

PRESENT: Vadney, Chairman; Sorell, Vice-Chairman; Bayard, Secretary; Kahn; Touhey; Dever, III; LaBrecque, Town Planner; Harvey, Adm. Assistant.

MINUTES OF FEBRUARY 23RD MEETING WILL BE REVIEWED AT THE NEXT PLB MEETING. COPIES NOT PROVIDED TO THE BOARD PRIOR TO MEETING.

APPLICATION SUBMISSIONS

1. **ALBERT & DONNA DUCHARME** – Proposed major 2-lot subdivision of Tax Map R30, Lot 4, located at 16 New Road, in the Forestry/Conservation District.

The applicant is proposing to subdivide a 16-acre parcel off of the 160 acre parcel in the Forestry/Conservation District with 10-acre zoning. The subdivision plan and abutters list are in file; application fees have been paid. This application constitutes Due to the ability to resubdivide, it's considered a major subdivision so the application is recommended to be accepted as complete for the purpose of proceeding to a public hearing on April 27, 2010. Kahn asked if this replaces the approval already given, in addition to or is this part of the property that was already a subdivision. Vadney – This is carving 16 acres off 160 acres. It's the one down below and will come off the lower road. The previous subdivision plan was never signed by the Planning Board. Kahn – We conditionally approved it but it was never signed? I would point out that I think one of the conditions that we had was there be certain off-site improvements with respect to the intersection out there and I think we have the same issue coming up if we're subdividing this piecemeal. We have the same issue with respect to the Upper Ladd Hill Road subdivision as to when the off-site improvements kick in.

Touhey moved, Bayard seconded, MR. CHAIRMAN, I MOVE WE ACCEPT THE APPLICATION AS PRESENTED AND PROCEED TO PUBLIC HEARING ON APRIL 27, 2010. Voted unanimously.

PUBLIC HEARINGS

1. **JAMES KEENAN FOR NORTHWAY BANK** – Site Plan to construct a new bank building and related site improvements on Map S17, Lots 15 & 16, 42 Upper Ladd Hill Road, CB District. Application accepted on February 23, 2010.

Jim Keenan – I'm here to talk about the site plan and development for the above site. At our last meeting we spoke about different things that went on at the site and Angela at the time had to send all the information for the Town's engineer to review. I believe everything is now up-to-date on all his recommendations, is that correct?. LaBrecque – I believe they have all been addressed. Pictures of possible retaining walls were shown to the Board. Keenan - A Shea block retaining wall is proposed. LaBrecque – I can go over everything that's been happening since our last hearing. Since our last hearing, Lou Caron received a set of plans and reviewed the grading and drainage and sent his comments to

Russ. I also reviewed his comments. There were a couple recommendations, one of which was adding a perforated pipe between a couple of catch basins to provide for some infiltration and that revision has been made as well as several other revisions. I think there were some comments regarding the drainage calculations. The DOT also commented and sent a letter regarding the drainage from the site and they're planning on sending out a response to the applicant soon. and They called me to let me know that at first glance everything seems to be fine would be issuing you an excavation permit as well as the OK to send water into their pipe underneath the highway. I also spoke to the sign folks and clarified some of the design that was submitted. The Barlo sign details are in your packet starting on Page 20. There is an illustration of what the sign looks like illuminated at night. The sign is going to be gray and opaque so in the evening the only thing lit will be the letters. The BLA plan will need to be recorded before the Site Plan is signed off on by the Board. I believe the setbacks and some other comments in the staff report have been addressed. Maintenance documents of the drainage facility shall be given to the Town as well as to the owner so they know how frequently and how to maintain their drainage facilities and operation. The maintenance records shall be kept by the applicant so in the future should the Town have any concerns, they can ask for the records and they will be provided. The documents will be provided to the Town electronically. Sprague asked if the Board approved this plan this evening, what is the timeframe in getting the documents signed. All documents need to be signed in order for us to close on this property. All conditions need to be met prior to signature.

Kahn moved, Touhey seconded, MR. CHAIRMAN, I MOVE WITH RESPECT TO NORTHWAY BANK, TAX MAP S17, LOTS 15 AND 16, LOCATED ON UPPER LADD HILL ROAD AND UPPER MILE POINT DRIVE, I MOVE WE CONDITIONALLY APPROVE THE SITE PLAN APPLICATION, SUBJECT TO THE FOLLOWING:

- (1) THE SETBACKS SHALL BE REVISED TO BE 30' FRONT SETBACKS ALONG THE ROAD FRONTAGES AND 10' SIDE SETBACKS ALONG THE TWO OTHER LOT LINES.
- (2) THE BOUNDARY LINE ADJUSTMENT PLAN SHALL BE RECORDED.
- (3) THE SITE PLAN SHALL NOTE THE STATUS OF THE WELL LOCATED NEAR UPPER MILE POINT DRIVE.
- (4) FINAL PLANS SHALL NOTE THE DRIVEWAY PERMIT REQUIRED FROM DPW.
- (5) ALL SAFETY RECOMMENDATIONS NOTED IN THE TECHNICAL REVIEW SHALL BE INCORPORATED INTO THE PLAN.
- (6) AN EXCAVATION PERMIT IS REQUIRED FOR WORK PROPOSED WITHIN THE STATE ROW.
- (7) MAINTENANCE DOCUMENTS OF THESE FACILITIES SHALL BE KEPT BY THE OWNER AND FURNISHED TO THE TOWN UPON REQUEST. OPERATION AND MAINTENANCE DOCUMENTS SHALL BE PROVIDED FOR THE DOWNSTREAM DEFENDER.

(8) ALL DRAINAGE AND GRADING COMMENTS IN THE TECHNICAL REVIEW SHALL BE INCORPORATED INTO THE FINAL PLAN.

(9) SUFFICIENT INFORMATION SHALL BE PROVIDED TO LOU CARON BY THE APPLICANT'S ENGINEER TO CLARIFY QUESTIONS REGARDING THE DRAINAGE MODEL.

(10) TO THE EXTENT ANY CHANGES ARE REQUIRED BY THE DOT, LOU CARON SHALL REVIEW THE REVISIONS. CONFIRMATION FROM DOT SHALL BE PROVIDED TO THE TOWN INDICATING THEIR APPROVAL WITH THE PROPOSAL.

(11) THE SITE PLAN SHALL BE REVISED TO CLARIFY WHICH FREESTANDING SIGN LOCATION WILL BE CHOSEN.

(12) THE ABOVE GROUND COMPONENTS OF THE PROPANE TANK SHALL BE PROTECTED BY BOLLARDS.

(13) A PERFORMANCE GUARANTEE WILL BE REQUIRED TO GUARANTEE SATISFACTORY SITE STABILIZATION DURING CONSTRUCTION. THE DESIGN ENGINEER SHALL PROVIDE A UNIT COST ESTIMATE ON FORMS PROVIDED BY THE TOWN. STAFF WILL REVIEW THE ESTIMATE AND ESTABLISH THE AMOUNT OF THE GUARANTEE. THIS CAN BE DONE ADMINISTRATIVELY. THE FORM OF THE GUARANTEE SHALL BE EITHER CASH OR LETTER OF CREDIT. THE FORMAT OF THE LETTER OF CREDIT OR CASH AGREEMENT SHALL BE APPROVED BY THE FINANCE DIRECTOR.

(14) THE PLANNING BOARD SHALL RESERVE THE RIGHT TO REVIEW AND AMEND ANY APPROVAL AS PROVIDED FOR IN SITE PLAN REVIEW REGULATION NOS. 7 & 17. Voted 6-0 in favor of the motion.

2. **JAMES KEENAN FOR NORTHWAY BANK** – Architectural Design Review of the proposed bank building, Map S17, Lots 15 & 16, 42 Upper Ladd Hill Road, CB District. Application accepted on February 23, 2010.

Keenan reviewed the elevation plans with views from each of the access points. We added two doghouse dormers and there is a cupola on the top of the building. We did put a reverse gable on the front of the building to also break up the roof. The shingles will be architectural shingles on the front of the building. We had talked about hardy plank on the side of the building. The windows are basically colonial in design, the front door will probably be a Conair or equal with mullions in the door. There will be a night depository and a drive-up ATM. There will be a total of 235 sq. ft. of signage, 240 sq. ft. is allowed. The directional signs don't count towards the total sign area. Under the canopy there's a minimum of 100' candles down lighting. There will also be lights at the back of the building. There is a video system on the bank itself. Bayard asked if the signs will be lit all night. Keenan – That would be the Board's decision. Sprague indicated it is very bright in that area now that the roundabout is in. Hearing closed at 7:33 p.m.

Dever moved, Bayard seconded, MR. CHAIRMAN, IN REGARDS TO THE ARCHITECTURAL DESIGN REVIEW FOR NORTHWAY BANK, I WOULD LIKE TO RECOMMEND WE ACCEPT THAT THE PROPOSED DESIGN

DEMONSTRATES SUBSTANTIAL CONFORMITY WITH THE GENERAL AND SPECIFIC CRITERIA SET FORTH IN THE ORDINANCE WITH THE CONDITION THAT THE ZONING ADMINISTRATOR REVIEW THE LIGHTING TO ENSURE IT'S NOT INAPPROPRIATE BUT ALLOWS FOR PEOPLE TO ACCESS THE ATM AND BE ADEQUATELY DIRECTED TO THAT BUT NOT OVERLY LIT AND WHATEVER LIGHTING IS NOT NECESSARY IS SECURED AT A REASONABLE HOUR DECIDED BY HIM AND THE BANK. Voted unanimously.

3. **VANASSE HANGEN BRUSTLIN, INC. FOR LAND ACQUISITION, LLC –**

Continuation of a public hearing held on 10/27/09 & 12/22/09 for a proposed major subdivision of Tax Map S17, Lot 2, into 8 lots, located on Upper Ladd Hill Road in the CB District. Application accepted on 9/22/09.

Mike Dibitto – I am here to present what we think is the final draft of the plan you've been looking at for some time. We are working with 4 driveway cuts after meeting with Angela and the Highway Department and worked out what we thought was a viable scheme for driveways. These driveways are very gently graded and work well and meet that 4 cut standard the Highway Department's working with. Lots 7 and 6 are serviced by one common drive and is a fairly gentle slope. We moved that driveway last year based on comments from some of the Board members during the site walk. There is also a common drive serving Lots 4 and 5. Lots 1 and 3 are serviced by a common drive that goes over what will eventually be the ROW for the proposed road. We intend to install a driveway subject to driveway easements that will eventually come off the new road and then there's one single drive servicing Lot 2. I think we've pretty much worked out most of the issues. The only one lingering is the water service. We have been advised by the Water Department that we have an allocation that will service these lots so now it's a matter of the configuration. Subsequent to the last meeting, we did hire a Water Consultant, Bruce Lewis, who did an analysis of the entire subdivision and the water systems in the surrounding area. His recommendation is that we connect to the pump station that was just installed for Meredith Bay Colony Club and that would give adequate pressure for the lots. We were formally a little perplexed on how we would get sufficient pressure so we're still waiting for a final go ahead from the Water Department as to that layout but we expect there will be a cross-country main that will essentially run within the existing water main until it crosses what we have as a proposed road layout. We would then run that main within that proposed roadway layout so it wouldn't need to be relocated at a later time and would come out to Upper Ladd Hill Road and then will branch upwards to service those 5 lots to the uphill side. The other issue is Lot 8, we came to the novel idea based on the Community Development input to just mark on the plan that lot was not a buildable lot under this plan, it is for future development. We believe that resolves any need for having a separate driveway to that 17-acre parcel. LaBrecque – I'll update the Board on what has come about since the last hearing. More recently a revised set of plans have been submitted by VHB and Lou Caron is currently in the process of reviewing the plans to see if his comments and concerns have been addressed and incorporated into the plan set. The

application previously was proposing to have a water source off of the 16" transmission line that goes to the center of the property and at the last hearing it was indicated to the Board that the applicant and staff were in agreement as to what needed to be submitted to demonstrate the viability of the proposed water extension. In the time following the last hearing, correspondence from Lewis Engineering to the applicant was shared with staff and the Water Department. The applicant's engineer concluded that the 16" main cannot provide sufficient water pressure to serve the subdivision so in that memo connection to the Meredith Bay Colony Club booster station was recommended as a solution. This all came about more recently in the past week or two. The applicant hasn't formally proposed this as a solution to the Town, however, there may be some issues associated with it. As stated in the Lewis Engineering letter, there are some operational aspects of the booster station that make the reliability of water questionable. Additionally, there is litigation surrounding the booster station at this time and there is uncertainty regarding whether or not the Town legally has the ability to approve that connection. As recently as today, I spoke to Town Counsel and wasn't really up to speed on everything that's going on with that booster station. It is something we have to look into a little further. At this time the Board doesn't have sufficient information for an approval given the question of water which the density is premised upon, obviously, it's quarter acre lots so that density would be dependent upon having municipal water. Up until this point, representations have been made that they would be connecting to the transmission line. That approach is no longer feasible so it's a new design on the table so I recommend the Board seek clarification on the legality of connecting to the Colony Club's booster station. I think this can be accomplished by making an inquiry to the Town Manager and hopefully he can advise the Board what we can or cannot approve. It is also recommended that the public hearing be closed and reopened following a formal public notice. We've been through 5 public hearings now since it was accepted in September. Any additional information for the Board to review should be submitted according to the application deadline schedule. This will give staff and the applicant an opportunity to further examine the alternate water supply. It is also recommended that if the applicant doesn't determine that this can be completed, then possibly at a meeting in August whenever the Board feels it appropriate, we open up the topic for discussion and figure out where to go from there. At that point, the Board can decide how to act on the pending application. This decision must be made at a public meeting although it's not necessary to reopen the hearing at that time just for us to discuss what we should do. Vadney – I am little confused. The Water Department says there is enough water in the tower. Dibitetto – Brian Carroll has verbally said that. LaBrecque – The water in the tower is not the issue, it's getting it to the property and the booster pump station is not really ours yet. To put in another booster substation would be subject to whether or not the Water Department would be open to another booster station. There is not enough pressure to come from the water tower across their own land was the conclusion reached by Lewis Engineering. Dibitetto – There are two tie-in agreements in place the town has entered into with the developers. LaBrecque – I was advised to recommend to the Board to inquire of the Town Manager as to the

status. Vadney – The bottom line as we see it tonight, there are 3 options, come through the Town system and get the necessary approvals, (2) go through the Colony Club system or (3) go through the Mile Point system. Legal issues relative to the 2 pump stations would have to be resolved before encumbering them with anything else. We can't give any kind of approval if we can't see a clear path for whatever system is finally chosen. Dibitto – Our counsel has been in touch with Town Counsel and we've spoken with all the litigants. We feel either of the developers would welcome us to connect in and pay them their fees. If the plan as laid out would meet with the Board's approval, we would be happy to put a timeline to resolve all the conditions including the question of water layout, legal rights, etc., its up to the Board to make that decision but I would volunteer from our standpoint that we would be willing to caveat fully that its our responsibility to finalize that within 30 or 60 days. Failing to do that, obviously, wouldn't allow us to move forward with an executed signed plan so there are a number of things we will need to plan for review and approval easements, etc. Kahn – I for one am not willing to give a conditional approval where the existence of water is a condition, that's my view. Touhey – I feel the same way, I think that would really be stretching it. Dever has the same feeling. A great deal of discussion took place regarding how to handle this matter at this time, whether continue it to a date specific or close out the hearing and when the applicant is ready to move forward, they could follow the usual deadline requirements and the public would be re-noticed.

Kahn moved, Sorell seconded, MR. CHAIRMAN, I MOVE WE CLOSE THIS HEARING WITHOUT A DAY. Voted unanimously.

PRE-APPLICATION REVIEW

1. **MEREDITH PUBLIC HEALTH NURSING ASSN.** – Pre-Application Conceptual Consultation to discuss possible development of Tax Map S25, Lot 50, located at the intersection of NH Route 104 and Waukewan Street in the B & I District.

Carl Johnson – The Meredith Public Health Nursing Assn. is proposing to develop Tax Map S25, Lot 50, which is a property you're pretty much familiar with located at the intersection of Waukewan Street and NH Route 104. This triangular shaped lot has been before the Board several times in the past for different proposals, most recently as a motorcycle fabrication shop. The parcel is currently vacant and is zoned Business & Industry. It's a little over ½ acre in size and because of its triangular shape has very unusual setbacks associated with it making any reasonable development of the property impossible without a variance for setback relief. In addition to the municipal setbacks, there is a 50' natural landscape buffer setback from the edge of the ROW of Route 104. This creates an extremely small buildable area without a variance. This lot is zoned B & I and because of its nature, configuration and location, the types of uses permitted in this zone aren't really the types of uses that anybody wants to see occur on this piece of property so we will be heading to the ZBA for 3 variances, one of which is for the use because the use as a Visiting Nurses Assn. building is not a permitted use in that zone. The other thing

we will be going for is a variance for the municipal setback because we'll be in violation of that as a result of the configuration of the lot and we're also protruding very slightly into the 50' natural landscape buffer area. There's very little natural buffering existing on the lot, a few big trees in the front and its now being populated by some smaller species, birch and alder type trees, so it would be dependent on a landscape buffer to try to temper the building. What we're proposing is a building 47' x 60', it's one story with a basement. The main story will be accessed by a very small parking lot with its entrance coming off of Waukegan Street. The number of parking spaces calculated for the lot is 28 required, but this particular use needs only 11 spaces so we would be asking for a waiver down to 11 spaces being shown on the Site Plan. This discussion is conceptual so there may be some fluctuation in a few of the things that are happening. I do have some schematics to show you with regard to the architectural layout of the building and also the physical layout which may change by the time we get to a formal application. The Board previously was concerned where the drainage on the lot is going to go. We hoped to keep all of the drainage on site so the post development flow rate and amount would remain the same. We did about 11 test pits on this lot recently and we got 6-8' with no ledge but the seasonal high water table on the lot is such that infusing the surface water into the ground is not possible so we're not able to do anything in terms of infiltration on this lot to any great degree. Fortunately, there is a fairly new culvert system and catch basin system which services Waukegan Street and we are proposing to take as much of the drainage as we can from the roof into a gutter system and fuse that into a foundation drain pipe to get that away from the system and to take the remaining small amount of drainage coming off the parking lot, put it into a structure located west of the parking lot associated with a rain garden and then the remaining water would go into a catch basin and be culverted and tied into the existing culvert system that services Waukegan Street. We're talking 8,000 sq. ft. of coverage on this lot, it's about a third of what's allowed, 65% is allowed in the B & I District and it would be significantly less than that. It's really a very small amount of water we're dealing with even in a serious flood event. Paul Fluet has been retained and he's doing the design of the drainage structures on this lot so we have no doubt when we come before the Board with a full set of plans that the drainage situation will be addressed adequately. We're investigating a couple of other methods of dealing with some of the water on the site and will be presenting engineering plans along with the site plan. One of the major problems you may recall is that Business & Industry buildings look like B & I buildings, they don't look like professional office buildings or residences or have any type of colonialism associated with them. They are basic Morton type buildings and that was a major problem with the Board when we came in with the motorcycle fabrication shop. That fabrication shop did not have to go to the ZBA for a use variance because it was a permitted use; however, the type of building for that use is not going to look anything like the type of building that's being proposed by the Visiting Nurses Assn. There will be a regular walk-in door for access to the lower portion of the building. Along with the Architectural Design Review, we will have a full color scheme of the building. If you wanted to build a residence on this property, it would be necessary for you to go to the ZBA because a residence is not a permitted use in this zone so either way, you would be

going to the zoning board for a variance. All of the parking is being buffered by the building itself from the residence next door and there will be no activity on that end of the building. Accentuated by the fact the general use and nature of this operation is such that you have the basic Monday thru Friday, 9-5 type use of this building and very little usage if any on the weekends so its probably the best use I've seen come along for this piece of property, but that will be decided by the Zoning Board. We are kind of doing all the work necessary hoping we can get the necessary variances from the ZBA. I think this proposal will be well received by the Zoning Board as well as the abutters. The Visiting Nurses do a lot of their work out of the office. There are about 7 employees that will be operating at one point or another out of this building so its very low employee use and they won't all be there at the same time and that is why you have fewer parking spaces that might be otherwise required by some other businesses. This again is subject to some revision. The basic size of the building is going to remain the same and there may be some tweaking of where the interior walls are and so forth. The main entrance faces Waukegan Street. We did relocate the entrance from the previous plans that had been submitted to the Board and we have reviewed that with Mike Faller and he does not have an issue with the single entrance being proposed on the lot. If you remember there's one entrance up on the front of the lot and then one off of Waukegan Street and there was great concern about using this entrance because of its proximity to the intersection. There is enough of a distance differential to the proposed entrance where Mike said he would not have a problem issuing a driveway permit for that location. One of the advantages of the culvert system we are thinking about installing is it doesn't involve cutting the road to get into a culvert on the opposite side of road. We'll be coming down to a new catch basin going underneath the driveway which would have to have a culvert anyway for that stretch and then there would be a small stretch tying into an existing catch basin. As part of the architectural design review also have a landscape plan. Basically, we are thinking of having some landscaping in front of the building and also some landscaping to buffer its proximity to Route 104. We are probably going to have 2 signs, one small sign just inside the ROW and one sign on the east side of the driveway. The signs do not show up on the plans we have here. The sign will be more informational for people to know where to go when they have to get these services. Vadney – I like the looks of it, it looks handsome. I think the single entrance will work OK. The water issue probably can't be any worse than it is right now. We do have to look at the fact that although this is intended to be used for many years in this way, the lot is what really counts when we're cutting and making a lot here. We might want to look at any notes we might want to put on the plan so if this property gets sold, we would have some leverage that it not turn into something with giant signs and ugliness to it. That 50' buffer goes back a lot longer than 15 years when the attempt was to keep the approach to Town looking handsome and I would say we've put more emphasis on that particular lot and that area coming into Town and then down the hill, those two areas are the most that we've ever focused on as far as trying to make things look nice so I think that's something we should keep in mind that we add some restrictions so this is our chance to get our foot in the door for next time. Johnson – We are applying for a use variance as "professional office space". Although they

need a lot of space, they don't generate a lot of traffic trips per day which is a major advantage to this site in that the general public doesn't go there on a frequent basis. The nature of the building and the parking lot they are building, if they were to vacate that property, they would have a major problem coming in and getting permission from any Board, either Planning or Zoning, to do a major expansion of that so the nature of it being approved would be self-limiting to a great extent. Bayard – What we're buffering here is B & I so I don't think it has to be 50'. I like the idea that you're putting in a buffer, but I think it does reduce some of the concerns we've had in the past just by the nature of the building. I assume there will be HC parking in there. As this thing's evolving, we have the rain garden located where I originally thought to have some expanded parking available, that's going to be necessary to contain some of the strainers we're talking about so it takes it away from the mix in terms of putting parking there but there are some other spaces we could have employee parking on the side of the building if necessary. We will be coming to the Board with an analysis of the trips coming to the building they are in now. They have a pretty good history of the building they are in and how many parking spaces they need and that's valuable. There are not a lot of parking spaces where they are now. Vadney – As far as laying out some future parking, that may hurt us because knowing how these folks operate, I'm pretty sure they are not going to need those provisional and if we lay them in there it might open the door for the next guy. Johnson – My intention would be to show the Board a plan that wouldn't be the site plan that would be approved but would illustrate to the Board there might be some areas to expand if needed. I agree with not showing it on the plan because then it's essentially approved as being parking and we don't really want it to be that way. The building is actually one story because the basement is buried for the whole front part of the building so it's really a one-story building with a walk-out basement. Johnson – Bill made a good point that the natural landscape buffer is intended to be buffering the Morton buildings and the nature of this building is such that you don't really need to have as much buffering because its nice looking. Sorell – Carl, do you have a permit to put the water in the Town's existing culvert system? Johnson – This would have to be reviewed by Mike Faller, DPW and OK'd by him. There's a catch basin out in front of the property that's in the DOT ROW that exits underneath the highway and it's a gigantic culvert and goes over to a big wetland area and could more than adequately handle the drainage on this site but we've had experience lately with the DOT resisting adding any drainage from off-site lots into their drainage system but I heard tonight that the bank is going to be putting some drainage into the drainage system on Route 3. LaBrecque – They are maintaining the rate so they are not increasing the amount of water in that pipe in any given time, just the duration would be longer. Johnson – We do have water and sewer available for this lot. We're still investigating with the Water and Sewer Department exactly where it is. Dever – They did bring a line across for Inkware. Johnson – The lines are there but unfortunately we don't believe there is a shutoff provided for this lot which should have been done when they put the line in which would have made it real easy so we will have to tap the line and we are still trying to track down the sewer plans because we are pretty sure they put in a sewer stub.

Meeting adjourned at 8:31 p.m.

The above Minutes were read and approved at a regular meeting of the Meredith Planning Board held on April 27, 2010.

s/ A. William Bayard
A. William Bayard, Secretary