

PRESENT: Herb Vadney, Chairman; Roger Sorell, Vice-Chairman; Bill Bayard, Secretary; Lou Kahn; Ed Touhey; Liz Lapham, Alternate (sitting); Angela LaBrecque, Town Planner; Mary Lee Harvey, Clerk

Kahn moved, Sorell seconded, I MOVE WE ADOPT THE MINUTES OF OCTOBER 27, 2009, AS PRESENTED. Voted unanimously.

PUBLIC HEARINGS

1. **METROHEALTH FOUNDATION OF NH D/B/A GOLDEN VIEW HEALTHCARE CENTER** – Continuation of a public hearing held on October 27, 2009, for a proposed Site Plan Amendment to construct a 32-bed addition to an existing Health Care Facility, Map S23, Lot 52, located at 19 NH Route 104 in the Residential District. Application accepted October 27, 2009.

Steve Smith – This facility is located at 19 NH Route 104 in the Residential Zone. Land area is 8.9 acres. This is the original 110-bed facility, with an addition constructed in 1999 which is called The Inn and is a 22-bed care facility. The project is supported by municipal sewer and water. A preliminary design review was held on September 22nd and we were back here on October 10th for application acceptance and a public hearing. Since that time, we've had a 3rd party review from Lou Caron and I believe we've address all of the issues he brought forth with the exception of some minor drafting things that came after a second review. We have made those changes on our plans. Our proposal is for a 32-bed addition called The Retreat and as part of this reorganization, 11 beds will be relocated from the existing facility to give us a total of 153 beds when all is said and done. At the last hearing, I had an area highlighted in green representing wetlands on the site, another area (cross-hatched in black) was not a wetland when we did the facility in 1999, and an area cross-hatched in red is the area where the drainage used to go that was wetland and now is not so there has been a change out there through the alteration of that drainage that we originally did. The second plan represents the new facility being constructed and as a result of that reconstruction, we will have to relocate the existing entrance drive out there and we're proposing to move it down here. We received the driveway permit from the State of NH today and that has been provided to the Board. In addition, we're proposing to put in some additional parking on the way in. We had a discussion about that at the last meeting and the fact that even though the requirements are less (75) than we're providing, we are going to end up with approximately 109 and we explained the need to have those spaces. At the same time, we're going to be staying under the required lot coverage requirement. In addition to that, we're implementing a drainage program that will allow us to have a recharge into the groundwater from drainage from a system that's designed in the parking lot which has been reviewed by your engineer and the 3rd thing that will happen is the stormwater drainage improvements. This project will result in a wetland and a buffer impact. An application has been submitted to the Wetlands Bureau for review, as well as the local Conservation Commission. They have responded in the positive and recommended approval with a couple of conditions on

trying to ratify or get rid of some invasive species down there that are in the wetland. The letter was provided to the Board at the last meeting. In addition to the new rooms we're talking about, this facility will have a wellness center, a bistro, a living room facility, library and lounge areas within this facility and Steve Humphreys from EGA will be talking about the building later. I also believe we have addressed the issues Angela brought up in her last report in terms of providing information on the buried fuel LP tank, the size and location on site. The location of the dumpsters are now on the plan. Snow storage areas have been labeled on the plan and other minor issues brought up by Angela. LaBrecque – Since our last meeting, Lou Caron did comment on the plan both times and I believe the 2nd round of comments have also been incorporated on the plans that we haven't received yet. He seems to be fairly comfortable with the drainage calculations. He made some recommendations and they are incorporated and revised both on the drainage calcs and some of the drainage design elements. I also want to state that additional information pertaining to the type of fill material has been specified on the plan to ensure the infiltration rate in the chamber underneath the parking area. Since the last meeting, a unit cost estimate has been submitted for the Town review for the purpose of setting an amount for the performance guarantee for site stabilization and that also has been incorporated into the staff reports along with the requirement of a pre-construction conference. Bayard – I think some vegetative buffer is needed from where the HC parking places are on the new driveway because that's going to be up on a hill pointed at some houses and some bushes that will grow in and shield the headlights would help. Smith – We have some trees being planted that show on the landscaping plan. Touhey – I'm concerned about the safety on Route 104 for the large trucks slowing at that entrance, is there some kind of a plan for safety there? Smith – Safety will be considered in terms of this construction and the State will be involved in that. LaBrecque – That's something we will address at the pre-construction conference and a lot of times DOT puts something in their permits specific to the type of concern you're speaking to. I'll make a note to make sure we discuss that at the time of the pre-construction conference. Can you give us an idea of when you plan to begin? Ben Sanders – Probably April 1st and it's a 12-14 month project. Smith – The first thing to be done will be the entrance road. The entrance road has to be built before the building can be started. I believe that's in the phasing plan we reviewed with Lou Caron. Vadney – Is the Wellness Center intended to be used only by the residents of the home? Jeanne Sanders – We are using the term Wellness Center, that's the rehab gym for the residents. At this time we're not planning on any outpatients now or in our future. We are calling it wellness but it is the physical, occupational and speech therapy department. Vadney – I assume the same thing goes with the Bistro and things like that? Sanders – Yes. Steven Humphreys, EGA, I know most of you have seen the architectural plans but I'll run through them quickly. The building proposed is 3-story approximately 36,000 sq. ft. with 32 beds, 21 of the beds will be new and the other 11 will come from the existing nursing home. They currently have 2 buildings on-site, the 3-story Golden View Nursing Home, the brick building 1960's commercial in appearance. In 1999 they added The Inn which is the white residential building with a green roof and this is the building you see as you drive

into the site and it's a one-story facility of approximately 22 beds about 9,000 sq. ft. in size. We are proposing a 3-story building again which would be connected to The Inn and the way this site works, it's a sloped terrain so the lowest level is really banked into the hill and used as a retaining wall and on this level, we service mechanical, elevator, stairs and also be used as an entrance point for staff and they would take the elevator upstairs to the upper levels. The rest of the space remains unfinished for storage. As you go up a level to the second floor which has the main entry and also connects to The Inn via a corridor that comes through with a 2-hour fire wall separating the building. This building will have its own water service, fire service completely independent of The Inn next door. The main entry is up on the second level. You enter through the vestibule and enter the common areas which has the Wellness Center and Bistro, etc. There are really 2 wings and they are symmetrical on either side of the building. Each wing has 8 resident rooms with private bathrooms, etc. Egress stairs are at either end of the corridors. Level 3 is the same floor plan and does not connect to the existing building because it's a one-story building. Common areas are in the center of the building, dining, activities, bathing rooms, clean storage and in the resident wings it's 8 rooms per side. Residential siding, double hung residential windows. We are breaking up the forms and the massing so it's not a big block of a building, using porches and trellises to bring the scale down to the 3-story areas and lots of white trim to match into the existing building and a green roof to tie into the existing. Allowed building height in this zone is 45'. Public Hearing closed at 7:29 p.m.

Touhey moved, Bayard seconded, MR. CHAIRMAN, IN REGARDS TO THE PROPOSED SITE PLAN AMENDMENT FOR METROHEALTH FOUNDATION OF NH D/B/A GOLDEN VIEW HEALTH CARE TO CONSTRUCT AN ADDITION TO THE EXISTING HEALTH CARE FACILITY, TAX MAP S23, LOT 52, 19 NH ROUTE 104 IN THE WAUKEWAN WATERSHED RESIDENTIAL DISTRICT, I MOVE WE APPROVE THIS APPLICATION SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) THE WETLAND BUFFER IMPACTS SHALL ALSO BE NOTED ON THE PLAN.
- (2) A SPECIAL EXCEPTION FROM THE ZBA IS REQUIRED FOR WETLAND AND BUFFER IMPACTS. THE SPECIAL EXCEPTION SHALL BE NOTED ON THE FINAL PLAN.
- (3) A NHDES DREDGE AND FILL PERMIT IS REQUIRED AND SHALL BE CROSS REFERENCED ON THE PLAN PRIOR TO FINAL APPROVAL.
- (4) ALL ASSOCIATED NURSING FACILITY APPROVALS SHALL BE OBTAINED PRIOR TO CONSTRUCTION.
- (5) THE NHDOT DRIVEWAY PERMIT SHALL BE CROSS-REFERENCED ON THE FINAL PLAN.
- (6) THE FINAL PLAN SHALL HAVE MAINTENANCE PROVISIONS FOR THE DRAINAGE. MAINTENANCE DOCUMENTS FOR THESE FACILITIES SHALL BE KEPT BY THE OWNER AND FURNISHED TO THE TOWN UPON REQUEST.
- (7) THE FINAL COMMENTS PROVIDED BY LOU CARON SHALL BE INCORPORATED INTO THE FINAL PLAN SET.

(8) IN CONSIDERATION OF THE NEIGHBORHOOD, DOWN LIGHTING SHALL BE UTILIZED IN THE PARKING AREAS AND ON THE BUILDING. THE FINAL PLAN SET SHALL INCLUDE A PROPOSED LIGHTING DETAIL.

(9) THE FINAL PLAN SHALL INDICATE THE SIZE OF THE UNDERGROUND FUEL TANKS.

(10) THE FINAL PLAN SHALL NOTE THE DUMPSTER LOCATION.

(11) THE EMERGENCY ACCESS GATE LOCATED OFF OF HILLRISE LANE SHALL BE SET BACK FROM THE ROAD LOCATED OUT OF SITE FROM VEHICULAR TRAFFIC.

(12) IT IS RECOMMENDED THE PLANNING BOARD SET THE AMOUNT OF THE PERFORMANCE GUARANTEE AT \$96,367.00. THE FORM OF THE GUARANTEE SHALL BE EITHER CASH OR LETTER OF CREDIT. THE FORMAT OF THE LETTER OF CREDIT OR CASH AGREEMENT SHALL BE APPROVED BY THE FINANCE DIRECTOR.

(13) A PRE-CONSTRUCTION CONFERENCE SHALL BE HELD PRIOR TO STARTING ANY SITE WORK.

(14) A PLAN NOTE BE ADDED REGARDING AN AGREEMENT THAT THEIR REQUEST SHALL BE COMPLIED WITH.

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

2. **METROHEALTH FOUNDATION OF NH D/B/A GOLDEN VIEW HEALTHCARE CENTER** - Continuation of a Public Hearing held on October 27, 2009, for Architectural Design Review of the proposed addition to the existing Health Care Facility. Application accepted October 27, 2009.

Touhey moved, Bayard seconded, MOVE WE APPROVE THE APPLICATION FOR ARCHITECTURAL DESIGN ON THE FOREGOING SITE PLAN, THE PLANNING BOARD HAVING FOUND THAT THE PROPOSED DESIGN DEMONSTRATES SUBSTANTIAL CONFORMITY WITH THE GENERAL AND SPECIFIC CRITERIA SET FORTH IN THE ORDINANCE. Voted unanimously.

3. **DAVID B. BLAKE** – Continuation of a Public Hearing held on October 27, 2009, regarding a proposal to abandon and relocate the existing driveway to applicant's property and to extend the Emergency Access Easement servicing the Clover Ridge Subdivision and grant deeded access rights to the Clover Ridge Homeowners Association to enable emergency vehicles to utilize the new roadway consistent with the previous condition to subdivision approval, Map S24, Lot 15.

David Blake – Representing himself and Ambrose Logging relative to a new driveway. Since our last meeting the Clover Ridge Association has agreed that we can take out the existing driveway, reclaim it and as a result, there will be an increase in the wetlands of about 1,500 sq. ft. when we reclaim this area that's cross-hatched but we would be taking the driveway out back to the new

connection to the existing emergency access road. A slight change is the Haskins would like some of their gravel driveway taken out and have that loamed and grassed and we are going to do that. That's not in the wetlands and it's down near their house. At our last meeting, a hydraulic study was asked for and since then we've hired Bill Stack who has done some engineering on that. Bill Stack – My focus has been just on the drainage itself to make sure the culverts, as proposed, will function properly and to analyze what the existing conditions are as well as what the post development conditions would be. The study done for Clover Ridge back in 2004-05 gave me some base information for the study area, the limits of the drainage areas, etc. Some of it is pretty clear but until you've walked it once or twice to see what's going on, it's a little difficult to envision what the drainage does. Basically the drainage comes from the south, drains towards the north, comes to the existing driveway and there are 4 subject culverts that exist today. They all appear to be undersized (12 and 15 inch). Above this site there's a main driveway for Clover Ridge and there are twin 18" culverts that feed this area so it's a pretty sizeable amount of water that does come down through here and from the outset Dave's explanation of wanting to move his driveway over, putting in larger culverts, at first it's a little hard to get the concept but it's actually going to work very well because what happens today is a large chunk of water comes at this road and if this culvert can't handle the flow, the water jumps and basically moves down the road and continually keeps moving down the road. As you might imagine, there's no place to go after this last culvert except out onto Pease Road and there's one 18" culvert that crosses right here today. I didn't come to see the ramifications of the flood you had in Meredith last year but you can see the evidence in the road where the road's been replaced so there's a large slug of water that comes down through here, either passes through these culverts or it jumps and comes down towards this area. Based on the calculations of what we found, adding the larger culverts and moving the road over, will tend to spread more of this water down into these drainage areas which I believe is good because its going to evenly disperse a lot of this water that now gets dammed up in essence by the road and comes forward. If the question is will the drainage work, I believe it will work a lot better. Vadney – How many of those culverts are uphill from the open field with some apple trees in it. Stack – One right here and that actually is the culvert that will probably branch and send more water in that direction. Today, the culvert is a little bit higher than that and it sends the water down in back of the fields and goes down behind. There are 2 24" culverts here with about 30' to 40' of separation. This will come down through the old orchard area and it's a well defined channel and looks like its had flow through it in years past and probably did before the road was actually raised in grade. There are two 24" and two 18" culverts proposed. Vadney – That's what I was looking for at the last meeting was to make sure we were getting that water onto the Ambrose property high enough to keep it from coming down toward Dr. Hatch's. Stack – There is one caveat to that and again this is the existing conditions with the areas but it's the same plan underneath here too but when this material's removed from the old road bed, like any culvert if you don't form some sort of berm or diversion to divert the water into that culvert and make it function, you'll lose the effect of

even the larger culvert, it will jump and do the same thing so there will be some minor berming below each of those culverts to direct the water into it so it won't flow by. Vadney – Once you get to Pease Road, the ditch itself is basically a lot of herbaceous stuff but there's a lot of growth in it and I wonder how much that impedes and redirects. Stack – It does and I agree with Dr. Hatch's letter to the highway department to improve that would be helpful, whether or not the DOT does that is another issue. We did find it does lessen the amount of flow that ultimately gets to that culvert and I think that's key as well as spreading the flow out. Touhey asked what the berms would be made of? Stack's answer was wetland soil could be reestablished with some vegetation just to shape and create the flow. I don't think it will get washed out once you get some growth in that area. Vadney – There was a fairly good trickle coming down the stream between the two stonewalls today. I was surprised to see it running as much as it was. That will stay about the same or will some of that get picked up? Stack - That will get lessened, hopefully, if the culverts function the way we think. Even if it does jump and they don't gain all the flow that I've anticipated in the drainage study, it's going to vastly improve it and spread it out over the conditions that are there today. LaBrecque – I just wanted to expand on Bill's comment, he recommended a 1 3/4" tall berm on the downstream side of each of those culvert inlets and I incorporated that recommendation into the staff report. I did receive some additional correspondence, one being from Bob Ambrose and he noted it is their intention to give up the existing driveway into the field and he wanted that to be made part of record and they may propose a subdivision in the future and if they do, it would be a maximum of a 2-lot subdivision at the end of that driveway. He does recognize a trip to the Board of Selectmen would be required as well as coming to the Planning Board for the subdivision approval. I think Bill's review of it and his findings that the situation overall will be improved with the diversion of storm water and the size of the culverts should be sufficient. Dr. Hatch – I think this design is good, it's logical and I'm sure it will cope with a lot more water as the report shows. The question is if we have a repeat of saturated land and a heavy storm which is now over and beyond what the software is prepared to do, what consequence or how much extra consequence can you visualize from a non-software provided opinion. Vadney asked Stack if he had ever run his program with a saturated soil start. Stack – It doesn't normally take that into account. We do use as a standard the typical rainstorms that are envisioned for this area. We're right on the border between a Type 2 and a Type 3 rainstorm. To speak to Dr. Hatch's thoughts on how we might design to larger storm events or to accommodate heavier storms and we seem to be getting more of them and more frequency than we have in the years past, typically a state highway secondary road is designed to a 25-year storm event and that's a major entity, there's a lot of real estate land out there that the highways are designed to and you could probably go along and cite areas where culverts aren't really quite up to the size that they really should be but for years there was not as much development, there was not as much individual lot development as pressure adds to these drainage areas over time. You take a microcosm which is what we usually do, we don't study all the way down for miles and miles, we look at those immediate areas

engineering wise, we look at short-term areas but I think it's a cumulative effect of a lot of things. I think all we can do is design to what we've used as reasonable standards in the past, a 25-year storm I believe is pretty standard and that's a pretty heavy rainstorm. The state is contemplating going to 50-year storms but I think that's a little too much because the interstate systems are designed to 50-year storms. Vadney – I visited the site and it seems to me that this change will make it better than it is today and some of the problem Dr. Hatch is seeing may be a result of the driveway being improved 4-5 years ago when they logged it. If we can improve it as you've suggested, we may not bring it back to perfect but we are not doing any additional harm. Blake - Is there a factor of safety in these cfs's over and above what this culvert will be able to handle so there's a fudge factor in there in terms of even though you're saying with the new calculations it would be about 3 ½ cfs, the culvert can handle more than that. Stack - It can but it usually gets used up in the larger storm events. Blake - Typically, what does an 18" culvert handle? Stack – It depends on the pitch and a lot of variables that go with it and the condition of the culverts. That's all loaded in when we do the analysis. Blake – When this eroded in that last storm, this culvert got plugged up, not only the size of it but its so small it got plugged with branches and debris and it jumped. Dr. Hatch – I am pleased with the effort that was made here to document and calculate as best as possible what this design can handle, it's unquestionably far better than the current situation. The culvert at Pease Road and at the end of Haskins original driveway was functioning well at the beginning of the storm and quickly became blocked by brush and totally stopped. There was nothing but a little puddle on the other side of it when I finally got to look at this that was still during rain but well into the heavy part of it so the entry to that was much too small and that is the burden of my letter to Mark Morrill of District 3 and I hope they will do something about that. I think the installation of the larger culverts, removal of the smaller ones and the berming is going to be a tremendous improvement. I have no opposition to this proposal but I have lingering concern that some storm which we seem to be proceeding into and the climate models predict for New England, the wetter than normal and more violent. Bayard – If your storm is big enough, you're going to have a problem somewhere. I like the way it spreads a lot of this stuff all over the place with good size pipes, I think it's a real good improvement. Public Hearing closed @ 7:55 p.m.

Bayard moved, Touhey seconded, MR. CHAIRMAN, I MOVE THAT WE CONDITIONALLY APPROVE THE REQUEST OF DAVID B. BLAKE THEIR PROPOSAL TO ABANDON AND RELOCATE AN EXISTING DRIVEWAY TO APPLICANT'S PRIVATE PROPERTY AND TO EXTEND THE EMERGENCY ACCESS EASEMENT SERVICING THE CLOVER RIDGE SUBDIVISION AND GRANT DEEDED ACCESS RIGHTS TO THE CLOVER RIDGE HOMEOWNERS ASSOCIATION TO ENABLE EMERGENCY VEHICLES TO UTILIZE THE NEW ROADWAY CONSISTENT WITH THE PREVIOUS CONDITION ON SUBDIVISION APPROVAL, MAP S24, LOT 15, LOCATED OFF PEASE ROAD IN THE FORESTRY RURAL DISTRICT, SUBJECT THE FOLLOWING CONDITIONS:

- (1) THE FINAL PLAN SHALL INCLUDE THE 50' BUFFER SETBACK FOR THE NON-DESIGNATED WETLANDS, AS WELL AS THE BUFFER IMPACTS. THE TOTAL DIRECT WETLAND IMPACT INDICATED ON THE PLAN IS 5,795 SQUARE FEET AND RESTORATION OF 7,330 SQUARE FEET.
- (2) THE FINAL PLAN SHALL NOTE THE AMOUNT OF WETLAND BUFFER IMPACT.
- (3) A SPECIAL EXCEPTION FROM THE ZBA IS REQUIRED FOR DIRECT WETLAND AND BUFFER IMPACTS. THE SPECIAL EXCEPTION SHALL BE CROSS-REFERENCED ON THE FINAL PLAN.
- (4) WRITTEN CONSENT FOR THE PROPOSED RESTORATION IS REQUIRED FROM THE PROPERTY OWNERS OF S24, LOTS 13, 14 AND 14B AS WELL AS THE CLOVER RIDGE SUBDIVISION. THIS SHALL BE SUBMITTED TO THE TOWN PRIOR TO THE BOARD SIGNING THE FINAL PLAN.
- (5) A DREDGE AND FILL PERMIT IS NEEDED FROM DES FOR THE WETLAND IMPACTS. THE DES WETLANDS PERMIT SHALL BE CROSS-REFERENCED ON THE FINAL PLAN.
- (6) THE FINAL PLAN SHALL INCORPORATE 1 3/4 FOOT TALL BERMS ON THE DOWNSTREAM SIDE OF THE CULVERT INLET.
- (7) THE PLAN SHALL BE REVISED TO NOTE FUTURE ACCESS TO S24, LOT 12A, WILL NOT BE OFF OF PEASE ROAD THROUGH THE FILED. IT SHALL ALSO BE NOTED THAT A FUTURE 2-LOT SUBDIVISION REQUIRES PLANNING APPROVAL AND A DRIVEWAY WAIVER FROM THE BOARD OF SELECTMEN.
- (8) THE FIRE CHIEF SHALL PROVIDE WRITTEN APPROVAL OF THE OF THE NEW DRIVEWAY.
- (9) A DRIVEWAY EASEMENT ON S24, LOT 12 (WILLEY) FOR THE BENEFIT OF LOTS 12A AND 15 (AMBROSE AND BLAKE) IS REQUIRED AS WELL AS AN EASEMENT ON S24, LOT 12A FOR THE BENEFIT OF LOT 15. THE EASEMENT SHALL MAKE SPECIFIC REFERENCE TO THE MAINTENANCE OF THE DRIVEWAY OR DRIVEWAY MAINTENANCE AGREEMENT. IT SHALL SPECIFICALLY STATE THAT THE DRIVEWAY SHALL BE MAINTAINED YEAR ROUND FOR THE PURPOSE OF EMERGENCY VEHICLES TO PASS FOR ACCESS TO CLOVER TO CLOVER RIDGE SUBDIVISION. THE EASEMENTS SHALL BE REVIEWED AND APPROVED BY STAFF AND CROSS REFERENCED ON THE FINAL PLAN.
- (10) AN AMENDMENT TO THE EMERGENCY ACCESS MAINTENANCE PROVISION OF THE CLOVER RIDGE SUBDIVISION COVENANTS AND CONDITIONS SHALL BE SUBMITTED TO THE TOWN FOR APPROVAL.
- (11) THE EASEMENT THAT LOT 15 (BLAKE) HAS OVER LOTS 13 AND 14 SHALL BE ABANDONED WITH THE CONSTRUCTION OF THE NEW DRIVEWAY.
- (12) THE NEW EMERGENCY ACCESS EASEMENT FOR THE TOWN OF MEREDITH TO ACCESS CLOVER RIDGE SHALL BE DEPICTED ON THE PLAN.
- (13) THE FINAL DRIVEWAY PLAN SHALL BE RECORDED WITH THE EASEMENTS. Voted 6-0 in favor of the motion.

4. **VANASSE HANGEN BRUSTLIN, INC. FOR LAND ACQUISITION, LLC –** Continuation of a public hearing held on October 27, 2009, for a proposed Major Subdivision of Tax S17, Lot 2, into 8 lots, located on Upper Ladd Hill Road in the Central Business District. Application accepted on 9/22/09.

LaBrecque – The applicant requested a continuance because they still have some engineering to do and the plans haven't really evolved. We are still waiting on profiles and engineering based on the pressure of the water system in that specific area. They requested the public hearing be continued and they have agreed to extend the 60-day limit required by statute.

Kahn moved, Bayard seconded, MR. CHAIRMAN, I MOVE WE CONTINUE THIS HEARING TO DECEMBER 22, 2009. Voted unanimously.

Vadney – Mr. Krochina has submitted a letter relative to the Bassi property out on the Neck and asked us to delay all that. We went ahead and gave the conditional approval and he protested that to us but he did not file anything with the Court. We went to Walter Mitchell, Town Attorney, and Walter has answered and in effect based on the Krochina question, unlike the situation with the ZBA, there is no statutory provision for filing a Motion for Reconsideration with the Planning Board. However, in this case where the appeal period has been completed and the Board's September 22nd decision has become final, the Board has no authority to consider granting Mr. Krochina's request for reconsideration. Attorney Mitchell goes on to say, Mr. Krochina is not without remedy, he may file with the Court a Petition to Quiet Title against the applicants but that would be beyond the Board's purview. That in effect summarizes Mitchell's letter. We considered it but because he didn't file it with the Court, it's beyond the appeal period.

TOWN PLANNER'S REPORT

1. **DISCUSSION – ZONING AMENDMENTS:** Minor adjustments to the Floodplain Development Ordinance have been required by FEMA and those adjustments are self-explanatory.

The second proposal is a Village Overlay District to guide development to be consistent with the character of the village and provide flexible building controls as well as housing opportunities. A draft of the proposal was distributed to the Board for review. This would be an overlay district that addresses density and setbacks. Vadney – This was partly included in the rewrite that was shot down 3 years ago so this is a look at just the immediate in-close downtown area where its mostly mixed in with residential. We didn't go up Route 25, we didn't go up Route 3, we went up Plymouth Street and then we did down by the Bed & Breakfast on Main Street and into the Wickes area. The genesis of this I guess is the ZBA, Edney and Dever, suggested this because they see requests come in for variances and special exceptions they think could be cleared up by us giving more of a blanket

waiver to the density requirements and setbacks so that's the good side of it. The bad side is how it will be viewed by the people for one thing because it could be viewed partly like we did 3 years ago. LaBrecque – This applies to two things, existing development that's non-conforming and will become conforming as a result of the overlay, for instance, anything on main street with 3 apartments is non-conforming, anything on Main Street that has any sort of streetscape is non-conforming with respect to front and side setbacks. If you look at redevelopment, would this provide opportunity for people to have more flexible standards to redevelop possibly something conducive to the village mixed uses. It's noted in our master plan the importance of promoting that and providing housing opportunities. There is also the lumber yard, one day there could be a public road going through there. There could be some sort of mixed-use village in there, commercial and residential. Everything that's in the underlying district would still apply, there would be more relaxed setbacks and more relaxed density and you would get as much density as your site would support. There's also all of these little houses in our village area on tiny lots and to bump out their living area or do any type of expansion, they would have to go to the ZBA for zoning relief to build in the setback. The overlay would only apply to that portion of the lot which the overlay cuts through. (inaudible-no mike). After a long discussion, the Board agreed not to go forward at this time and Angela and Herb would get together with John to discuss the proposal.

Meeting adjourned at 8:48 p.m.

Respectfully submitted,

Mary Lee Harvey
Administrative Assistant
Planning/Zoning Department

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

A. William Bayard, Secretary