visual impact studies are ~~is something~~ conditions we ~~the board~~ can require them in order to show us and ~~it~~ how visual impact issues can be mitigated. He didn’t see anything in the application referring to that. He has contacted DOT and