

PRESENT: Vadney, Chairman; Bayard, Secretary; Worsman, Selectmen's Rep.; Kahn; Dever, Alternate; Edgar, Community Development Director; Harvey, Clerk

Bayard moved, Worsman seconded, THAT WE POSTPONE APPROVING THE MINUTES OF 9/25/07 TO THE NEXT MEETING. Voted unanimously.

APPLICATION SUBMISSIONS

1. **BRUCE AND JANELLE VAAL AND SACHELS REALTY TRUST** –Proposed Boundary Line Adjustment between Tax Map R07, Lots 55 & 49, located on Sanctuary Lane and Collins Brook Road in the Shoreline District.
2. **BRUCE AND JANELLE VAAL AND SACHELS REALTY TRUST** – Proposed Major Subdivision of Tax Map R07, Lots 55 & 49, into two lots (4.82 ac. and 39.48 ac.) located on Sanctuary Lane and Collins Brook Road in the Shoreline District.

Edgar – The applicant proposes to transfer 27,235 sq. ft. from Map R07, Lot 55 to Map R07, Lot 49, in anticipation of a two-lot subdivision. The applicant also proposes a major subdivision of the reconfigured lot into two lots, a 4.82 acre lot and 39.48 acre lot. Lot 1B which is the 39+ acres obviously has re-subdivision potential which makes it a major subdivision by definition, however, the re-subdivision of that lot is not before us at this time. For your information, back in May of this year we reviewed a possible subdivision of that larger piece under pre-application review. The applications, subdivision plan and boundary line adjustment plan and abutters list are all on file. Filing fees have been paid. I recommend the application for Boundary Line Adjustment and the application for the two-lot subdivision be accepted as complete for purposes of proceeding to hearing and further recommend that the applications be scheduled together for public hearing on the 23rd.

Bayard moved, Kahn seconded, THAT WE ACCEPT THEAPPLICATIONS FOR BOUNDARY LINE ADJUSTMENT AND MAJOR SUBDIVISION FOR BRUCE AND JANELLE VAAL AND SACHELS REALTY TRUST FOR PUBLIC HEARING ON OCTOBER 23, 2007. Voted unanimously.

3. **DEEP WATER MARINE MANAGEMENT, INC.** – Proposed Site Plan Amendment to create a family recreation facility in an existing building for boat slip customers, Tax Map U35 – 8A, located on Lovejoy Sands Road in the Shoreline District.

Edgar – The applicant proposes to renovate an existing building to provide a family recreation facility for existing boat slip customers at Shep Brown's Marina. The applicant met with the Planning Board most recently under pre-application review on October 24, 2006. As a result of that meeting and in anticipation of a formal filing, Chairman Vadney advised the applicant's attorney that (1) the Board did not see the proposed recreation center as a change of use from a zoning perspective, (2) that the recreation center did not require a special exception and (3) Site Plan

review is required and would be focused on the proposal and related impacts. John asked Carl to confirm whether or not the current scope of the proposal is consistent with what the Board looked at last October. Carl Johnson, representing Deep Water Marine Management, was not at the previous hearings but in discussions with client, the expansion of the building as presented previously to the Board is identical, the floor plans are identical. I have been retained to investigate some of the impacts of that expansion and look at possible reconfiguration of the parking to better accommodate the existing slips that are there and I've done that but with regards to what was presented in terms of the family recreation facility, that expansion is the same as what was presented to the Board last year. Edgar – The application, site plan and abutters list are on file. Filing fees have been paid. With that confirmation and on the basis of the Board's direction per the correspondence dated 11/30/06, I recommend the application be accepted as complete for purposes of proceeding to public hearing later this evening.

Bayard moved, Worsman seconded, THAT WE ACCEPT THE APPLICATION OF DEEP WATER MARINE MANAGEMENT FOR A PROPOSED SITE PLAN AMENDMENT. Voted unanimously.

PUBLIC HEARINGS

1. **ROBERT HALE ANDREW & PHYLLIS ELDRIDGE TRUST** –Continuation of public hearings held on July 10 and August 28, 2007, for a proposed Major Subdivision to subdivide 15.73 acres into 5 lots (3 ac. – 5.11 ac.), Tax Map S02, Lot 1, located on Old Center Harbor Road in the Forestry/Rural District. Application accepted June 12, 2007.

Applicant has requested a continuance to October 23, 2007. Bayard moved, Kahn seconded, THAT THIS HEARING BE CONTINUED TO OCTOBER 23, 2007. Voted unanimously.

2. **B & N DESIGNS, LLC:** (Rep. Jeff Burd) (Dever stepped down) Continuation of a public hearing held on August 28, 2007, for a proposed Major Subdivision of Tax Map S25, Lots 30 & 38, into 5 lots (2.26 ac., 3.82 ac., 4.45 ac. 5.60 ac. and 6.94 ac.) located on Waukewan Street in the Residential District. Application accepted August 14, 2007.

Jeff Burd – We were before the Board on August 28th presenting the plan. At that meeting the Board requested a second site walk to review the driveway locations, the house locations and the well impacts. Since that date, we staked out the centerline of the common driveway on the south side of the property. Gove Environmental went to the site, verified the wetland flags and actually redelineated some of the wetlands. Also since that meeting we met with Town staff and looked at a design revision for the project. Originally, we had the sewer services extending across the property to the north tying into a gravity line and tying into the existing gravity on Waukewan Street so all the sewer for all 5 lots was going across

the stream to a central gravity sewer main between lots 1 and 5 and then out into Waukegan Street. The discussion we had with the Town staff was to actually eliminate these services from these 3 lots and extend the sewer up Birch Hill Road to the end of the common driveway then we would run services down the driveway to the end of this extension of the public sewer main. This does several things for this project: it eliminates the wetland impact at the stream crossing to get over to Waukegan Street on the north side, it eliminates our need to excavate and extend the sewer in Waukegan Street. That road was just paved several years ago and is in fairly good condition and it would be quite an undertaking to actually go in there and tie in a new sewer main. Lastly, what it does for the Town is it gets the sewer further up Birch Hill Road which is a benefit to the Town as it is our understanding there are some failed septic systems or houses needing or desiring municipal sewer up in that location and this gets it closer to some of the ones further out. We still need to make these changes on our plans and would need to design this sewer extension and we also need to show our new wetland delineation and there are a number of other housecleaning items we need to address and resubmit plans, but we would like to accomplish tonight if possible is to see if we could get our waiver approved for the common driveway because without that waiver, extending the sewer may not make sense with this design so we're asking for that tonight and what I've done is put together a handout for the Board at John's suggestion. This summarizes some of the design considerations we've taken into account for this project. I think I discussed items 1-7 at the last hearing. There are a couple that may need some pointing out but more importantly down at the bottom you'll notice I put together a summary table of the impacts associated with the alternatives that we showed to this Board at the last meeting and in the meeting back in February when we were looking at conceptuials. Basically, we looked at 3 different designs originally, a conventional subdivision, a cluster subdivision and what we called our preferred design which is actually a reduced density, no roads 5-lot subdivision. (Plans put up on Board for the Board to review) If you go through the table, you can see in most instances with the wetland impacts, the impervious surfaces and the total disturbed areas, the numbers are going down as you get to the revised design that we're proposing tonight so worth pointing out is the fact that the revised design again eliminates this wetland impact altogether taking 750 sq. ft. of impact out of the proposal so we're actually under 1,000 sq. ft. of wetland impact. We did receive our wetlands permit from NHDES this week with the previous design with that 750 sq. ft. included so obviously we have to get that permit amended if we change the plan now and we need to amend it anyway to address these new wetland delineations. Bayard – It looks like you'll be bypassing a stream crossing too so that actually is a positive. Are you talking about sewer extensions for the 2 at the bottom here also? Burd – There's an existing service that's already connected for 1 of them. We can tie into that one with 2 houses. Bayard – As far as the wetland goes, you said it's going to be redesigned, is it going to expand much into the roadway and stuff like that or is it just sort of a redesign? Burd – It's very similar to what we have and on the site walk I think we pointed out some of the changes and Randy can go through that tonight. Basically, this line kind of skirts the proposed driveway that we're looking to build between the property line and the

wetland so the line while it meanders, there was one area where it actually moved out further and reduced the first impact, further up the driveway there was an area where the wetland actually came in, there was a drainage channel of some kind coming down off of Route 104 and that's an additional impact. Those are two minor changes there and then a little further up there was a finger that came up into Lot 2 and other than that, there are no additional wetland impacts. There might be a little bit more of a buffer impact on that common drive but we don't yet have that delineated on the new plan. Worsman – I see 3 houses on one driveway and then you're still planning on coming in on Waukegan Street for the 2 on the north end of the property? Burd – Yes, actually we met with the DPW Director and walked this part of the frontage for these two lots and right where the driveway is shown now, there is a little bit of a sight distance problem, as well as an extremely large Oak tree right in the middle of it which might be worth saving, if not it will be very difficult to take down so what we talked about with Mike Faller out in the field was actually moving one driveway up to one extreme of the property line and having a second driveway down on the other extreme and that improves the sight distance for both access points and Mike has no problem with granting two driveway permits, 1 for each of those lots for a total of 2 as long as we're not proposing any drives down in this area which we're not. Two drives for 23 acres that was his recommendation. Worsman – The 3 would parallel the property line and then come in on Lot 3, 2 and 4 to share a driveway. Kahn – You show a 50' setback on that wetland that comes down from the billboard, I thought that was a stream? Shouldn't that be a 75' setback? Randy Shuey, Gove Environmental Services – We went out to the site again today based on the site walk that was done last week and took a look at that area. While there is some scouring through the area we walked, it's not a contiguous or continuous scouring all the way down, that scouring is basically one wheel rut from a skidder trail and it doesn't really meet the definition of a stream. Kahn – I thought there was a culvert coming under 104 there so the culvert just happens to run into a wheel rut? Shuey – The area that was originally delineated was not delineated as a stream. The scouring that's out there now was caused by the logging operation and it's not a stream. Vadney – I must admit I find that hard to believe because the boulders in the bottom of that would have caused trouble even for a skidder. Kahn - The boulders with no vegetation on them happen to line up with the culvert. We've got a situation here where the stream is not a stream and we have misled cattails that have somehow landed in things you don't regard as wetlands. Shuey – I don't call that a stream, it's a skidder trail. If you talk to the people at the Wetlands Bureau, they have a name for those; they call them "skidder streeps". Kahn – What about the fact that you've got the outflow from a culvert going right through there? Shuey – I understand that but historically and prior to the logging, that area was not scoured, while there was a flow out of that culvert, it doesn't always mean that there's scouring going downhill from it. Kahn – How can you prove historically it wasn't scoured? Shuey – I flagged it in 2002. I flagged it prior to the disturbance from the logging operation. Kahn – I have a lot of difficulty thinking that scouring is due to a skidder, it looks to me like its water coming through the culvert and washing down the hill. Shuey – To that point, I don't think it makes a difference whether it's a 75' buffer or 50' buffer, we can show a 75' buffer

on the plan and be done with the discussion. Kahn – When we were out there on the site walk, you seemed to be taking a very, very aggressive view as to what is not a wetland. You say the cattails weren't there when you looked at it years ago, there are cattails there now and it's been a very dry summer. These cattails are egregiously misled if they're growing in these dry lands. Shuey – The soils that are out there that are growing underneath those cattails are not hydric soils. The bottom line is you need 3 parameters to make a wetland, you need hydric soils, hydrophytic vegetation and evidence of wetland hydrology and we don't have one of those criteria which is the soils and obviously right now we don't have the evidence of wetland hydrology either. Bayard – Just for clarification I would assume you would put a culvert in there anyway. Shuey – Right. Bayard – So you would take what would normally be the mitigation if there were a stream there, it would be somewhat similar? Shuey – I would probably also base that on today's site inspection and make a recommendation to do some stabilization because that basically is just eroding down right now. Edgar – As you folks have indicated the flagging was reset based upon the second time around and as Randy indicated before, the boundary had changed due to the change in vegetation that had resulted from the clearing operation, plans are in the process of being revised to reflect those lines. With respect to the sewer idea of coming up Birch Hill Road, that was an idea that had been floated early on in the process. Mike had reaffirmed that idea with the applicant. I did bounce it by Bob Hill and he was agreeable to that. Mike's interest primarily was not to have an open cut in the road. There would be some level of public benefit by running some sewer up Birch Hill Road for future tie-ins. I think we ball parked the distance as being comparable maybe even slightly less than if they came in off Waukegan Street and ran the sewer in down the length of a road that way. DPW permits are required for all locations. The reason why I had suggested some kind of an analysis like this, Colette, was that the Planning Board's practice has been and I think we dealt with this on a completely different application recently and that is the Planning Board historically defers to the Board of Selectmen on any waivers so this Board is not in a position to grant waivers to the Selectmen's Road Ordinance under our current operations. The rationale that was represented a while back to this alternative is it was less environmentally impacting than the others and under these particular circumstances in this particular watershed and so forth, this may be a lesser impacting alternative to the environment and may have some merit so I've asked in prior staff reviews that be quantified so we know what we're looking at in terms of we're not just dealing in generalities but looking at the disturbed areas of the scenarios, the wetland impacts, the buffer impacts and the amount of impervious and that's what gave rise to this analysis you have in front of you. Under our current ordinance, the Board's practice is to defer those kinds of recommendations to the Board of Selectmen and my guess is the applicant is trying to get a sense of what the views are of the Board relative to that issue going forward to the Selectmen. With respect to the drainage, here again we know that 5 houses on 20 acres is not an exorbitant amount of impervious but we are going to change the hydrology a little bit by adding the house sites and the driveways and what the applicant had presented in the initial plan set was some kind of low-impact

development type of feature that would basically collect the building runoff and try to keep it in the ground longer rather than it sheet flow downstream or into the stream and then down into the lake to try to let that infiltrate into the ground a little bit, slow it down and then let it migrate back into the wetlands and the stream banks as it would normally occur. I had asked Randy to consult with the engineer as to the best way to deal with that. The reason I suggested that is the basins initially thought of would be a typical catch basin that's perforated and then kind of packed in gravel to allow water to go into the basin and then drain out of the basin and we have a pretty high water table in there with all those wetlands and not that it has to be separated like a septic system would but it needs to be at least out of the water table so it does drain in the springtime and we probably have a little bit of a challenge that way with the type of soils out there so there may be other ways to approach the same technique but without having to put a vertical basin into the ground and then try to keep it above the water table. The same idea can probably be accomplished but in a way that doesn't conflict with the water table. Because of the sensitivity of the area being in the Town's water supply watershed and fairly close to the lake, we have suggested that we look at erosion control plans being flagged as a requirement prior to the issuance of a building permit as just an extra level of caution. We have standard language in the staff review regarding performance guarantees and the like. When we get to a point where there's a consensus on moving forward in the final design, then we would look at typical easements required in this case for access and the sewer for the 5 lots as applicable. It would be helpful if Jeff or Randy could respond as to how we might address the storm water issue on a lot-by-lot basis, Burd – Randy and I did get together and talked a little bit about the drainage and if you recall at the last meeting, there was an abutter that had a lot of experience in the low-impact development design so we took that information and looked at some of the things we could do on this and while we don't yet have it designed, we do have some ideas and the way this works in your conventional subdivision, the typical practice is to collect the drainage, convey it to a central point, detain it if you have to and then release it so you're creating these point discharges. With a low-impact development, you're trying to treat it at its source and John kind of touched on that so what we would be doing is adding some features where necessary to treat the drainage at its source. What I mean by that is we walked up the common driveway and there were a couple of areas where you could tell there were drainage channels that go through. Originally, I proposed an open ditch coming down the side of the driveway and outletting it down at the end which is where it ultimately goes but with a low-impact development, it makes more sense to add a couple of culverts, disperse it into the wetland where its going right now and let it follow the same exact drainage patterns that it is today. Rather, the collection of the drainage from the roof, foundation drains and putting that into a catch basin which isn't conducive to this site because of the high groundwater, we would let it sheet off, grade the lawns away from the house which is what they call in technical terms a vegetative filter strip so the water's dispersing rather than concentrating and downstream of that you can add some berms where the water can actually slow down some more, infiltrate into the ground and again along the same lines, this is

something we could build in anticipation of the sale of these lots. We can locate them now and build them as part of the driveways. We had talked about adding some treatment swales, a treatment swale being a ditch 50-100' long, something that can collect the drainage, allow that to infiltrate and also have an outlet down at the end so it slows the water down and puts it in the wetland where it's going today and doesn't concentrate the flow. Vadney – Culverting that first crossing going up the common driveway sounds like a good idea from what we saw the other day. Worsman – I keep hearing the water table's so high, where exactly is the water table in the section where you're anticipating putting the houses? Burd – Again, what we would like to accomplish tonight is to have a consensus from the Board on the shared driveway. The project has evolved into what it is today and I just think it's the right development for this property. I think it works for the developer and I think it works for the Town and I think that staff is fairly content with this design. I know the Fire Department's OK with it, Public Works, Bob Hill and I think what I'm hearing from John is that this is the kind of evolution he was hoping to see on the project so I'll leave it at that. Vadney – I've been concerned all along about the driveway on Waukegan particularly where you originally had it at a very high point in the embankment. We haven't seen any grading plans on this but you're now planning to leave most of that embankment and move away from that center area am I correct? OK. I would suggest we might want to make this part of the approval here is that if we allow two driveways onto Waukegan Street that they be as far apart as possible. In other words, pretty much to the east boundary and the west boundary of the property, as close to those other property lines as offsets allow. Because the way the land is tapering off at each end that would allow shallow cuts. The closer you go to the middle, the deeper it's going to get and I'd hate to see that embankment butchered too badly. Burd – And that echoes Mike Faller's comments exactly. Kahn – What are we being asked for just the driveway tonight? Edgar – We don't have the sewer design nor do we have the BMP's design so I think the major step here is to indicate whether the Board supports 3 off 1 under these particular circumstances and if that is something the applicant can rely upon, then they will go into final design mode in terms of what your expectation is in terms of it coming back plus the new wetland line being transferred on the plan so I think there are essentially two approaches, one could be if you're comfortable enough with what's been said, you could make it all come back for a Compliance Hearing to review the final package once we've got all the engineering and done all the staffing on the technical aspects of depths of manholes and all that kind of stuff or in the alternative, deal with the issue of your views of the 5-lot configuration with the 2 driveway scenarios that Jeff's mentioned and then if there's a consensus to support that, then they would bring it back for a resubmittal. Vadney – I would take the position of saying come back for another hearing rather than just a compliance situation but we would give you if the Board votes that way, the concurrence on the 3-house driveway and give you a chance to do the detailed engineering and locate driveways and stuff as we've discussed and a few other things. Bayard – I think this is a preferred alternative. I'm not a big fan of doing 3 houses on one driveway everywhere but I think here it kind of makes some sense. Keep in mind all we're saying is we sort of concur on that, it still has to go in front of the Selectmen and

you still have to get approval on the property so you're only part way there assuming we do vote in favor on this. Vadney – I will go so far as to say if nothing changes from what you've presented here tonight, I'm certainly leaning toward an approval for it but I think we should see the more detailed design. Edgar – The authority as I indicated in the staff reports lies with the Board of Selectmen. The third lot constitutes by definition a road and the Board can recommend to the Selectmen for reasons shown, they would be supportive. This is all being looked at in the context of private driveways.

Bayard moved, Worsman seconded, I MOVE THAT BARRING ANY CHANGES THE BOARD IS SATISFIED WITH RECOMMENDING TO THE SELECTMEN THAT THEY WAIVE THE 50' ROW CROSS SECTION, LENGTH OF DEAD-END OR WHATEVER IS NEEDED IN ORDER TO CONSIDER THIS A DRIVEWAY RATHER THAN HAVE THIS AS A TOWN ROAD. Voted 3-1 in favor of the motion.

Bayard moved, Worsman seconded, I MOVE WE CONTINUE THIS HEARING FOR B & N DESIGNS, LLC, TO TUESDAY, NOVEMBER 13, 2007. Voted unanimously.

3. **MSS REALTY TRUST OF 1995** – Continuation of public hearings held on July 10, July 24 and September 11, 2007, for a proposed Site Plan to construct an 85-unit Senior Living Facility and related site improvements, Tax Map S17, Lot 16, located on Upper Mile Point Drive in the Shoreline and Route 3 South Districts. Application accepted July 10, 2007.
4. **MSS REALTY TRUST OF 1995** - Continuation of public hearings held on July 10, July 24 and September 11, 2007, for Architectural Design Review of a proposed 85-unit Senior Living Facility Tax Map S17, Lot 16, located on Upper Mile Point Road in the Shoreline and Route 3 South Districts. Application accepted July 10, 2007.

Jim Murray – Architectural elevations and plans were put up on the Board for review. The two-tone paint treatment for the outside of the building. The idea is to have the lower part of the building would be darker to create grounding and then it gets lighter as it goes up. We did discuss the architectural review in pretty good depth previously.

Kahn moved, Bayard seconded, WITH RESPECT TO THE ARCHITECTURAL DESIGN REVIEW FOR MSS REALTY TRUST OF 1995 FOR AN 85-UNIT SENIOR LIVING FACILITY, I MOVE THAT THE BOARD APPROVE THE APPLICATION FOR DESIGN REVIEW FINDING THAT THE PROPOSED DESIGN DEMONSTRATES SUBSTANTIAL CONFORMITY WITH THE GENERAL AND SPECIFIC CRITERIA SET FORTH IN THE ORDINANCE. Voted unanimously.

Paul Fluet – I think the last time we were in the process of making some revisions relative to trying to eliminate some ledge blasting which we did, we pulled the road in tighter, the detention pond has a little bit different configuration now but basically we have 106 beds, a 39,000 sq. ft. building, 21% green space and we're required to have 30. We still have the loop around the building and have 4 entrances on that loop road. In terms of parking, we did do the table that John requested relative to rest home nursing, 44 beds require one space for every 4 beds so that requires 11 spaces, independent is one per unit which was 41. We are required to have 52 spaces; we have 77 spaces so we have some extra spaces. That came about mostly from the architect who had experience with senior housing and really made a determination that we might need that amount of parking so that was the justification for going over a little bit. The drainage system is similar to what we had done before, it's still a closed collection system that grabs the water, brings it around the side of the building into a detention pond, where we can we are sheet flowing off some flatter paved areas where we're going to get treatment in the vegetative buffer area per the state. If you have 75' of vegetative buffer area which doesn't have to be grass, it can be just woods but as long as you have 75' before you get to a wetland or a stream they consider that treatment but where we are collecting in a closed pipe we kind of have an innovative detention treatment system right here. The green portion is kind of the sediment removal area which is a deeper pocket, it's a couple of feet deep, there's a rise to an intermediate area where we are going to plant some vegetation and the orange portion that drops down deeper again is a sand filter area where we're going to have crushed stone with some under drain collection pipes. There will be a filter fabric and then there's going to be a couple feet of sand on top of that so the water that goes in there will percolate through the sand, through the stone and be collected in the under drain pipes. If those under drain pipes or the sand can't take that amount of water, it will go out through a 3-pipe system out a headwall, there's going to be a 4", a 6" and 8" pipe at different levels and as the water goes through this system, some of it will go through the sand but on a real large storm, it will go out here and we'll have a 100' grass treatment swale, a level spreader that will dissipate the water at the end. This whole design scheme is currently being reviewed by DES Site Specific as we speak. Vadney – All of these areas unless it's storm flow will be dry pools? Fluet – Yes, the roof drains from the building and the under drains from the building may weep water for a good part of the year. Just like somebody's footing drain for even your own house could run until July even August sometimes so that I think they will contribute water to these wetland areas to maintain and sustain the wetland vegetation. Yes, I guess my answer to your question is those will probably be wet unless you had kind of a drought summer. Vadney – They won't be standing ponds? Fluet – No, in here there might be 18" of water, the other approximately 6" of water and that really shouldn't have any if the sand system is working it should be a dry portion so we're not planting any wetland vegetation in this orange section. We have a landscape plan and the landscape guy has picked all of the vegetation. Just to give you some dimensions, the first cell of this is like 62 x 25, the middle cell is 55 x 25 and the final sand area is like 74 x 25 so it's a substantial long narrow treatment system that I believe is going to work good. Sewer wise we

are tied into municipal. No change here, we're going down the old woods road to get into the Town sewer at the base of the hill. Water, we've always been discussing how we're going to get water. We've had negotiations and meetings with Bob Hill and Ray Korber and the way we've approached this is using their peak factor whether it's 2 1/2 or 3 really didn't help us that much because we were over the 14,000 at least from their application of their peaking factor from average daily. When we measured for our 6 weeks of Golden View meter readings, we never got a day over 10,000 gallons extrapolated out for the same number of beds in this place so I think their 2 1/2 peaking factor of somewhere in the 18,000 gpd, I don't think we're ever going to see that day but we're pretty much locked in with a number over 14,000. The way we've resolved it is the Town has an area in Town where, I guess it's an old cast iron water line that they have to bleed water off continuously just to keep the taste and odor from becoming stale on a dead-end line. They are blowing off about 35,000 gpd so we've agreed to participate in the funding of a water line replacement project that will eliminate that old cast iron line and put a brand new duct and iron pipe in there and they will be able to stop bleeding off the 35,000. We're getting credit for some of the water saved under that scenario, that's our approach to kind of getting in the system. Vadney – What's it going to cost to replace that line? Fluet – They are talking \$300,000 and they are going to apply for the Rural Development Grant that they had done on similar projects where they got 45% funding so we're still hoping they are going to get 45% funding and it looks like we will pick up the rest. We are working with Bob and once they agree that we're OK to get water, the question is where do we get it from. There's an existing pump station down below at the bottom of Mile Point that we were hoping to tie into but we're still negotiating with the Fire Department and the sprinkler system people to tell us how many gpm they need and at what pressure they need it at the sprinkler heads in this building and the top floor of this building is above Northview Drive. That lower water system pumping station was designed to deliver I think 20 psi at Northview Drive. The initial numbers they've given us is they wanted 60 psi at the base of the riser which means they wanted 40 psi at the sprinkler head which in order for that pump station at the base of the hill to do that, we had to pump that water out of that pump at about 150 psi which is really not acceptable. Normally 100 or 110 psi is something you might see in a municipal water line on the high end, 150 will start blowing people's water heaters out of their basements so we may not be able to use that station to supply this project. Plan B is the water tank that Meredith has on land owned by this entity as an easement and we may put a new booster station near or adjacent to the existing one and a half million gallon tank, pump up to Mile Point Road and then onto our site. It's not that much further than connecting at the bottom of the hill. We're still working out what the Fire Department and what the sprinkler people say they need to determine whether we have to do that or not. One way or the other, we are going to do either A or B. The fire flow out of the pump station at the bottom of the hill can deliver about 500 gpm, it was more or less a residential type fire pump design and this is far from a residential project. I think I mentioned site specific is being reviewed in Concord and they are expediting that for us so we're not going to have to wait the

conventional 4 to 5 months, it's supposedly going to be reviewed this week. We have a small 700 sq. ft. wetland in the middle of our site. We've already met with the Conservation Commission on site, we filled out the expedited wetland application and the Conservation Commission has to sign the application with the applicant on an expedited which they've done and they have submitted it to Concord so our review on the wetland side of this should happen within the next 30 days. We've also submitted the sewer design which on any municipal sewer extension, we have to submit our plan down the chain of command starting at the Franklin Wastewater Treatment Plant and they pass the plans and specs on to DES in Concord and they review the sewer design which has already been sent down and that's in the pipeline. That's usually a two-week thing. The EPA Storm Water Pollution Prevention Plan hasn't been written yet. We just have to write that sometime within a couple of weeks prior to starting construction. It's not an approval, we just write the plan, give it to the contractor, discuss how they are going to control sediment and erosion control during construction and submit our notice of intent to EPA to notify them that we're starting the work. We have added the easements that John had requested for the sediment and erosion control maintenance so we have a line here that allows us to have an easement around this pond to be able to mow the grass and clean it out, etc., and then there was an easement up in here to attempt to get water up to Northview Drive and I think it probably sounded like a good idea at the time but now that we know that this whole knob hillside is ledge right to the top of the ground, we're going to try and give you an easement this way and instead of going across this lot, you'd be able to get to this same lot and then get to the top of Northview Drive that way and that's right off Mile Point. The landscaping plan is all part of the landscaping set by Tim Jordan. We've got some screening at the top of the hill here from the commercial to the residential. What we tried to screen more or less is somewhat the building rather than screen you from the slope of the detention pond because the residential area's going to be lower than this whole site so you're going to be looking uphill and what you're going to see down low is the side of the detention pond, then you're going to see the embankment going up to the road, the road will be there but you'll probably never see it, you may see a car go by and behind that road you're going to see the building so we've tried to provide a few trees up at the top of the hill so there's some screening from the traffic and/or the building up above. I haven't really provided any screening of the detention pond itself because that's pretty much going to be green slope to begin with. Kahn – Do you show where you plan to do that buffer screening? Fluet – It's on L-1. There's a few trees right here, 7 trees right in here. Kahn – As far as I'm concerned, considering that you clear cut right to the property line, that's not going to be enough to satisfy me. Fluet – In terms of the number or the location. Kahn – In terms of the amount of buffering, I think you've really got to put in a buffer there. We had suggested you get a buffering easement from the property owner downhill and leave a wooded buffer. You've got two different uses, a commercial use here and a residential use down below and I'm assuming the abutting lot will sooner or later be a residential use and you have to buffer between the two and you haven't done it. Fluet – My question is buffer where though? Jim Murray – We did have an attorney forward a

draft copy over to John's office just to review for discussion purposes that we could create a buffer zone down here on the abutting lot. Currently, there is a setback from a river or stream. Edgar – We met with the attorney to review a myriad of easements that would be required under the premise that the property remains in separate ownerships. If you see where the sewer line's proposed, that lot needs to be burdened with the benefit being appurtenant to the development site. Similarly, the drainage is on that lot so that lot is encumbered by a drainage easement for the benefit of the development site. The third area is the issue of the buffer and in discussing it with the attorney, there are a couple different ways it could be handled. The draft that's been submitted for discussion purposes addresses the buffer lower on the landscape. When we've all been out there to visit the clearing, the building site is cleared in its entirety, that's where they did all the probe work. The lower lot was cleared minimally to provide an area for the drainage facilities so everything beyond that tree line is wooded downslope to a stream, that's all wooded today and we talked about two different things and then the draft has addressed it in one way. It's the commercial use of this property or potentially even the second property that triggers a buffer requirement. The site plan regs don't specify its width, it basically talks about vegetated or landscaped buffer. One thought that has been expressed in the draft easement for starters anyway is that the wetland area setback area on the low end of the property be designated as a buffer, in other words it would be an area that's restricted against cutting and everything and would serve water quality purposes as well just providing at least something that's 75' in width from the property line. We talked about a contingency if the buffer needed to be higher up on the landscape. In other words we can speculate as to what this second lot may be used for but we don't know so we had talked about whether or not it made sense to, if that were to be developed residentially, then the buffer down below wouldn't buffer you from the commercial use so we talked about how to handle that contingency so that's what they're essentially looking at for feedback on but the draft easement, for discussion purposes, ties the buffer to the wetland setback on the low end of the property and that would make sense as long as we don't have a conflicting land use develop in the middle and if need be, we talked about a Plan A and Plan B, we could go with the wetland setback for buffer purposes now and with a proviso, one of the things we talked about with the lawyer was a proviso that if depending on what happens on that parcel when it is developed at some point in time something may have to happen at that point but the difficulty is we don't know how that property might get developed. It could be an extension of this facility which in this case the lower buffer would work. In the event its developed residentially, then you have the issue of the buffer being below the site and not buffering this facility from the residential use so we talked about trying to have some provisos depending on how the property's developed in the future so this would be a buffer at the outset provided the property remains vacant and then the question is what do you do if it's developed in a residential fashion. Kahn – Isn't that downhill under different ownership? Edgar – Yes, that's why we're looking at it in the concept of easement rights. Worsman – I like this project, its got a lot of merit but I am with Lou. You've cleared not only to the end of the property line but you've cleared onto the

abutter's property. If I'm the abutting property owner I'm not going to be happy if I want to subdivide that property and they come before this Board and we say, when we approved the building upland from you, we were counting on part of this as being part of the buffer and that individual, I realize there's family involved there, but regardless it's a separate ownership and if I'm going to vote yes on this, I'm going to want to see a significant amount of view buffer, tree buffer not a tree here and there that's actually on your side of the property. You have already extended yourself onto the abutter's property, you've cleared that far and the buffer needs to be beyond that. The 75' from the wetland is 75' no matter what, that's a given so that's already going to be a buffer for the abutting lot. Edgar – The issue of whether it should be higher or lower, we certainly talked about that with the lawyer recognizing that the development is higher up but I would just point out we are well aware from discussions with other applications that it is perfectly lawful for someone to clear cut a wetland setback. We know from past experience that it doesn't violate any state law if it happens to be intermittent. I'm not saying you're wrong, I'm just saying that one of the values of protecting that setback is it can serve as a buffer for multiple reasons, one of which is water quality and the other is preserving that tree growth that provides for some buffering just by virtue of its existence. It addresses part of the issue and if we didn't have to worry about the middle area being developed someday, that's probably the way to go. What makes this awkward is the lower property is big enough for it to be developed somehow someday and we've been struggling with how to try to plan around that contingency and making it clear for everybody today or any subsequent owner what their responsibilities are relative to maintaining a buffer, whether its upper or lower on the site. I'm open to feedback on that. Vadney – My question for both Colette and Lou is are you trying to buffer the rest home from this empty lot or are you trying to buffer whatever happens on that empty lot from the rest home. Kahn – Buffering Mile Point Drive development against the rest home and, as John points out, if this lot turns into a residential development we have an issue as to whether or not the buffer ought to be between the commercial use and the residential use. I'm not so much worried about what happens to this vacant lot as I am Mile Point Drive which I think deserves to be buffered against a commercial use. I think I'm happy, John, with the solution you're proposing if we can work it out but I think it has to be more since you have different ownership. I think you have to have an easement at the bottom down there and then if you want to make sure there's a buffer between a new residential use, I'm not really too concerned about that but if you wanted to do that, it seems to me you could put in some kind of a contingent easement in the event the lot is developed residentially, the contingent easement kicks in. I wouldn't leave it completely up in the air though. Edgar – With respect to the draft on Page 89 of your packet, like I indicated earlier there is a 3-part component and this is submitted for discussion purposes. The first component on Page 88 deals with an easement to construct and maintain the drainage facilities and that's the line Paul Fluet had mentioned if you look just below the drainage pond, you'll see a straight line and that would be the area of the easement that would allow for equipment access and so forth to maintain the pond. Item B is the right to maintain the vegetative buffer and here again in the

text of that they are making reference back to the setback from the non-designated stream which is indicated on the plan and incorporated in the easement draft. We can beef that language up in terms of no cut areas, etc. but essentially that's the mechanism that they've structured and finally, Item C is the right that it be appurtenant to the development site to run the sewer line so those are the 3 elements that are built into this discussion draft. Vadney – I could see if there was already development on that lower lot leaving a buffer between the lot and the rest home but there's nothing there now, if they put a buffer at the lower end of that lot that protects the houses that are further on down the hill. If the current owner or some future owner decides to put houses on that middle lot, the lower one on this particular property, if he or she wants to build those houses and there's no buffer between there and the rest home, feel free to put one in. That may never occur, it may occur in 20 years and if anybody intends to put a buffer there, they had better get it planted pretty soon because with the drop-off in that grade, they've got to be about 70 feet tall before they'll do much buffering anyway. I don't see a lot of sense in putting any additional planting along that line. Kahn – I agree with you, I'm happy with the buffer at the bottom of the lot and if somebody wants to build on the middle lot, they can have a view of the rest home. Bayard – I do agree with this. What is currently in that wetland buffer? Murray – It's a stream. Bayard – And then you have a buffer area, is it wooded? Fluet – It's setback from a non-designated stream. I don't think that's all wetland, it's mostly wooded. Edgar – In summary, we do need the Dredge & Fill Permit which is pending. There are several small corners of parking stalls that fall within setbacks that trigger special exception but they are minor. The Plan B that was referred to and that's the booster station coming off the tower, we have kind of a plan view concept plan and we have not gone into a major design mode on that because they are still working through these numbers so if the Board were to grant an approval it needs to be subject to Bob's signoff on that. Paul's indicated that you need plan and profile and the booster station requires a whole other level of design and at the end of the day, the Water Department needs to be signing off on that. The sewer and water just for informational purposes are subject to standard construction inspection testing and as-built requirements. Bob is looking for the water line to be a municipal line, he's not big on private water extensions given the public health issues. The sewer can remain private, but the water line should be municipal and that would be an easement that would be granted to the Town and what I've suggested as a practical way of addressing that is obviously the easement rights are held by the developer, they actually control the ROW themselves in this area but that easement would be granted to the Town after we've done an as-built so we know where the line is but prior to the occupancy of the building. It was mentioned at an earlier hearing, the amended DOT permit has been granted and would be referenced on final plans. Lou is doing his signoff on the final plan set. I spoke with him earlier today, I do not have his report letter but his verbal comments to me were that the issues he had raised in his initial review letter were addressed but he hadn't completed the review letter by the time we put the packets together. I don't expect there to be any show stopping kinds of issues. We've been coordinating with Paul Fluet all along the way on this. As indicated, we had

the parking information that shows a little bit of a surplus for some overflow parking. I had raised the question previously about the fuel supplies for the buildings to make sure we show those on final plans and have the Fire Department signoff to make sure that we comply with all the separation requirements from buildings as well as lot lines and with that middle line still in the mix, we have to make sure we can locate these tanks in a way that complies with the NFPA stuff so that needs to be submitted to the Fire Chief for final signoff. We are looking at a performance guarantee at the end of the day that would have to come back for a compliance hearing. I spoke with Paul Fluet today and there are 3 areas that would need guarantees, the two proposed utility extensions will be connecting onto municipal utilities and those are typically areas where we provide a small lump sum to cover for a contingency in case that connection is not made properly. We also look at erosion control which is somewhere in the ballpark of \$50,000 worth of guarantee for that and in this case we're going to be digging up the ROW to put the waterline in and there needs to be an assurance given to those that have the rights to that ROW that the road will be restored. Those are the 3 areas that would need to come back to us for a performance guarantee and Paul's currently working on that. Bayard – What would be the signage for the entrance to the facility? Murray – I believe in the architectural paperwork they put together, they did have a diagram of the sign. Bayard – Do you recall the size? Murray – I'm not sure of the dimensions. There will be a small sign up here on the hill but I know the architect did include that in his packet. Kahn - With respect to this proposed deal trading the blow off for water rights, are we supposed to condition approval on that or how is that going to work? Edgar – What I would recommend is that any approval would be made subject to the Board of Selectmen's written confirmation that water would be available to the property. The only way they are going to do that is have a development agreement executed between the Board of Selectmen and the applicant so I would just leave it at that. We're not a party to those agreements and we shouldn't be negotiating those agreements. That would be a Selectmen's approval and we would make our approval subject to that being put in place and then they go down the road and do whatever they have to do with the numbers and negotiate with the Town Manager or Board of Selectmen, whatever the case may be and when that's all buttoned up and comes back as a package, we cross it off before we sign the plan. Hearing closed at 8:30 P.M.

Bayard moved, KAHN SECONDED, THAT WE CONDITIONALLY APPROVE THE APPLICATION OF MSS REALTY TRUST OF 1995 FOR A PROPOSED SITE PLAN TO CONSTRUCT AN 85-UNIT SENIOR LIVING FACILITY AND RELATED SITE IMPROVEMENTS, TAX MAP S17, LOT 16, LOCATED ON UPPER MILE POINT DRIVE IN THE SHORELINE AND COMMERCIAL-ROUTE 3 SOUTH DISTRICTS, SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) THE USE VARIANCE GRANTED BY THE ZBA SHALL BE NOTED ON FINAL PLANS.
- (2) A SPECIAL EXCEPTION TO ALLOW SOME PARKING LOCATED IN SETBACKS IS REQUIRED AND SHALL BE NOTED ON FINAL PLANS.

- (3) THE NHDES DREDGE AND FILL PERMIT IS REQUIRED AND SHALL BE CROSS-REFERENCED ON FINAL PLANS.
- (4) ANY APPROVAL OF THE WATER AND SEWER CONNECTIONS SHALL BE MADE SUBJECT TO BOB HILL'S SIGNOFF ON FINAL PLANS.
- (5) WATER AND SEWER MAIN EXTENSIONS SHALL BE SUBJECT TO STANDARD TESTING, INSPECTION AND AS-BUILT SURVEY REQUIREMENTS.
- (6) THEY TAKE MIKE FALLER'S RECOMMENDATION, ASSUMING IT'S STILL APPLICABLE, THAT THE WATER LINE BE BORED UNDER THE ROAD AS OPPOSED TO AN OPEN TRENCH CUT.
- (7) ANY APPROVAL SHALL BE MADE SUBJECT TO THE BOARD OF SELECTMEN'S WRITTEN CONFIRMATION THAT WATER WILL BE AVAILABLE TO THE PROJECT.
- (8) THE AMENDED NHDOT PERMIT SHALL BE REFERENCED ON FINAL PLANS.
- (9) ANY APPROVAL SHALL BE MADE SUBJECT TO LOU CARON'S SIGNOFF ON FINAL PLANS TOGETHER WITH PAYMENT OF ALL TECHNICAL REVIEW FEES NECESSARY TO COMPLETE THE REVIEW BY OUR ENGINEER.
- (10) ANY APPROVAL OF THE FUEL SUPPLY AND THE FACILITY ITSELF SHALL BE SUBJECT TO THE FIRE DEPARTMENT'S SIGNOFF ON FINAL PLANS.
- (11) AN EXECUTED EASEMENT IS REQUIRED WITH MORTGAGE RELEASES AS/IF NECESSARY PRIOR TO FINAL APPROVAL OF THE SEWER MAIN EXTENSION, DRAINAGE IMPROVEMENTS AND THE VEGETATIVE BUFFER.
- (12) THE WATER DEPARTMENT HAS REQUESTED THAT THE WATER LINE BE OWNED BY THE TOWN. ANY APPROVAL SHALL BE SUBJECT TO THE BOARD OF SELECTMEN'S ACCEPTANCE OF AN EASEMENT, AFTER THE COMPLETION OF AN AS-BUILT SURVEY BUT PRIOR TO OCCUPANCY OF THE FACILITY.
- (13) A PERFORMANCE GUARANTEE SHALL BE REQUIRED TO GUARANTEE (1) SATISFACTORY SITE STABILIZATION DURING CONSTRUCTION, (2) CONNECTION TO THE MUNICIPAL UTILITY(S) AND (3) FOR ROW RESTORATION. THE DESIGN ENGINEER SHALL PROVIDE A UNIT COST ESTIMATE ON FORMS PROVIDED BY THE TOWN. STAFF WILL REVIEW THE ESTIMATE AND MAKE A RECOMMENDATION TO THE PLANNING BOARD. THE PLANNING BOARD SHALL ESTABLISH THE AMOUNT OF THE GUARANTEE FOLLOWING A PUBLIC HEARING. THE FORM OF THE GUARANTEE SHALL BE EITHER CASH OR A LETTER OF CREDIT. THE FORMAT OF THE LETTER OF CREDIT OR CASH AGREEMENT SHALL BE APPROVED BY THE FINANCE DIRECTOR.
- (14) THE PREVIOUSLY APPROVED ARCHITECTURAL DESIGN REVIEW.
- (15) THE PLANNING BOARD RESERVES THE RIGHT TO REVIEW AND AMEND ANY APPROVAL AS PROVIDED FOR IN SITE PLAN REVIEW REGULATION NOS. 7 AND 17. Voted 4-0 in favor of the motion.

3. **DEEP WATER MARINE MANAGEMENT, INC.:** (Rep. Carl Johnson) Proposed Site Plan Amendment to create a family recreation facility in an existing building for boat slip customers, Tax Map U35-8A, located on Lovejoy Sands Road in the Shoreline District.

Carl Johnson – I represent Deep Water Marine Management. As you recall last year and as John mentioned under a pre-application review, this portion of the project was discussed at length by the Board. Carl pointed out the major buildings, the Town Docks, the Boat Storage and Showroom building which is bordered by the Tall Pines Condominium Association. This building is a rather old building and has been there for several years. The easterly portion of the building is enclosed and as you can see the westerly portion of the building is roofed and open on all sides and currently used for storage and parking. Based on the discussions that were presented to the Board at that time, there was a lot of discussion from the abutters as to whether or not this constituted an expansion of use and whether or not it was required to go before the Zoning Board and on November 30th of 2006 Mr. Vadney, Chairman of the Planning Board, issued a letter and in summary the letter states that the Planning Board has reviewed the information and based on that information it does not appear that the proposed recreation center is a change of use from a zoning perspective nor does it appear that the proposal requires a special exception, however, the Board does feel that the proposal warrants a formal examination under Site Plan Review and that such a review would be limited to the proposal and related impacts so this evening I would just like to talk about the limited project that we've got before you which is the existing building renovation to provide a family recreation area in the westerly portion of the building actually shortening the building from its existing roofed footprint and providing a patio on the other end. Vadney – I'd like to make one comment about the conclusion a year ago on that letter that the Board issued and I signed, the meaning of that was that recreation activities were incidental and currently occurring at the Shep Brown's site and therefore it was not a zoning issue so specifically we're looking at how and where it will be conducted on the property. We did not want to reopen the entire issue where boats are stored and all that kind of thing, this is something that goes on there informally and this was a look to see specifically where and how it would take place. I hope that clarifies the reason we did the letter. Johnson – That's my understanding of the letter and in my discussions with the applicant that was their understanding of the intent so what we would be doing is applying to the Board for a revision of the site plan to show the changes we're proposing in conjunction with the modification and renovations to that building. I did not prepare the original site plan and I was not at or paying attention to the previous meetings, I might have been there but I was not involved in the discussions so I'm at a little bit of a disadvantage. I was hired for the project to look specifically at what related impacts would result from the renovation and reconfiguration of this building and I went down and I said basically I couldn't do it very easily without doing the mapping on my own. There was some existing information that was available from a plan that was done by DMC Surveyors which is actually the existing site plan of record and there was also a plan that was done by Ames Associates which is a plan that

was submitted to the Department of Environmental Services for the expansion of the building and as mentioned before DES has reviewed the proposed modifications of the building in conjunction with this existing tree and proposed plantings plan and has issued a permit and that permit was issued last year I believe and currently we have that permit in hand. This building is a previously existing non-conforming structure with regard to the State of New Hampshire Shoreland Protection Act and required that waiver and is also a previously existing non-conforming structure in the Town of Meredith's Zoning Ordinance because its within the 65' setback. John had asked that I include the 65' setback on the plan and I've done that just to give an indication of where the 65' falls from the building but as mentioned, the footprint of the building has been there for several years and there's actually the modification to the footprint itself if you consider the structure footprint its actually a reduction in that the building's going to be shortened. The other thing I looked at was the existing parking and essentially a great majority of this area is non-paved, it's natural ground area or gravel and what I looked at is there was generally a mish-mash of the way the cars had been parking there and didn't seem to me to be very efficient the way that they were lined and laid out. With some modifications of the existing lines in theory because there are no lines or stripes there but some additional signage and modifications to the parking could align this to be much more efficient from a safety standpoint and would allow a better access way through the property because there is an existing right-of-way here to the Tall Pines Condominium Association and it would actually make the traffic flow a little bit easier in there so that was the one related impact and your letter limits our discussion to that. The related impact would be that you're actually losing a couple of spaces that currently the cars are parking underneath this carport and they would have to go somewhere and in the reconfiguration of this, although we're not increasing any of the disturbed area and we're not cutting any trees, I believe the parking reconfiguration I show here is a much more efficient way of parking, actually more cars but there is no change to the total parking spaces available and that the area is there and we're not anticipating or proposing that we change or increase any of the coverage. In a nutshell, what we're here for is to ask for site plan approval for the modifications to this building and today we applied for Architectural Design Review which, if it's scheduled, would fall on the next regularly scheduled meeting of the Planning Board. John, in his staff review, has recommended that there be no action taken by the Board this evening and is recommending a site walk by the Board. If that were to be the case, the Board could walk the site and then prior to the next meeting we could have a continuation of this hearing to the meeting that the Architectural Design Review will be held on and that they would be on the same track if that would be acceptable to the Board. Johnson showed an architectural rendering of the building which was prepared by Stewart Architects. This shows the driveway side, the lake side would be to the top. It shows the existing enclosed area and the existing partially enclosed area and then the proposed enclosed area actually shortening it from 60' to 44'. This would be the rendering of that building looking from the driveway side towards the lake and this is the alternative view and then you have a box end view on either side. The inside floor plan of the proposed changes includes the enclosed section of the

building would have a recreation room, a small computer room, the mechanical room containing some of the facilities, a family wash room, a storage area and a men's and women's wash room. At the end would be a smaller rec room or den type room. The square footage of this central rec room is about 600 sq. ft., it's about 20' x 30' and this is about 170 sq. ft. on the end. Currently, there are wash rooms and bathrooms located in the existing showroom building that are used by the people who have boat slips. The docking facility doesn't show up on my plan but is on the Dean Clark site plan. The proposal is to relocate the wash rooms from the facility here into the recreation building. The wash rooms in this facility would be discontinued and the part storage that's occurring in the enclosed end of the building would be relocated to the showroom. David Ames has designed a septic system which has been installed in this area, the proposal is that the system will handle the new washrooms which are relocated in the renovated building into a tank pumped up to the septic field. This septic system is also designed to handle the facilities at the old building which is located down here and has not been constructed but this system did receive a construction approval. I talked to David Ames today and we're still trying to hunt down the operational approval for that system. Currently, right now the bathrooms that are located in the existing showroom facility are connected to that system and its operational so we'll track that down with David Ames and the state and make sure we have that component in order because it is an important function of the facility here is to have safe and functioning washrooms. Right now the function of this site is not changed by the proposal you see before you is that a boat owner leases a boat slip and the marina provides those customers with access to the bathrooms and other limited facilities for gathering, cooking and picnicking in the vicinity of the slips. There are some activities right now that are occurring on the dock, grilling and so forth that both the Town of Meredith and the State of New Hampshire would like to see off the docks so one of the proposals of the recreation facility is to have a patio area at the end of the building, that there'd be a couple gas grills there that would get those grills off the docks and that activity would be taking place on the patio. Incidental to what's going down on here, of course, the marina has a lot of other functions that it provides, it stores, services, sells and repairs boats, none of that is going to change or be affected by the proposal you see before you tonight. There is no increase in the number of boat slips being provided, that's a fixed number. Right now there are 88 rented slips and that's based on a count that the marina has and the number of leases they have for slips at the moment. When we did the analysis of the parking, we took a look at how many spaces could logically be accommodated by the site in a functional, useful and organized manner and right now we're showing on our plan 96 spaces. I not only looked at where the cars park but how the car has to back up to get out, how the car has to get in and also some of the turning radiuses are assuming a 100% capacity. Based on some recent history by the applicants and some site viewings we had on Memorial Day weekend and 4th of July weekend of this year, the parking lot in neither one of those cases was operating at 100% capacity. I'm not very familiar with peak times but I happened to go down there during the middle of the day and I would say that on Memorial Day weekend, the parking lot was probably about 30% full and on the 4th of July weekend at the time I

was there, it was probably about 50% full. There can be other times of the day when that can be different, I'm reporting when I visited and what I saw when I visited so I'm sure there will be some testimony that the parking lot can be occupied by more cars at different times of the day. I'm just talking about this particular area here. The public parking area is owned by the Town of Meredith and there may be several issues there that I'm not addressing in terms of the number of people parked on the site. Essentially, the difference here is that these sites are not public sites, these sites are dedicated to the people who lease the boat slips currently and there's a sign there that says there is no public parking in this portion of the property. As I mentioned, there is actually going to be slight reduction in the footprint, the birds eye view of the building, shortening it on the end and we're shifting some of the existing spaces that were occurring in that end portion of the building to be located elsewhere within the areas that are already previously disturbed. The applicant believes that this proposal is not an expansion of the marina use, it's a qualitative improvement to better serve the customers that are already there. This renovation of the building is not intended to attract more people to the site, it's intended to provide the people that are already going to the site a better experience and a more quality experience for the amount of money that they pay to lease the boat slip. We don't anticipate that it will have a major affect on the traffic or congestion because its not intended to bring any new customers to the site. The docks that are here are leased to full capacity, it's not a case where there are slips that are available and by doing this there would be more slips rented, they are leased to the full capacity. As I mentioned before, there absolutely will not be a loss of spaces because of the reconfiguration and the better efficient use of the space. The major improvement to the site is the construction of this septic system. Part of the review by the Department of Environmental Services likes to look at what's more nearly conforming and what's a net positive effect to the surrounding area and their review and issuance of their permit, the additional landscape plants that were added in this vicinity as well as constructing the new septic system that not only provides the adequate use for the restrooms that are here and the facility that's located at the main marina, but its also oversized to the extent that it would be able to handle a municipal washroom if the Town of Meredith ever decided at some point to provide that service somewhere within the municipal parking lot. I spoke with David Ames today on the phone about the design of the system and it's intent and that is what he expressed to me. Also within the structure would be more convenient method of consolidating trash, there would be areas in here that the slip renters could use for disposing of their trash which would eliminate the potential for the trash ending up somewhere else on the site or even in the water, a better way of providing that service to the people can only be a positive affect. John is recommending some things that we add to the plan in terms of plan detail. He would like to see where the overhead electric and utility lines and water sources are. The septic system design plan by David Ames does have some of that water source information over there and I can add that to the site plan to show where those water sources are. I did add from the plan that you probably have in front of you, I took his septic system design information and showed where the lines are buried and the tank. John would like to see some

lighting information on the building with some cutoff fixtures encouraged and at the time I got the staff review I didn't have any of that information but I can certainly find out from the architect what's intended for lighting. The cutoff fixtures which are recommended are the non-shining upward type lights which are there primarily just to provide some safety and to be attached to the side of the building with downward shining light. What's to be avoided is any type of a spotlight situation on the building itself while there may have to be some lights heading down to the walkway to the slips, we're hoping the detail from the architect will show the attached downward shining cutoffs. He would also like to see the information regarding the ROW to the condominium association. My company did the Tall Pines condominium plan several years ago and we can add the dimensional information about where that essentially goes through but it cuts through here. One of the things we tried to do was to not obstruct with any of the parking the existing traveled surface that the ROW goes through and also create a situation by lifting some of this parking away that actually creates an easier turning radius for the people that would be using that ROW. The presence of that ROW does not preclude the owner of the property that's encumbered by it by continuing to use the property in a manner that's he's been using it so we've kept that in mind when trying to reconfigure some of this parking. John would like for us to identify the nature, type and location of any proposed fuel supplies and there are a couple of gas type stoves proposed in the recreation room and that would be powered by propane and we would have to show the location of those propane tanks. Vadney – Is the building sprinklered? Johnson – I do not believe so. Vadney – Is that something we need Chuck Palm to look at or whoever the Fire Chief is now? Edgar – I can pass that along. Johnson – That would be a code issue subject to Chief Palm's or the next chief's review and I believe its based on square footage. My assumption is that the general small size of this structure probably would not require that but that's something that would be reviewed under the occupancy permit. Edgar – One of the other considerations is the use of the building as well as the size. Would there be any overnight accommodations in that building? Johnson – There are no overnight accommodations provided in this building. One of the things that came up in the review of some of the concerns the abutters had written letters to, I discussed with my clients and one of the concerns would be how late in the night this building would be used and whether or not there would be parties and so forth. I think the general consensus is that we'd like to have the washrooms available 24 hours for the people to be able use but that could very easily be a restriction put on the recreation room that it would close at a certain time and wouldn't be able to be used for congregating after a certain hour and that would be something the applicants don't believe would be a problem, the size of that recreation facility is fairly restrictive in terms of what types of functions could be had there but basically it is a resting room. Its an area where there would be some couches and some books and maybe some games and things that during inclement weather the people that leased the slips could have some place to go and relax but its certainly not intended to be a catering facility for people to have parties, weddings, birthday parties or whatever, it's a resting area, a recreation room and if it was a major concern to abutters or the Town, then we could discuss limiting its hours of

operation after a certain time. Just in terms of its use per year, it would be less and less available as the weather limited boating but that is something we'd be open to.

Vadney – The restrooms will be accessible without going through the main building? Johnson – I don't think that's necessarily the case but I think it would be something that if there was a sign put on there that the recreation facility was closed after a certain time, it's enforceable by your site plan review and amend, I don't think anybody's concerned if somebody goes in there and reads a book at midnight. I think the concern would be what type of noise levels would be generated after a certain hour of the night.

Bayard – This sounds like this was the same thing that was proposed before. Johnson – These are the same plans that were presented at the last hearing. The architectural features of the building were discussed at some length, I don't think anybody could say this isn't an improvement to the architecture of the building, I think its going to look a lot nicer visually and in conjunction with the extra plantings that are provided for in the State of New Hampshire application, I think it will be a general improvement visually, aesthetically and environmentally from what the Board will see when they go out on their site visit.

Kahn – Does Shep Brown's now have any rules regarding grilling on the docks or on boats? Johnson – Not that I'm aware of. Kahn – Do they propose to institute any? Johnson – I think they are trying to eliminate the grilling on the docks by providing the area on the patio for the grilling so the answer would be yes if this project were approved, the lease agreements would prohibit grilling on the docks.

Kahn – And boats. Johnson – I have to be a little bit careful with boats because there are some boats that may have grills in them. Mr. Littlefield is here and maybe he could answer that question in terms of limiting within the boats what somebody can do. Kahn – What I'm driving at, Carl, is if there are parties on the docks and the boats are you moving those parties to this building and off the docks and the boats? Vadney – That certainly I think a major concern of the whole Board, if we had a good comfort level that this would eliminate the outside stuff that people complain about now and confine it to this one building in this immediate area, it would probably be an improvement. If it turns out that most of those people keep activity on the dock and in their boats and the same level of noise there and this is in addition to it, this is worrisome.

Littlefield – There is no grilling on any boats. I don't think there's anybody down there that would even consider doing that. I don't know where all this party stuff has come from but and it could be from previous ownership, there have not been parties on my docks since I bought this place. There is a congregation area on the dock right now that quite frankly is on a concrete pad and they have picnic tables set up and they do have a couple of grills there. If anything, doing their grilling or whatever may be going on besides out on a patio deck for grilling and having a couple of picnic tables in there, its moving it from here to here and keeping everything in one location.

Vadney – Those are kind of fixed grills on that concrete pad now? Littlefield – No. The grills are supplied by Shep Brown's. Vadney – Your intention is to remove those. Littlefield – Absolutely. Johnson – In terms of congregating on a person's boat, I think there are some things that are inherent when you lease a dock space and you have a boat parked at it and you don't have a house, you're going to have some degree of hanging out on your boat, that sort of goes with the territory. As Mr. Littlefield said,

it's not a rafting area and not a major party zone but there are people that congregate on their boats and enjoy the fact they have a boat on the lake. A lot of times they go out and congregate on the lake. I don't think we can necessarily put on a scale what percentage of activity is going to be removed from the boats and put here. I think what we're saying is there's not going to be an increase in the amount of activity that's going on. It may be relocated from one area to another and that's the whole intent of this building. If it's raining, the people that are on their boats may choose to go to the recreation area and they would be inside. Anybody that's not in a boat is inside, it's the same amount of activity and probably the noise level is actually reduced by the fact they would be in the recreation room and not in the boat. I don't think the intent is to remove everybody from their boat. Bayard – I assume right now the restrooms are segregated from the boathouse, they are open 24 hours/day? Johnson – Yes. Bayard – And you obviously don't go through the boat showroom to get to them so I think that's something you might want to consider is to have that especially since there is a concern about late night partying by the neighbors. The other thing is could you explain to what degree there would be some soundproofing, if any. You've got people on the docks right now so there's no soundproofing. Are there any thoughts of at least limited sound proofing on the facility itself. Johnson – In construction of the facility, I'm not sure there's any. Bayard – In the facility itself, what would be in there to help reduce noise from inside getting out. Are you planning anything additional other than a typical building. Johnson – Not aware of anything. Edgar – As Carl has indicated, I just suggested that the Board take a look at the site and get acquainted with the areas of the parking and some of the issues that were raised a year ago, as well as some recent letters. One of the main issues during pre-application review last time was how the site would be managed and the representations that have been made consistently that it would be managed in such a way as to control noise and lighting and that type of thing and whether it's through lease agreement language or stipulations that the Board could work out with the applicant, those kinds of understandings need to be reasonable on the one hand but formalized on the other because the property could change ownership and you don't want to find yourself years from now with a complaint and everybody wondering what the representations were and what the Board's understanding was in the year 2007 so I think working towards that type of objective would be in everyone's best interest. Up until the point we wrote the staff review earlier today we had received 6 letters and I'll just acknowledge who they came from and then I can just hit the high points of some of the concerns that have been raised. We received a cover letter from a David Binkunski and attached to that was a letter from Mrs. Doris Binkunski from the Tall Pines Condominium, Nancy F. Paugh, Pine Island; Bill & Jocelyn Wuester, Bear Island; Sarah Krebs, Lovejoy Lane; The Crofts Family, Tall Pines Way. Kind of in summary fashion, the issues raised were kind of categorical in several areas, there was a concern as to whether or not this use was consistent with the zoning for the district, there was concern about increased congestion that could result from the project, concern was raised about the noise control and representations that there already were issues with respect to loud music and parties, concern expressed that the business expansion is at the expense of abutting properties and that the slips

were originally intended for access to island properties and now that is not as much the case, the Town services to island properties have remained static, there needs to be an expansion of the Cattle Landing docks which is critical to island residents, the public docks at Lovejoy Sands now accommodates fewer boats because boats tend to be larger than they may have been when the docks were put in, public parking is a lifeline for islanders, there is a concern about this representing an intrusion into the privacy of adjacent residents, there is a concern that this project represents destruction of the character of Meredith Neck and will have an adverse affect on property values, concerns about water quality, concerns that the docks are being treated as a campground and the long-term intentions for the use of the marina were not defined and as was discussed earlier concerns about septic management and safety and the use of the ROW at Tall Pines. This is a summary of the concerns expressed in those 6 letters. Vadney – There were a number of letters that came in basically a year ago and this is really the same proposal we need to get those back to the Board and make sure they are part of the record. As I recall, they raised pretty much the same issues. Jerry Whiteleather, resident of Bear Island – When I was in engineering school many years ago, we didn't call this a building, this is a shed. When my property was reassessed recently, my woodshed was not considered a building. I'm a little confused at how that becomes a building. I live right across from here, the visual impact that this shed and the old store in here is virtually nil, you can't see it. These trees that are out here and the lowness of it, the openness of it, the color of it, this down here is a visual eyesore (pointing to architectural drawing for proposed recreation center). We already have to contend with the boat storage sheds that are huge and brightly colored and so on. Regarding the parties that are on the dock with due respect to you guys, you're not there at 9, 10, 11, 12 or 1 o'clock in the morning and I am. I come back from Boston very late sometimes. The docks are unsupervised. This building will be a hangout for the kids and the docks are a campground. Carl didn't mention to you but I think I saw showers in there, men's and women's showers, is that correct? The detailed drawing showed something that looked very much like a shower in each of the bathrooms. Someone could answer that easily, are there showers in the rooms? Littlefield – There are showers in the other building. Those were not mentioned in the original discussion. The party gatherings out on the dock I can hear from my house which is perhaps a mile away. The people that live closer to the shore certainly can hear them very well, music, gatherings and so on. The marina owners are not there at night. They are tired, they go home, they don't come back at night and cruise around. What will happen with kids, this is an unsupervised area in here. Who's going to lock this down at 8, 9, 10 or 11 o'clock at night? Who's going to look after this? How is this a building? Can I get a response? It's a shed, I think my property should be reappraised and my woodshed should be taxed as a building. As an engineer that is not a building, it's a shed. I think the impact this would have on what goes on there would be a disaster and I'm very sad to see this proposal come up again. Also, in addition, I will say that regarding the marina's cooperation with the community and stuff, the public dock slips are used by the marina as boat storage. Anybody who is there, you can see the boats are put in the water, are taken by the marina employees over

to the public dock, covered over and zippered up, left there some times ticketed until people come. When people are finished with their boats, they bring them back to the public dock and leave them there and that to me speaks to the cooperation between the Town and the marina. Warren Clark, Lovejoy Lane – Gave letter to Chairman stating why a special exception should be required and states why we did not appeal. Basically, John Edgar, advised us that an appeal would have been premature. I oppose this family recreation center. This is an example of additional development creep on an already overdeveloped property. It's bad for the neighborhood and contrary to the purpose of the Shoreline District and furthermore and most importantly it is not permitted in accordance with our zoning ordinance. Our zoning ordinance lists certain permitted uses and it states clearly that any use not listed is prohibited. It also provides for us a definition of a Commercial Marina. It is a place for docking and storage of pleasure boats including servicing and repair, sale of fuel and marine supplies. This is clear on its face, it could say services to boats and their owners but it doesn't. It could list other activities associated with enjoying boats on shore, it doesn't. It's possible that other towns have definitions that include these activities but ours doesn't and some people might argue that the definition should include other things but the fact of the matter is, it doesn't. People can dock their boats, that's covered there. In fact, it may or may not be legal for them to stay overnight in the boats but when the marina adds amenities that encourage them to stay overnight and to make it so they are obviously there to encourage them to hang around their boats, it changes the very nature of the operation. It changes it from an operation where people take their boats and leave them there and use them on the lake and then go away to an operation where people basically use their boats overnight and use them as vacation homes. Consider a service station, service stations can have parking areas, people can park RV's in those parking areas and maybe it's OK for the people to stay overnight in those RV's, but what if the gas station added showers, gas grills, dish washing, recreation room, a place for the parking people to hang out, that wouldn't be OK. What Shep Brown's is doing is basically a water-based RV park. People are encouraged to use their boats as a vacation home. This causes a concentration of density in a very small area. We're not saying RV parks aren't OK, RV parks are great and they can be a lot of fun but not in a residential area, we have areas zoned for RV parks and this is the shoreline district, it's a residential area. This is why we have zoning. Now they tell us we're just moving the showers from one building to another building and my reaction to that is, What, they have showers there? This is the first we've heard officially from them about showers. We've seen no approved site plan with showers. There were no showers on the 2003 site plan that they submitted to this Board. Showers were never approved by the Planning Board or the ZBA. Are we saying if they operate secretly and illegally for long enough, it becomes OK? I say its time for them to remove those showers and by the way, while they're removing the showers, I think they should remove those gas grills. In fact, the fact that they are removing them from the docks is the only part of their proposal I'm in favor of. I think this fact in itself is enough for clear denial of their application but our lawyer, Jed Callen, says we need to cover everything so I'm going to move on to the next point. Development creep

is a problem at this site. We all know it, we saw it, this Board said it 4 years ago when they brought a previous application here. There are many small projects and the result is that the area is that the area is overbuilt. In 2003 their application for 3 buildings was denied, however, soon after that another boat storage rack appeared on the site. We challenged that with the Code Enforcement Officer and he says it's OK because it's a temporary structure. It has been there for 2 years and there's no sign of that structure going away and last year another sort of building which appears to be a lift anchored to a concrete pad. Neither was approved by this body and these are examples of development creep. I'm not saying we're asking to have these buildings removed, I'm simply citing them of how this process of adding things to that site keeps going on and on, it's absolutely relentless. We have it already well established that coverage and parking are issues and I fully understand why this Board doesn't want to open up the whole site for review again. I don't think there would be any particular point to that, I believe the key issue here is whether or not they are adding a requirement for additional parking, whether they are adding additional parking places and whether they are affecting their coverage. Apparently, about a dozen spaces are affected by this and half of those are actually inside the building and they say they are replacing the spaces that were previously there and as I look at that plan, some of those places appear to be tandem parking places, automobiles parked front to back and I do not believe that those parking places are effective and I don't think they should be counted. Carl told us he went and investigated that site on busy weekends and he saw that a number of spaces were empty and I'm not surprised because most of the spaces in that area are reserved spaces with people's names on them so of course many of the spaces would be empty, but I can tell you that the Town parking lot was chuck-a-block full. And people were parked on the roads, actually I can't honestly say that people were parked on the roads, I don't see how they can add spaces without adding coverage. Although I can see that it's possible and Carl's a very skilled guy maybe he could find ways to make narrower places or something like but remember these have always been reserved parking places and I'd like to know how they did it without adding to the coverage on this site. Also, they are saying they are not going to add increased parking demand, however, if there are functions held and people are hanging out in their boats, they are going to have their friends over there if they have better facilities and those friends are going to need a place to park and by the way they are going to need a place to park in the evening which is the biggest demand time and I don't think that's when Carl was looking at the parking demand at the site. They are keeping the number of boat slips the same and that may well be the case, however, if they are making amenities that draw people with overnight accommodations in their boats, would take advantage of those. I would expect that fewer people from Bear Island who need slips for their boats would be able to get them there and perhaps that's the legal right of Shep Brown's to do that, I'm not arguing that they don't have the right to do that but I expect that more people with bigger boats that have sleeping accommodations on them will be more likely to use these areas especially overnight and that this will increase parking demand. I'm willing to concede one point, it's only going to increase parking demand just a little and if they are losing spaces here, they are

only going to lose just a few and if they are adding to the coverage, they are only adding a little bit to the coverage but this is constant pressure on this site, it's not something that ended 4 years ago when this Board denied their application to expand the marina in a huge way, it's happening a little bit at a time. My analogy it's like a fat person who tries to convince the people that if he slices the cake thinly enough, the calories don't count. These calories count because it happens over and over continuously. Again, either of these two reasons is enough to cause this Board to deny the application but I want to talk about how this is going to impact the neighborhood. The fact of the matter is that this is going to increase the probability of noise issues. I've already talked about how more people are going to be staying overnight than used to stay overnight and otherwise there would be no point in putting this building up. It's going to attract boats, interior space on those boats is limited, it's not like staying in a vacation house where you tend to hang around inside with people. This is going to have people outside the boats hanging around and chatting with their friends. If I was staying there, that's what I would do and these people are going to be talking, drinking and socializing outside and they probably will turn the stereos on and there's going to be parties, informal and probably formal parties. As far as locking that recreation room at night that's the worst thing they could do because if there are people, I want them to be inside having the parties. I think they will be outside enjoying the summer evening. On a calm night, you can hear people talking a mile away over the water. This isn't like you're in the woods, this sound carries tremendously and by the way I will give Bill Littlefield credit because there used to be an annual party in that area that made my house unusable. I had to go inside and close the windows. Since they bought that marina, that party has not taken place but there's no guarantee that the party wouldn't take place in the future. I don't think it's their intention to have loud noises, I think they would rather avoid it but the fact of the matter is they are creating a situation that's conducive to that whether they want to or not and it's also true that other people on Bear Island channel can have parties, but that's currently rather rare but this could be a habit, it could be every weekend. It could start to affect property values in the area. This is inappropriate density for the Shoreline District. The marina is not supposed to be an overnight operation, it's not supposed to be having people staying there overnight, it's not illegal but for the marina to start putting in amenities that encourages this and makes it part of their marketing plan is contrary to the definition of a marina in our district. People in Bear Island channel want to have a marina there, that's why its permitted by our Zoning Ordinance. Island residents need a place for docking and everybody needs boat services. Think about the tax revenue we get from the island residents who basically go away when we're educating the children in the Town and they pay the same or higher taxes than anybody else. Do we want to start driving down the value of those properties? Because if we do, everybody else is going to have to pay higher taxes and there are a lot of properties out there on Bear Island channel. Shep Brown's is now targeting non-residents and they have the legal right to do that, perhaps its legal but it is contrary to the spirit of having a marina in a residential area. Our zoning ordinance defines the purpose of the Shoreline District as "to preserve the water quality and adjacent shorelines and

maintain privacy and tranquility of residents". This family recreation center is contrary to that purpose. This application should be denied. It causes problems for the neighborhood, it adds to the parking need while reducing available parking and possibly adding to coverage and it simply and clearly is not a use permitted by our zoning ordinance. Jack Kasten, Lovejoy Lane – I will not belabor and torture you with repetition. I just beseech you since the exception that has been given in the Shoreline District to have a marina was done in order to provide service and they provide very good service to people who have waterfront properties and island properties, it did not consider hotel accommodations or hotel services for people to stay on their own boats for transients, it was supposed to be for residents. If you in your wisdom decide to cater to the transient trade which does not pay taxes, then please exact a limitation from the owners, the petitioner can just go on and on and squeeze out the people who are paying the taxes and who are on the islands so aside from what you've been told before, if you do in your wisdom decide to move ahead in any way, please ask for a contractual limitation from the petitioner. Barbara Clark, Lovejoy Lane – I believe this should be denied. My experience has been in sitting through many of these meetings that the Board genuinely tries to find a compromise which meets the needs of the applicant and the abutters and whoever else has an interest here. I think it would be incorrect to do it in this case and I've listened to point by point. On the face of it, we shouldn't do it but I've heard some suggestions that I think that are genuinely meant to be helpful like soundproofing. You would have to have a building where the windows didn't open. In summer who wants that. You have a situation now with the gas grills that the Town doesn't like, the Fire Department doesn't like, have they disappeared? No. Is there supervision? No. I personally don't see room for a compromise on this one; I think this is one that should be turned down. Jane Goodman, Soley Lane – I would like to suggest that we examine and think about the proposal, the rosy picture presented and examine, tear it apart, the expansion should be completely rejected. Martha Roberts – I have been coming here since 1936. I have watched the marina under Shep Brown, I have watched it purchased each and every time and every time it has been purchased, there has been expansion. It's time to stop any expansion including the construction of this building. We listen to this noise regularly every summer and it's too much. Henry Buletti, Lovejoy Lane – I have one comment and a couple of questions. My comment is that I'm concerned about the abutters. Most of them are not residents all year round and they are just here for the summer. I know if those people if they knew what was going on might object to some of it being they are the ones that are faced with it. I think going back to the letters of last year is certainly helpful and certainly the letters of this year. I'm hoping the people from Tall Pines next door have expressed their thoughts on it. I think most of the time when you're a non-resident, you really don't take that much interest in what's going on. The other thing, they certainly could move those barbecues into an area where they could use them during the day but I think certainly the input of the operation shouldn't be towards overnight stays. I certainly can't deny people a shower or going to the bathroom but I think I wouldn't like it being catered to the overnight stay. Worsman – One comment that was made was when they applied for a previous

building permit in 2002, it was the building in which the showers are now located, did I understand that correctly? Can I ask that applicant when that building was built? Vadney – That building has been there for several years before 2000 for sure. Littlefield – That has been in there since the mid 80's. Vadney – How long the showers have been there, we never did determine as I recall. They were there when these folks bought it. Worsman – When I'm looking at the parking for the project, are boat trailers in there Carl. Johnson – There's no trailer parking in the spaces that I've delineated on the plan. Worsman – They are cars and SUV's. John, we had talked of doing a site walk, I don't think there's any need to summarize the comments either by the applicant or the abutters and citizens at this point and there were some excellent comments by both sides. We have seen a general "creep" out there and as this lady has pointed out each new owner has expanded it further, that's something I think we need to take a serious look at as how much is enough. As far as this would move things inside, its probably a good idea, however, I think there is that question of Shep Brown's has been there since 1919 if I remember the history, starting out just as a place to put your boat and come and go to the islands and then expanded into boat sales, docking and I was surprised by the level here tonight of reports that the dock spaces have been slowly converting to, I guess it was Warren referred to them as RV park on water so those are things I think we have to give some serious thought to. At this point I'd say we continue and schedule the site walk. Bayard – Do we have a copy of the interior? Johnson - There was materials presented and put into the packet at the prior meeting and I think Mary Lee has some folded up copies of the plan. Any additional plans you may need we can provide to the Board. I just want to make sure if we go on a site walk that we bring that with us. Kahn – I don't have any of this history and I'm really not familiar with this area at all but I'm thinking that here on October 9th we had better get moving while the thing still looks like there are boats in the water and still activity there. Johnson – You closed the public portion of the hearing, if you continue this to another date would you reopen the public portion? Vadney – Yes. Bayard – When was the last time we did an approved for this site? Edgar – The storage building was converted to a showroom but I'd have to get back to you with a better chronology. The date on the Dean Clark blowup shows a date of 9/25/02 which shows the boat storage and the showroom and I'm assuming that's the latest. Hearing closed at 9:48 p.m.

Bayard moved, Dever seconded, THAT WE CONDUCT A SITE WALK ON SATURDAY, OCTOBER 27, 2007, 9:00 A.M. AND CONTINUE THIS HEARING TO NOVEMBER 13, 2007. Voted unanimously.

Respectfully submitted,

Mary Lee Harvey
Adm. Assistant, P & Z Department

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

William Bayard, Secretary