

PRESENT: Vadney, Chairman; Sorell, Vice-Chairman; Bayard, Secretary; Brothers, Selectmen's Rep.; Kahn; Touhey; Dever, III; LaBrecque, Town Planner; Harvey, Adm. Asst.

Kahn moved, Sorell seconded, THAT THE MINUTES OF NOVEMBER 23, 2010, BE APPROVED AS PRESENTED. Voted unanimously.

### APPLICATION SUBMISSIONS

1. **AMES ASSOCIATES FOR HALFMAN REALTY TRUST AND THOMAS M. & SHEILA L. DIONISIO**, – Proposed Boundary Line Adjustment between Tax Map U21, Lots 7, 9 and 10, located on Pinnacle Park Road in the Shoreline and Meredith Neck Districts.

LaBrecque – These 3 lots are located on Pinnacle Park Road, Lots 9 and 10 are developed and Lot 7 will be split up and consolidated with Lots 9 and 10. The BLA plan, application checklist and abutters list are on file. The application fees have been paid and it is recommended the application be accepted as complete for the purpose of proceeding to a public hearing this evening.

Touhey moved, Dever seconded, THAT WE ACCEPT THE APPLICATION FOR A BOUNDARY LINE ADJUSTMENT AS COMPLETE AND PROCEED TO PUBLIC HEARING THIS EVENING. Voted Unanimously.

2. **DUSTIN G. HARPER** – Proposed Site Plan to establish a Home Occupation for restoring boats and vehicles, Tax Map U10, Lot 3, located at 78 Plymouth Street in the Residential District.

LaBrecque – This site plan is for the purpose of having a home occupation for boat and automobile restoration located on Plymouth Street within the Residential District. The application and abutters list are on file, filing fees have been paid. A waiver request has been submitted for a formal survey and environmental information due to the site already being developed. It's recommended the waiver be granted and the application be accepted as complete for the purpose of proceeding to a public hearing this evening. Voted Unanimously.

### PUBLIC HEARINGS

1. **AMES ASSOCIATES FOR HALFMAN REALTY TRUST AND THOMAS M. & SHEILA L. DIONISIO**: (Dan Ellis, Ames Associates)

Dan Ellis – This property is located on Pinnacle Park Road. Dinisios own Lot 9 which is developed with their recently constructed new home. Lot 10 is owned by Halfman Realty Trust and is also fully developed. The majority of Lot 7 is vacant and the only thing on Lot 7 which is also owned by Halfman Realty Trust is the septic system for Lot 10, as well as a septic system for Lot 11. The rest of the land

is vacant, 2.7 acres. The background on the proposal is that Mr. Dionisio was interested in purchasing some of the land for a future garage and also to have an alternative septic location if ever needed. The proposal is to subdivide Lot 7 in half area wise and half of it would be merged with Lot 9 and half with Lot 10. That would mean that 1.38 acres on this side of the road would then become part of Lot 9 and 1.38 acres will become part of Lot 10. As things stand right now, Lot 7 is actually a separate lot of record that could be developed fully with a house and so forth. The proposal is to reduce that density down to 2 lots total which would be an improvement. Lot 9 is currently 0.4 acres, Lot 10 is currently 0.36 acres. The septic easement for Lot 11 would not be affected; the septic system will remain where it is with no impact on that easement right of Lot 11. Lot 9 currently has its own approved leachfield in the corner, after the adjustment he would have access to this whole area for purposes of a future garage and potentially a future septic system if he needed it. Lot 10 has an existing approved leachfield; Lot 11 has a leachfield with rights to an area here for that leachfield. We do need state approval for this lot line adjustment but have not filed the paperwork yet. LaBrecque – Currently, there are 3 lots proposing to go from 3 to 2. The lakefront lots do not meet the density requirements of the Shoreline District. Lot 9 gains 76,000 sq. ft., Lot 10 gains 77,000 sq. ft. and will make these 2 lakefront lots conforming. It is split by a zoning boundary so all of the zoning components of the Meredith Neck District will apply to that area on the other side of the road. A note should be added to the plan that states provisions of Article V-C, District Boundaries, shall apply. Additionally, the zoning district line between Meredith Neck and the Shoreline District should be added to the plan to illustrate the location of it. There is an easement there for the benefit of Lot 11 currently on Lot 7 and that easement will remain. The abutter to that had a concern but the easement will just carryover so the applicant shall provide draft conveyance deeds for staff to review. The executed deeds shall be recorded with the mlyar. The applicant shall verify in writing whether or not there exists a mortgage on Lot 7. If there is a mortgage, there shall be a satisfactory release recorded in conjunction with the conveyance deed. The area of title overlap was questioned by the Board. Ellis – This means there are some errors in the deeds and that's illustrated because I'm required to do that by law. It really doesn't have any impact on this proposal. All areas have been calculated to the more conservative line and also the line that most of the plans on record agree with. LaBrecque – The Meredith Neck District has 3 acre zoning so currently Lot 7 on the north side of Pinnacle Park Road is a non-conforming lot in the Meredith Neck zone but its going away. Ellis -The district boundary is the centerline of Pinnacle Park Road. Brothers – On the current waterfront lot, Tax Map U21-10, is there an existing septic on that and this is just additional backup or is the septic for Lot 10 going to be done at the same time. Ellis – The existing septic for Lot 10 is located on Lot 7. There's a tank here and then it pumps across the road to that leachfield. The state requires that we show a 4,000 sq. ft. potential area and the smaller footprint inside that is the approximate actual leachfield that's already there. LaBrecque – Why does this require state subdivision approval, is it because its waterfront? Ellis – Because it does affect

septic systems. The state approval number will be referenced on the final plan. Public Hearing closed at 7:20 p.m.

Dever moved, Bayard seconded, MR. CHAIRMAN, I MOVE IN THE CASE OF AMES ASSOCIATES FOR HALFMAN REALTY TRUST AND THOMAS & SHEILA DIONISIO THAT WE APPROVE THE BOUNDARY LINE ADJUSTMENT WITH THE FOLLOWING CONDITIONS:

- (1) A NOTE BE ADDED TO THE PLAN THAT STATES THE PROVISIONS OF ARTICLE V-C., DISTRICT BOUNDARIES SHALL APPLY.
- (2) THE ZONING DISTRICT LINE BETWEEN MEREDITH NECK AND THE SHORELINE SHALL BE ADDED TO THE PLAN.
- (3) THE APPLICANT SHALL PROVIDE A DRAFT CONVEYANCE DEED FOR STAFF TO REVIEW. THE EXECUTED DEED SHALL BE RECORDED WITH THE MYLAR. THE APPLICANT SHALL VERIFY IN WRITING WHETHER THERE EXISTS A MORTGAGE ON LOT 7. IF THERE IS A MORTGAGE, THERE SHALL BE A SATISFACTORY RELEASE RECORDED IN CONJUNCTION WITH THE CONVEYANCE DEED.
- (4) A NOTE SHALL BE ADDED TO THE PLAN INDICATING THE STATE SUBDIVISION APPROVAL NUMBER.
- (5) THE SURVEYOR OF RECORD SHALL PROVIDE WRITTEN EVIDENCE THAT ALL PINS HAVE BEEN SET PRIOR TO RECORDING THE MYLAR.

Voted 7-0 in favor of the motion.

2. **DUSTIN G. HARPER** (Rep. Attorney Bill Philpot)

Attorney Philpot – The applicant is seeking approval for a home occupation for boat and vehicle restoration (antique cars and that sort of thing, not general car repairs or general boat repairs). I did have the opportunity to read the staff report with regard to recommendations and some concerns about what has been advertised on the internet associated with uses. In large part what has been advertised was the previous uses and the uses that are not compatible with the home occupation, Jerry Harper has arrangements with M & M to store boats at their facility which is across from the Town recycling facility so I don't think that should be a concern. The arrangement Jerry has with M & M is verbal and they've been working together for years so it's not been codified in writing but can be if the Board wants proof of that arrangement. As the application is submitted, there will be no outside storage. I understand there was also a comment with regard to the sign. Jerry had the sign positioned so there would be two sides; that can be changed to allow for a one-sided sign to face the road just to introduce the property. Signage is not critical due to the ability to advertise internet. The home occupation will be in the large garage which appears on the site plan and there will be no outside storage and no outside uses. It will appear as a residence as it is today. Dever – I assume you will be doing vehicles and fiberglass repair and that type of thing? Philpot – To a certain extent, not in a large sense. There is some patching, welding with regard to

restoration that would be involved but not on a grandiose scale. Dever – Painting? Fiberglass? Gel coating? Philpot – Yes. Jerry Harper – I don't really do any fiberglass repair, I don't like fiberglass boats, merely wooden boats. If I do any painting on a vehicle, it will be brought to Alan Hann in Center Harbor. Dever – Will you be doing sanding, body repair, body restoration or any of that? Harper – Maybe sanding or body filler inside the building, or even wet sanding. Dever – So where do you plan to catch that or if you're doing rinsing? Harper – The wet sanding? Everything will be inside the building. Dever - Where does it get recovered? Whatever comes off the car? Harper – It will go in the dumpster of course. Bayard – I assume there's some changing oil and things of that nature, lubricants and stuff. Harper – Mainly its for my own personal use as far as changing the oil and I've got a regular drain bucket and put it in 55 gallon drums and give it to whoever wants it. Anybody will take waste oil. LaBrecque – I think maybe you guys were getting towards any hazardous materials possibly. Are there floor drains in the garage? Harper – No. LaBrecque – If there were floor drains connected to the sewer system, we would have an issue. As was stated, it's a home occupation. The applicant came into the office and met with Bill and I and made the application to do boat and auto restoration and that's how we staffed it. Then we got a sign design and it said car sales and restoration, things sold on consignment so my first question was how are you going to restore stuff and store it if you're selling on consignment all in a 4-bay garage? We didn't get into the fact he had a partnership with M & M Salvage so to the extent this additional consignment work and sales work is happening on the site, Bill didn't really have a chance to evaluate that or talk to the applicant specifically about what will be occurring on the site beyond restoration and/or off site and potentially if M & M Salvage has a site plan, would they need a site plan amendment. This all came to light basically right before Xmas Eve and Friday was a holiday so we didn't get a chance to sit down and put our heads together or call Jerry in for a meeting so as you can see, that website says that all of these services are provided so the recommendation to continue to the January meeting was made so staff could do some further investigation of what exactly is going to play out on Plymouth Street. Vadney – What will be the maximum number of vehicles that will be on the site at any one time? Harper – Just what will fit in the building which will be probably 2. I have to have room to work. Everything will be at M & M's, nothing will be at my place. I want it to look just the way it looks right now. Brothers – It was touched on earlier and when I saw consignment, I was concerned but I'm not familiar with the M & M site other than I know where it is but I don't know how its zoned, what are permitted uses down there and how much more intensive the use can be down there in order to accommodate your additional business, but it would make sense that some sort of codifying the arrangements or formal agreement of some sort because if you get in there and there's a change of ownership or anything like that will have an impact so it would seem to me it would be worth the effort to try to formalize some sort of an agreement in terms of what parts of his business would be taking place on M & M's site vs. strictly the home occupation. Harper – I've only got 3 or 4 or 5 boats to begin with so it's not going to be much of an impact. He does sell boats there. Most of my stuff is way up back on the upper level. He gave

me that whole piece of property behind his building to store stuff and to put boats up there and I do have some on the left as you come in his driveway for sale but it doesn't affect his business in the least. He doesn't sell a lot of boats, it's merely a salvage yard. Brothers – I still think as part of the staff report then perhaps there can be some ongoing discussion to figure out what kinds of uses are there, what are the permitted uses and I think the two are correlated and I would like to see some sort of a diagram and an analysis of what's on the M & M site and how your business would impact that business in terms of shrink wrapping, storage or anything else. It needs some clarification for my purposes. Vadney – I agree with Peter on that. We've been pretty open on home occupations. This one is a little different. I have concerns about moving boats in and out of that driveway in a Residential zone. Philpot – It's the time of year when things are busy and the one thing that has to happen is that both sides have to be comfortable with the situation. I would recommend we go to the end of the month and maybe you could formulate some questions that you want to spin on staff so we can have a positive result at the end of the month. Unless we answer your concerns, we're not going to get an approval. Vadney – We thoroughly support the idea of home occupations. Harper – I don't want to mislead anyone, I don't shrink wrap for the public. I don't do any more big boats because I have no place to work on them. I will sit down with Bill and Jerry and try to nail down all of the Board's questions. I am not very familiar with the M & M property, I know we've looked at it in the past. Vadney – I have trouble thinking the only boats and vehicles there would be the ones in the garages. (inaudible-no mike) LaBrecque – I will try to nail down all of the Board's questions so whatever it is that's going to take place on site and off site is memorialized in the site plan or a decision. I have traffic and cars being able to turn in and out, is there anything else? Dimensions used to come up with the calculations are in the Board's packets. Touhey – I would be more comfortable if we had some kind of a listing of what will be permitted on this site and what won't be permitted. In the staff report there's a number of things you picked up off the web site and you indicated some of this is not going to be done there. Normally, we do get the dimensions because the 25% is a hard number we look at so we want to make sure we have it documented. (inaudible-no mike)

Dever moved, Sorell seconded, THAT WE CONTINUE THIS HEARING TO THE NEXT MEETING, JANUARY 25, 2011. Voted Unanimously.

### PRE-APPLICATION REVIEW

1. **RUSTY MCLEAR FOR HAMPSHIRE HOSPITALITY HOLDINGS** – Pre-Application Design Review of proposed changes to Tax Map U06, Lots 147 & 149, located at 281 Daniel Webster Highway in the Central Business District.

Rusty McLearn – Pre-Application Review - This is a project that we've been thinking about for years. When the Planning Board approved Church Landing in 2003, it approved Church Landing for a 68-unit project, we built 59 units and there were 9 units left in Phase 2. Subsequently, we have been fortunate to purchase the house

next door previously owned by Mrs. Biddiscombe. This property is about ½ acre of land and 183 feet of frontage with a small beach. It has a lot of ledge from Route 3 that was blown up when Route 3 was built and that's all down there which is kind of interesting. Rusty pointed out the green building at the end of the existing development which is where the Rectory and garage used to be. The Biddiscombe house is next door and will stay there. We plan to build two more small buildings that are designed to look like turn of the century lakefront cottages in that same scale and feel. A 6-room building is proposed and a 7-room building is proposed with some public space. This will all be connected by a public walkway. The building itself will be 7 rooms plus the public space which is an indoor/outdoor pool, a lobby like the Oval Room area in the Church Landing building now and an upper area which will have a fireplace and would be a place to gather, sun and an additional public space that the guests can use. I'm really happy with the plan we have but I'm not as happy with the drawing we have, it's a little klunky. This building is going to look like a boathouse, the doors will open up to the pool which will be an infinity pool and there will be 3 slips inside so there will be kind of an indoor pool/outdoor pool very similar to what we have now but just a little bit different looking. There will also be a fireplace inside that. These buildings will be shingle buildings like the existing ones and it's a reasonably small project, it's between 15,000 and 16,000 sq. ft. There is another beach on this piece of property so we have 3 buildings, 21 parking spaces, and because we're building over part of the parking space down here, we'll probably be removing 5 spaces so that gives us 16 new spaces for 15 units. One of the things we've looked at is an area to turn around in. The turnaround could be more parking but we've discovered the turnaround we had was too small when it's busy, people wouldn't notice it, they would just drive by it and end up driving into the homes on Lake Shore Drive and Mr. & Mrs. L'Heureux who live next door to Mrs. Biddiscombe's property wanted to make sure that whatever we built had a significant and visual area for potential guests to turn around. I think this does it, it's 20' wide, 18-20' deep, we would do an arrow in the road and also put something up that looks like gates. We have 15 units, an indoor pool, a lobby area, an upper area that has a stone cooker on it and it's also where we would cook hamburgers and hot dogs and that kind of thing for the pool area which we don't have now and that will be a big plus for us. It probably doesn't sound like much but this is going to be a really big change for this project, it adds a great deal of space for the guests, the rooms are going to be really elegant, something that will take us to the next level and it's something we're very excited about and this walkway is what connects it all. It may connect along the front but that part I don't know yet. Pictures depicted an outdoor cedar porch on a property called Lake Placid Lodge in Lake Placid which is one of the best looking small hotels I've ever seen and that is what our expansion will look like. It's open air on one side, it's closed in on a couple of spots if you've got cars parking up against it or that kind of thing. We will be applying to DES for at least 3 maybe 4 docks. We have 2 tin docks out there now but we have room to have more docks. The Biddiscombe house will be 2 units. I don't have a finished drawing of the Biddiscombe house although it's the same dimensions that it is now and the other building will simply be a 6-room building, it won't be very big but we can make it,

because it's not big, pretty sweet. Bayard – There's no proposed conference center with this project? McLear – There's a lobby like the Oval Room at Church Landing which we do use for meetings and things sometimes. There is water and sewer. LaBrecque – How is it connecting to your existing line. Are you extending your service line? (inaudible) McLear – The answer is no, Paul Fluet is the same engineer who did the original project and has done all of our stuff. CCI is the same contractor. The landscape architect is new, G2+1, and they've done a great job. Bill Smith will be in charge of the project and has been in charge of all of the projects for HHH. We have some drainage issues that Paul will be looking into. We will have everything ready for the Town to review prior to the February meeting. Paul's working on all that now. The timeline on this is to start November 1<sup>st</sup> of 2011 and open up in early May of 2012. (inaudible-no mike) Bayard – How's the issue on the parking that's going with the other approval we just did, has that played out already? McLear – We started construction on that 3 weeks ago. The steel arrived today for the posting inside the building so we're going to start putting that in tomorrow but then we shut down for the rest of the week because we're very busy and will reopen on the 3<sup>rd</sup> and start with the steel. We've had only one large event and we did have valet parking. I was one of the drivers and we learned some things. It went OK, but didn't go great. We'll get it, we've hired a company to come up out of Boston and they are going to run the valet program for awhile until we learn how to do it. That's going to work really well, I was amazed at how well these young people who were doing this had it together and how they operated. It wasn't only going over to our parking lot and they probably ended up with 60 or 70 cars over there, but stacking them up until they get them to where they need to go, it was really pretty interesting to watch. I think its going to work fine. They said they wanted to bring 12 people; we had 4-5 people of our own so I told them to bring 7. We did not know what we were doing. Touhey – I am a little concerned about getting fire equipment down in there on Lake Shore Drive because it's going to get tighter and tighter. McLear – That's another reason for this big double wide turnaround area and we also don't have a space here at the end. We can get more parking in here if we have to but I'd rather not. I'm sure you'll be talking with Ken Jones. Brothers – Going back to the concept because I'm trying to figure out what we're accomplishing here, you say we're not really adding anything from a convention standpoint, but it would appear to me that these 15 units are going to be of a higher end quality so is more for somebody who might have a wedding and stay for 3 or 4 days? Is it going to intensify the current usage you have on the other end. I know we're adding a second pool and chances are a pool for 15 units, there are others that will use it but is it going to change the overall current structure or is it strictly to offer a slightly wider gamete of stay and quality? McLear – From a business perspective, this will sound counter intuitive, our highest occupancy room is our most expensive room, our second highest occupancy room is our 2<sup>nd</sup> most expensive. On down through the first 15 or 18 rooms, the rooms that are really special are the rooms that really sell. They don't sell to meetings or conventions; they don't even sell to weddings except for the bride probably. Our rooms here are 425 sq. ft., these rooms are between 650 sq. ft. and 850 sq. ft. They'll have glass showers, everyone will have a Jacuzzi, they all have fieldstone fireplaces, they all

have patios, screen porches or decks and two of the them have the old-fashioned sleeping porches so they are all of that caliber and that's what we're looking for. None of them will have two beds, they are all king bedded rooms. The upstairs unit in Mrs. Biddiscombe's house will have two beds. We are looking for a very targeted market, it's not the group market, it's the leisure getaway with your spouse market for a couple of days. What we found is when we had the rectory up, people stopped. The rectory had over 200 feet of frontage, this has 183 feet of frontage and people still stop so everybody stays here and we also find that our indoor/outdoor pool, the outdoor area of it is very small and this gives us a place to spread out existing people. It will add 30 people but we're adding over 300' of frontage so 30 people on 300' of frontage is pretty good but think we'll spread out more of our regular people here. Brothers – I think what I was trying to get at is there's the hotel, the restaurant, there's this and certainly we're opening up a whole 300' of additional shore frontage so there will be more people coming in and what I was trying to get at was from a parking standpoint and are there going to be more people coming in that will impact it other than the 30 people with 12 cars. Is it going to exacerbate the parking by change of use and encourage more people to come in and use those common areas? McLearn – No, because even the rooms aren't suites. We have a number of suites in the main hotel that are two-room suites and 3 of them have 2 bathrooms, these are all one large room, we have found that's what people seem to like. They will be our best rooms. Vadney – (inaudible-no mike). As we get down the road, we want to have valet parking all the time. We also want to have bellmen that will take people to their rooms.

Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Mary Lee Harvey, Adm. Assistant  
Community Development Dept.

The above Minutes were read and approved at a regular meeting of the Meredith Planning Board on \_\_\_\_\_.