PRESENT: Vadney, Chairman; Sorell, Vice-Chairman; Bayard, Secretary; Finer;

Bliss; Kahn; Harvey, Clerk

Finer moved, Bayard seconded, THAT WE APPROVE THE MINUTES OF FEBRUARY 14, 2006, AS PRESENTED. Voted unanimously.

APPLICATIONS SUBMISSIONS

1. **WANAKEE UNITED METHODIST CENTER** – Proposed Site Plan Amendment (Existing Conditions), Tax Map R19, Lot 11 and Tax Map R20, Lots 7 & 8, located at 75 Upper New Hampton Road and Arbutus Hill Road in the Forestry/Rural and Forestry/Conservation Districts.

Application, site plan and abutters list are on file. Filing fees have been paid. Recommend application be accepted for public hearing this evening.

Finer moved, Bliss seconded, THAT WE ACCEPT THE APPLICATION FOR A PROPOSED SITE PLAN AMENDMENT (EXISTING CONDITIONS) FOR WANAKEE METHODIST CENTER FOR PUBLIC HEARING THIS EVENING. Voted unanimously.

2. **WILLIAM WOODAMAN** – Proposed minor subdivision of Tax Map U15, Lot 41, into two (2) lots (11,271 sq. ft. and 10,317 sq. ft.), located at 7 Mudgett Avenue in the Residential District.

Application, subdivision plan and abutters list are on file. Filing fees have been paid. Recommend the application be accepted as complete for purposes of proceeding to public hearing this evening.

Bliss moved, Finer seconded, THAT WE ACCEPT THE APPLICATION OF WILLIAM WOODAMAN FOR A TWO-LOT SUBDIVISION FOR PUBLIC HEARING THIS EVENING.

3. RICHARD DECOLA FOR VINEYARD FINANCIAL SERVICES LLC-

Proposed Site Plan to establish a change of use and related site improvements on Tax Map S18, Lot 40, located at 95 Daniel Webster Highway in the Commercial - Route 3 South District.

Application, site plan and abutters list are on file. Filing fees have been paid. Recommend the application be accepted as complete for purposes of proceeding to public hearing this evening.

Finer moved, Bliss seconded, THAT WE ACCEPT THE APPLICATION OF RICHARD DECOLA FOR VINEYARD FINANCIAL SERVICES, LLC, FOR A CHANGE OF USE AND RELATED SITE IMPROVEMENTS FOR PUBLIC HEARING THIS EVENING. Voted unanimously.

PUBLIC HEARINGS

1. **NORMAND & ROBERTA MORIN D/B/A CASE N' KEG: (**(Rep. Carl Johnson, Jr.) Compliance Hearing to review the proposed sign package, Tax Map U06, Lots 138 & 139A, located at 5 Mill Street in the Central Business District. Conditional approval granted October 11, 2005.

As you recall, we were before the Board last month and received the conditional approval on the site plan aspect of this proposal subject to coming back at a separately noticed meeting for the sign package. Mr. Morin was essentially waiting for the details of the signage from the Subway franchise and we have that information and it's in your packet. There are two (2) signs to be added to the existing Case n' Keg signage, one is an 8' x 2' sign to be added to the existing Case n' Keg sign. The other sign is to be mounted on the building and that's 12' x 3 ½'. This is called a curvature sign and it's a little bit different, it follows the contour of the sign. Two sided on the front and obviously one sided on the face of the building. That was the only aspect of the Site Plan that was to be added and John's got a staff review here essentially saying that Bill Edney has reviewed the sign package as has stated that it's in compliance.

Finer moved, Bayard seconded, MR. CHAIRMAN, I MOVE THAT WE APPROVE THE PROPOSED SIGN PACKAGE FOR SUBWAY AS PRESENTED AND FIND THEM IN COMPLIANCE. Voted 6-0 in favor of the motion.

2. **MERTON WINN CAPITAL, INC.:** (Rep. Mike Garrepy) Proposed Major Subdivision of Tax Map S06, Lot 2, into eight (8) lots ranging from 2.54 acres to 18.08 acres, located on Meredith Neck and Powers Road in the Shoreline District. Application accepted November 22, 2005.

The first thing to note this evening is the change in the name of the applicant to WINDOVER REALTY INVESTMENTS, LLC. I wanted to briefly go over with you folks the changes we have made to the plans since our last meeting because they are significant. We took all of the comments very seriously from the last meeting, went back and worked with Dave and spent a lot of time working on a redesign. We've worked to try to minimize the impact to the sensitive wetland areas that were identified at the last meeting. Mark West has done some further evaluation of the entire site basically to determine the boundaries that exist and determine if there are any other wetland areas that may be present on the property so he has reports that he's put together that identify all the wetland areas and identified their functions and values in his report and we'll present his report to the Board for consideration. What you see before you tonight is a plan

that is a big change. We had a 5-lot subdivision presentation at the last meeting four (4) of those lots were accessed from Powers Road via a double-barrel driveway. We had two drives that ran along the northern boundary to access these four frontage lots along Kelley Cove. We have since gone back to the drawing board and provided access for two of these lots. Lots 3 and 4 along Meredith Neck Road, one via a minimal impact wetland crossing that will locate a house in this area to the West of this sensitive wetland area, one that will share an access with the existing Atteberry estate property and the homestead which will be shared driveway access, using the existing driveway already in place and then these two lots, Lots 1 and 2 will come off the proposed Powers Road access relatively in the same location as that proposed double-barrel driveway that was previously presented and several of the members have been out there to see where that centerline was staked and it's roughly following that same centerline to access those two lots so we've eliminated quite a bit of wetland buffer impact with this proposal, keeping all of the buildable envelopes with this particular plan outside those wetland buffer areas, reduced any significant wetland crossings here where we talk about the stream channel and the only real impact to wetlands is this crossing here and Mark will talk about the function and value of that wetland being fairly minor compared to what we're talking about down here in the more sensitive area. A couple of other things to note on the plan, as far as changes, are that we've added a few lots and we've added one lot off Powers Road and that is a 3.16 acre lot which we propose to have its own frontage off of Powers. We've added a lot up on Meredith Neck which we propose to have shared access via a shared driveway here utilizing one wetland crossing so we can reduce the impact. That's about a 5-acre lot. Vadney – Would you point to Lot 1. Garrapy - Lot 1 is this lot here, it's about a 12 1/2-acre lot. Vadnev - The access to that? Garrapy - That's going to be via a shared driveway. Vadney -Where's Lot 2? Garrapy - Lot 2 will be here. Vadney - Shared with the same driveway. Where's Lot 3? Garrapy - Lot 3 is this lot here. Garrapy - Will have a shared access with Lot 6. Vadney - Now, where's Lot 4? Garrapy - Lot 4 is essentially the same configuration as it was before, but at this point we're proposing access via sharing the curb cut that the Atteberry homestead currently uses. Vadney – Where is Lot 5? Garrapy – Lot 5 is the Atteberry homestead house. Vadney - Lot 6? Garrapy - Lot 6 is our 5-acre lot off Meredith Neck. Vadney – Lot 7? Garrapy – Lot 7 is this lot here which is off Powers, it's currently proposed to have its own access off of its frontage. Vadney - Where's 8? Garrapy - Lot 8 is here and it's a 2 1/2-acre lot and serviced by its own access off Vadney – So there will be one driveway for two units coming off of Powers and then two single driveways for Lots 7 and 8. Garrapy – And so that's the new configuration. We think that goes a long way in the avoidance of the areas that the abutters were concerned with largely and some of the members of the Planning Board were concerned with certainly and the Conservation Commission were concerned. We think the plan goes a long way to address those concerns. There will still be the ability for these Lots 1 and 2 to build up closer to the water's edge without any buffer or wetland impacts. Lots 3 and 4 we're proposing at this time to, we have building envelopes, 4K areas and well

locations up on the western side at the higher end of the property away from the wetlands. We are proposing to have trails that would connect the home sites to the water and in addition to that as we've discussed in the past, we would intend to apply for dock permits for those four waterfront lots as well as beach permits perhaps and that would be certainly through the DES process that we'd apply for those permits. We are comfortable with putting notations on the plan and with covenants and deed restrictions to protect against further subdivision of these lots even though they are significant in size. The larger lots range from 12.5 acres to 18 acres. We are comfortable with restricting further subdivision on all the lots we propose. We are also very comfortable and we heard very loud and clear the abutters concerns with respect to access down to the water and we are comfortable with restricting via covenant and deed restriction any future ability for shared access or easements to the waterfront so it's just simply these four (4) lots that will have access to the Cove. We have a couple things relative to boundary issues that I want to talk about. We mentioned it at the last meeting. There are a couple areas on the plan where we have some encroachments. remember from the last meeting, this driveway that accesses the Rice property actually encroaches on the property in a couple locations. The other issue with the Rice property is that the dock is located on or approximate to the property line. What we've done is shown some lot line adjustments to that property line that basically would remedy that situation by deeding this sliver of land here to the Rice property to eliminate that encroachment issue with the drive. Also, deeding a sliver of frontage approximately 430 sq. ft. with some water frontage to the Rice property to eliminate that dock encroachment issue. What we've also done partly in exchange for that is ask Jane Rice if she would be comfortable with deeding us a small portion of her property on the very corner. This triangle here will make this Lot 1 potentially a better building envelope in that location for another possible house site location. Although we're showing the house site further back, but it provides that ability in the future so we've done that. With respect to the Hamblet family, we have this area that was of concern, Dave Dolan's survey identified that as property belonging to the Atteberry family property. We have met with Mrs. Hamblet who is here this evening and we have promised her that that land here is proposed to be deeded to her upon approval so hopefully that will clean up that issue with respect to her property. We've been out on the Cove taking water depths. One of the concerns at the last meeting was depths in the Cove, shallowness in the Cove, dredging concerns and we have some information that we will prepare for the Board presenting the depths if its something the Board would like to look at that shows we have adequate water depths to locate four (4) docks in the Cove without having a need to dredge. Hopefully, that will calm some of the concerns and fears that some of the abutters had with respect to dredging. That will not be an issue at least based on our evaluation. We still have to go through the State process to get those permits. We understand with the design of this shared driveway with only access for these two (2) lots, we understand we still need to satisfy the concerns of the DPW and more particularly, the Fire Chief. We understand what he's looking for with respect to turnouts, his ability to get vehicles in and out of the site so we'll be designing and preparing a plan and profile of this 1,000 foot section for that driveway for the Board and Fire Chief to review and approve demonstrating we have enough width with the right materials as far as the base and that concern and we'll certainly incorporate any kind of drainage features we may need to add to the plan to make sure we don't have any runoff running down to Kelley Cove with respect to designing that driveway. This driveway here, we'll do a plan and profile for this as well for at least the short distance of the shared section. We'll certainly have to do something for this crossing and we'll also have a driveway here that we could certainly provide a plan and profile there to make sure. In speaking with John Edgar, he wants to make sure we can make these grades work and we're confident we can, but we want to present that information to the Board for its consideration, but really we're here tonight, certainly not seeking any kind of approval, we're just here tonight looking for some feedback to head off in hopefully this direction to get all the plan details put together, go meet with the Conservation Commission and do a site inspection if they want to walk the site, prepare our final plans, get to the ZBA and come back to the Board hopefully at the end of March perhaps or the first meeting in April if that works and move forward towards approval so I guess I can wrap it up and take any guestions from you folks or the abutters. Bliss - I have two questions. First of all, I think the format of this map having it on two pages doesn't make it simple to read and you do have a complicated project here and I just think it presents a learning curve even for some of us that have seen it before. If you could in some way make it smaller for the next meeting, I think that would help. Also, I hear a lot of talk about driveways going in here and driveways going in there, but I don't really see too much as far as any drafts on the plan as far as where they are going in and I'd like to see that as well. Kahn – I was going to ask the same question. On Lot 7 and 8, where are those driveways? Garrapy – Lot 7 and 8 are proposed to have their own driveways off Powers. If you'd like to see a potential driveway location there? Vadney – We do require that. Garrapy – That's our intent. These are progress prints that we wanted before we did a lot of final engineering design, we wanted to make sure that the Board was comfortable with the changes that we're proposing. We understand that we're not done yet, we have a lot of work to do. We have to show those driveway locations with respect to any buffer impacts we may have as we go to the ZBA for special exception needs and that sort of thing. We'll provide those driveway locations on the plan. We hadn't proposed to design these driveways for these smaller individual lots. but with respect to the longer driveway, we certainly will do that. Vadney - What will be the distance between, that's about 400'-500', you're going to effectively have 3 driveways, one double and two singles. Garrapy - We'll have the double certainly and then we'll have another driveway approximately 100' or so away from, I'm sorry, it will probably be 50' or so away from the shared drive and then the other driveway from there would be about 170-175' feet or so away. Vadney - I realize that's a relatively straight section of road there, but we do have to have the DPW look at it for sight distance and stuff. Garrapy – We intend to do that. certainly. Vadney - How about the new one out on Meredith Neck? I can't recall what the vertical curves at that point. Garrapy – The sight distance here for the

shared driveway is excellent. We haven't taken a sight distance measurement, but just by standing there you've got plenty of sight distance both ways. We can show that on the plan with the final submittal and for this site here obviously we're utilizing the existing driveway, which has decent sight distance. It's not perfect sight distance, it's not the best, but it's good sight distance for a driveway. Kahn - We do need one sheet so we can see where everything lies on one sheet, but I do like the detail that you get with the larger plan. The other thing is I'm much happier with what you're doing down near the waterfront and around that stream and in those wetlands. I think you've come quite a ways, but I hope we can wrap this up before you come up with yet another design. We can have an overview sheet like this on a smaller sheet obviously and then we can have it broken down because the detail's important, but I agree trying to flip back and forth is kind of a pain so we can do that. Bliss – Just another point, I'm sure the applicant's aware of it but we've heard about two boundary line adjustments and those will have to come in separately as separate applications, not just if it goes through, then you're going to do it. I think as a Board, we need to see those before this goes forward. Garrapy - Sure, and I've spoken with John about just that and we understand we have to notice, I believe we only have to notice a few additional abutters and we'll have to prepare those plans for consideration and we'll work with John on how that's all noticed. Bayard – Is this going to the Conservation Commission? Garrapy - It hasn't yet, at the last meeting we talked about not going before any other committee, commissions or boards until we really ironed all the concerns and details from our last visit to the Planning Board so our progress update for you folks, get your feedback, we immediately want to go to the Conservation Commission and start talking about this plan and then get to the ZBA to start talking about special exceptions and that sort of thing. And these are all single-family residences. Vadney – I recall some questions about drainage down across the access to the Rice property, there's a low culvert in a fairly flat section coming off of what's now Lot 8, I think. Garrapy – Across the Rice driveway? Vadney - It might be coming off Lot 4. We asked you to take a specific look at that for any drainage problems because a quick look at that culvert, there's very little vertical drop there and it goes both ways I suppose depending on how the rain's falling and whether there's going to be any additional runoff that's going to get through there and how it affects the wetland on the other side of the driveway. At least tell us that it is going to drain properly. Garrapy -Yes, and I do recall that from the last meeting when we get into looking at this and the impacts that we'll move, it'll happen here and we'll evaluate that and the downstream impact as well. (Staff Review read into the record, see attached.) We do have several letters: Ralph Pisapia, Ed Touhey, Friends of Kelley Cove and List of Name, Lennig & Adele Chang, David DeVoy (2), Don Smith. These will be entered into the record and I don't think you want to hear us read them in. I realize it was quite laborious and somewhat repetitive of what we already heard having that read into the record, but I wanted you to know what we all are seeing and Town staff input and the fact that she read it doesn't mean we agree with it. it's just that John Edgar wrote it. Those are the basic situations. One thing that came to me as she read that and it was what I was squinting at trying to see is

the crossing from Lot 8. I couldn't see how it hit Powers Road where you were planning it and this says it's going to come across an easement, which is the true Garrapy – We are proposing right now for that access to be via Powers Road which it's frontage is right in this area. Its length is roughly 65' with access and I believe we have the ability to get a driveway in there outside of the buffer as well. Vadney - Lot 8 has 65' of frontage on Powers Road so that means, my original question was on the distance between the driveways. At the double driveway, it will be about 50' to the first independent driveway and roughly another 50' to the second independent driveway. Garrapy – It's about another, again depending on where that second driveway is located, but I'm just going to ballpark it, it's probably about 150-175' or so away. Vadney - The scales I've seen it didn't look like that was possible, but we'll verify that later. There's over 300' of frontage on Powers Road for the parent parcel. ??-Where is Jane's driveway? Garrapy - Her road is actually right at the end of our property and it follows that line there. Bayard - John said your applicant should consider stipulations regarding no further wetland or wetland buffer impacts. We've been, you might say requiring or very strongly recommending especially in an area like this with so much sensitive wetland because there is some concern, assuming this were to be approved, you would have development set up with certain understandings and then people may go to the ZBA and defeat what was understood and perhaps the protections that were thought to be built into it. Vadney - Any modifications would still have to meet both ordinance and State law. Maureen Soley – From that it appears that only four (4) lots of the eight (8) will have rights to the water and none of these including the house that's presently existing will have an easement over anybody's property. Garrapy -That's what we're proposing and that's what we are willing to put in covenants or whatever legal language we need to put together to work with Town Counsel on. but yes, just the four (4) lots, 1, 2, 3 & 4 would be the lots with sole access to the water. When did you do the drilling for water depths? Garrapy – That was done I believe last Wednesday or Thursday. M. Soley – Because on February 10 and 11, there was in the middle of the Cove, it appeared to us and we called the Police and Marine Patrol because we thought perhaps either a snowmobile or four wheeler had gone through the ice because there was a green slick in the middle of the Cove that appeared to be, it looked like antifreeze. Garrapy – No, this would have been last week and it would have been two gentlemen walking on the ice. M. Soley - Our concern still is quality of the water and the safety of the Cove for small boats like kayaks and things like that. I think the gentleman from the conservation Wetlands Board had made the recommendation that there only be two (2) lots down there. The depths are shallow and we had pointed out before there is a huge grade here and there's so much water that's running into the lake, it's our concern that we don't have building materials in the path. That continues to be a concern. Ralph Pisapia, representing the Conservation Commission - We received new information tonight that we would want to take a look at, in particular, there's a new wetland crossing off of Meredith Neck Road that we have not looked at in the past. (Change Tape) ...and guite a distance as well and I don't know if the applicant is proposing a driveway down, vehicle

access to the water, but we would want to have that clarified on how they expect to get there and the volume of traffic. It was mentioned about the West Environmental Report and we would like to see that before the Board takes any action on it. I was a little concerned about the mention of a special exception. We're proposing a subdivision here that seems to us that the subdivision should be able to go in with minimal or no need for relief from the Zoning Ordinance. It should be in compliance with the Zoning Ordinance and I think (cell phone ringing can't make out). James Nolen (abutters to Lot 4) - One of my questions is that the progress report posted is for 23 February, but the one distributed for the meeting is 13 February, can you tell us what changes have occurred from the one posted on 13 February to the one shown for 23 February? Garrapy – The one that was submitted to the Town was 13 February, I believe and this is an updated progress print that was printed out just for my purposes, I believe it's the same plan, it just happens to have been printed out on a different date. Perhaps the only change, I should stand corrected, what would be on this plan that is not on yours is the issue of this triangular piece of land that Jane Rice has verbally agreed to exchange with us. It wasn't shown on the plan that was submitted because we hadn't yet talked to Jane about it and we didn't want to be presumptuous that that was an agreed upon situation. James Nolen - Also, a question on Lot 4, you have a 4K area, Test Pit #4, it's near the pump house, it's about 10' from the property line and was this anticipated to be a potential septic system site? Garrapy – Early on in the process when we originally came before the Board, we had shown house locations towards the front of this property as you might recall and so we had test pits located in this area. We're still showing it on the plan because it's an existing test pit, but we've dug an additional test pit, #5 up in this portion of the property where we're now demonstrating that we have a compliant building envelope for a site location and just to clarify real guickly. there are a couple lots that still require some test pitting based on this new configuration and I think John Edgar's staff report brought that up and we'll be doing some. We just wanted to make sure we met with you folks before we went too much further ahead with this design. Nolen – Test pit #4 will remain on the plan and not likely be used as a septic system, is that what you're saving. Garrapy – It will remain on the plan because we're essentially required to show existing conditions on the plan, but at this point, we're proposing the building site to be up here on the property. Nolen – Again, not to belabor the point, but Lots 5, 6, 7 & 8 not having waterfront access, does that include pedestrian access? Garrapy – That's our intent. Our intent is to limit any access to just those four (4) lots and that will be part of the restrictive covenant or deed restrictions that will encumber these four (4) lots. Nolen – My last guestion regards the pump house that's not in use, but that's right at the edge of the property line and it hasn't been in use for at least 25 years. There's an easement over our property for maintenance on that but in the future there's going to be access to Lot 4 and we don't think there's any need to maintain that easement so we'd like to see something worked out about that. Garrapy – I'm sorry, are you saying there's an easement to go across your property to get onto that property? Nolen - To maintain the pump. Garrapy – I don't see any reason on the face of it why we

couldn't relinquish that easement. I'd have to talk to Dave about it and take a look at it, but we'll do the research. I don't see any issue with that at all, but we'll get back to you on that. Richard Kurt – 140 Powers Road – Where's the access to Lot 7? Garrapy - Lot 7, this 3.16 acre lot is proposed to have access via Powers Road, just about 50 or so feet beyond the proposed driveway for Lots 1 and 2 so in this location here. Kurt – Does it cross wetlands or anything like that? Garrapy – It crosses a wetland buffer area and we'll be required to go to the ZBA for a special exception provided we meet all the requirements under the special Phyllis Hamblet - 108 Powers exception requirements. It's an allowed use. Road – Is that going to be a double driveway now going down to those two lots or is it going to be one single driveway. Garrapy – There will be one driveway proposed for Lots 1 and 2 and then there will be a short section of drive to access the buildable envelope for Lot 7. Hamblet – Just for the record, I have paid taxes on that little piece of property since 1982 and prior to that the Maratzo's paid taxes on that and I don't know who prior to us. Garrapy - That's why we are so kindly giving the land to Mrs. Hamblet. Hamblet – I don't think it's a giveaway, I think I own it. Henry Buletti - Lovejoy Lane - I would like to know the name of this entity that's doing this if it isn't Merton Winn. Garrapy – It's been changed to Windover Realty Investments, LLC, a New Hampshire corporation. Realty Investments will buy the property upon the approvals being in place. That's the understanding we have with the owners at this present time. Buletti – How long will those docks be? In order to get out of that shallow water, they'll have to be pretty far out. Garrapy – I can't really commit a length to you right now without going through the State process, but I can tell you that we took measurements all around the Cove at approximately 15' from shore and there's adequate depth at that distance. Garrapy – The docks could potentially be 50' from shore which is typically what you would find DES approving is a 40-50' dock and I have to apologize because I don't want to speak beyond my knowledge base because I don't know a lot about the dock permitting process, but we're certainly going to be working with the folks that know what the depth measurements need to be, the length and we're working with the State obviously to get all those approvals in place. Pisapia – I just have one more request and that is what are the depth measurements they got, the minimum for a boatslip is 3 feet. From what we saw when we were out there last fall, they would have to be out quite a ways. Kahn – Are you going to set out on the plot plan where the trails are going to be and where they will be crossing the wetlands and the Garrapy – We talked to John about that just this past week and he didn't really feel that was necessary, but if the Board wants to see that, at least the potential location, what we don't want to be tied to is an actual physical location until we get out there and really determine where that trail ought to go. We want to sort of meander it through the trees, we don't want to cut a lot of trees, that's not our intent. We want to find the appropriate place to cross the wetland that will require at least a trail permit from DES. The actual trail itself from what we can gather and from what John's told us is that it is an allowed use in the wetland and the wetland buffer so those trail modifications can be done from what we understand without any further review from the Zoning Board or

from this Board, but we could certainly provide at least the crossing location for your consideration and review. That's not a problem. Janet Nolen - I don't understand this term "trail", is that something that you can just walk across, drive a vehicle on, what exactly is a trail? Garrapy – We're not proposing to have any vehicle access down on the site. There will be no automobile traffic down on the site at all. It's proposed to be a recreational trail to get folks from, again sensitive to the keeping away from this area by building up further away from the wetlands and then just the ability go get folks shuttled back and forth to their boats. Vadney – Do you mean shuttling by golf carts, go carts, small tractors? Garrapy - I guess I wouldn't rule out the possibility of golf car access, but I think that's something I think down the road, the end user would determine and that's something we'd have to look into I guess. Our understanding is that at least in speaking with John that it's an allowed use. We have no problem going, we are going to be meeting with the Conservation Commission anyway. We have no problems going and talking about these trails and trying to locate the best areas for these trails to be in and where they should cross and that sort of thing, but again it's a recreational use of primarily foot traffic getting down to the water. Nolen - Will the DES permit for that trail restrict it from being paved or characteristics that might approach an automobile? Vadney - I don't know that DES would have an opinion on that. It's certainly to be determined. Garrapy – I don't think we would have a problem with it not being paved. We really want to keep this a more rural, lakeside feel for this whole development. That was sort of the reason we're trying to focus away from having to build a Town road or a private road and hence the reason why we've done all this reconfiguring so that shouldn't be an issue. Pisapia – Again, this relates to the access to the water, but will the Board consider the type of access and give them their approval because if it's going to be an at-grade type of access across that wetland, some of those wetlands are pretty wet and very significant in their sensitivity, especially the vernal pools so I would hope that the Board would consider the type of access across those wetlands. Certainly we would look at access across them. but where and the type of access is pretty significant. A bridge is one thing, but at grade might be something totally different. Mark West - Can I briefly respond to that because we discussed it earlier? In our discussions so far, we are talking about doing a type of permit for a trail, wetland crossing that goes through the Conservation Commission first, gets their approval and there's a Permit by Notification rather than just a regular permit and requires you to follow the DES regulations as far as trail construction and trail crossings. We even have drawings of wooden type structures that are very low impact to get across the wetter part of the wetland so we will have drawings and details submitted and the trails will have to follow State guidelines on trails for low impacts. Vadney - It would seem to me that with things like that that have to be done, we need a fairly lengthy continuation, we don't want to do this too guickly and bring these people back for nothing. Finer – In relation to the wetlands, at our December meeting we had asked for a study of the functional value of all the wetlands with particular emphasis on the vernal pools. Mr. West had promised a complete analysis of all the wetlands. Where's that at? West – It's right here tonight but I was told

because it wasn't submitted long enough before your meeting, that putting it in front of you wasn't appropriate, but on the way out the door, we will leave copies. Vadney – What date do you want to come back based on the fact we don't want you coming back without a lot of this stuff pretty well ironed out? Garrapy - We'd like to come back if we could at the second meeting in March and I know we won't be done then, but here's what we'll have done. A lot of the shared driveway plan and profiles to show you, we'll have some more information relative to working with the Fire Department, DPW, we'll have some significant progress made and we'd like to share that with you. Concurrently, we would be proceeding with the Conservation Commissions discussions, going to the Zoning Board so I anticipate coming back at the end of March and then perhaps a subsequent meeting in April to hopefully wrap up any loose ends that we may have but that's kind of what we're thinking about right now. Finer - Mr. Chairman, I would rather see it be in April because that only allows you a twoweek envelope to submit stuff to be in two weeks before. Bliss – Mr. Chairman. the other thing that wasn't even mentioned is the boundary line adjustments. Those have to come in too. Garrapy - The first meeting in April is fine, I think that's a better time for him to get information submitted. Vadney - We've seen many of these that on the optimistic side, we put them off a month and it doesn't work, April would probably be better. Vadney – We have a motion and a second for a continuance to April 11th with a number of, you say you've already got the functional analysis of wetlands, there will be some work done with the Conservation Commission on any trail crossings and on the driveway crossings, language will be worked out, the basics at least, on the boundary line adjustments and those will have to be ready to go. Garrapy – is there anything else that the Board, any other issues you may have with respect to this layout with the information at least that you have before you tonight that we should be thinking about as we prepare the final plans? Vadney - The depth measurements and put that one on a scale that we can see it, just break out the shoreline area, the waterfront itself and make a big blowup on that. You might even put in checking with DES Regulations, show us an idea of what the docks will look like. Kahn – Where you've positioned the house sites, will they be able to see over the trees or are the trees going to go? Where you're positioning the house sites, will they be able to see the water or are they going to be cutting the trees? Garrapy – I don't think there's a possibility of water views from these lots. We haven't really evaluated that as of yet, but if you look at these building envelopes here, they are significant and we're not pinpointing an area where a house has to be built so we are really relying on an end user that's going to come in and site their house and that's not saying that there won't be any cutting of trees and we wouldn't want to guarantee that. Vadney - There could be. Garrapy – There could be some selective cutting or thinning of trees and that's very likely to happen. Kahn – And there could be restrictions. Garrapy – There could be some restrictions in place as well. Kahn – What I'm interested in seeing is on your topos some indication from the house sites, how tall are the trees so that we can get an idea as to how much clear cutting there's going to be. Garrapy - we can look at that, although I'm not sure that information is something

we'd be able to readily supply the Board as far as heights of trees with respect to their location on the plan without significant survey data and again as I said, these sites are significant in size, even the 5 acre lot is significant in size so it's going to be very difficult to say here's where the house is going to go and here's what trees may be cut. Kahn - Well, what I'm concerned about is the cutting of trees around those vernal pools in that area and if you block the cutting of trees around the vernal pools, the houses are going to be located on some high point where they can see over those trees. Bliss – One more thing I would like to see for the next meeting is that I know we talked about the placement of the docks, but I know when we did Mile Point; we were apprised to what was happening with the dock company and I think it would be helpful to know that. Vadney - Lou, you can make it a condition if you want. Kahn - I'm asking for information, I'm not really challenging the motion. Vadney – I do want to add one thing here as we were talking about this last thing, I was handed a letter from Donald Smith and that will be entered into the record as well. All letters will be on file at the Town Office. This one does have a point that says, do the revised plans constitute a new application? It would seem that 60% increase in the number of lots proposed constitutes a significant modification that warrants withdrawal of the current application and submittal of a new one. Is there an application form that's been amended? Harvey – A new application was not submitted. Vadney - This was originally brought in, the first time you guys came it was what, 8 lots? Garrapy – It was an 8-lot configuration under an open space (cluster) design. That was under a preliminary consultation. The first Planning Board meeting that was a public hearing, the application was accepted at that meeting with a different configuration, however, as plans go through the process, they typically get modified and because there was more than minor modification of lots, there was a renotification of all the abutters so I think we're still in a pretty good position as far as compliance with whatever requirements the State and local body has. Vadney - His other questions are all things we've talked about. That will be entered into the record and we'll just go for a motion to continue. Meeting adjourned at 8:12 p.m.

Bayard moved, Bliss seconded, I MOVE THAT WE CONTINUE THIS HEARING TO APRIL 11, 2006, WITH SUBMISSION OF NEW MATERIALS BY MARCH 27, 2006. Voted unanimously.

3. **LINDSEY LU, INC.:** (Rep. Carl Johnson, Jr.) Continuation of a public hearing held on January 24, 2006, for a proposed Major Subdivision (cluster) of Tax Map R09, Lots 19, 19A and 21 into 8 lots (16,465 s.f., 19,464 s.f., 19,842 s.f., 20,016 s.f., 23,118 s.f., 24,063 s.f., 32,760 s.f. and 33,006 s.f.) located on Corliss Hill Road in the Residential District. Application accepted on January 10, 2006.

By now, you are fairly familiar with this property located on Corliss Hill Road bounded on the northwest by Hatch Brook. The former Mary Blake property has a dwelling located here with a driveway access off of Corliss Hill Road and what is being proposed is an 8-lot cluster subdivision. We appeared before the

Meredith Zoning Board of Adjustment and received approval to create a cluster subdivision in this zone. Essentially, the project involves the construction of a new roadway, which has its access off of Corliss Hill Road coming down into the property and ending in a cul-de-sac here. All of the units will have frontage off this new road with the exception of the existing dwelling, which is the former Mary Blake homestead that will continue to have its access off Corliss Hill Road. As you can see, we did a breakdown of the soils. Nicole Whitney of Ames Associates in conjunction with Randall Shuey with Gove Environmental Services did a detailed site-specific soils map. What we did is to take the total area that we mapped, topography that was not the total area of the site. It was a total sufficient enough to demonstrate that we had an equivalent of 8.03 lots for the subdivision. The essence here is you take the entire area, subtract out the roadway which is not part of the calculations, what's left over gets broken down on this table and you can see that you have 8.03 lots. Making it a little bit easier to situate the cluster units in the subdivision is the fact that we will be connecting to the municipal water line which runs up Corliss Hill Road. Kevin Leonard from North Point Engineering in Concord has prepared the engineering plans for the project. There are some minor modifications that are going to be taking place. Kevin is working in conjunction with Bob Hill from the Water Department, Mike Faller from the Town of Meredith DPW and Lou Caron who is the Town's consulting engineer paid for by the applicant. It's a fairly simple roadway design. We will be going before the Board of Selectmen for reduced roadway standards very similar to what the Board has been approving in the past and similar to the Clover Ridge subdivision, similar to the road standards that are being proposed for the road off of New Road and essentially, there will only be 7 units accessing this road so it will somewhat less than the full blown width of a town road. That's to try to keep with the rural nature of the neighborhood and to minimize whatever impacts and alteration of terrain will result from that. You can see beyond this point here, there will actually only be 7 home sites accessing the road so down off the cul-de-sac, there will only be 3 driveways. What we have here are 8 cluster units about ½ acre apiece, some a little under, some a little over and then you have the remainder of the property entered into a green area. This green area will remain open, will be subject to a restriction that it may not be further subdivided and no portion of it may be used to create lot density purposes for any other subdivision. And, of course, by the nature of these units, it goes without saying, but there will probably be a plan note and a deed specification that these lots may not be further subdivided. There's actually no benefit in terms of lot sizing for being on municipal water. There's only a benefit if you're on municipal sewer so the lot sizing stays the same even though you have the benefit of municipal water. What does happen, you do eliminate the individual well radiuses that start to get cumbersome when you're talking about a cluster development of this nature in trying to maintain the 4,000 sq. ft. areas dedicated for a septic system. Ames Associates did test pitting and have very good test pits on each one of the units and David is confident that individual septic systems on these lots will not be a problem. There were some staff comments written by John Edgar. I would like to just highlight them really guick. He does go through

a little bit of the history and summary of the proposal which I've already done. The lot sizes he goes over a little bit, I've summarized that. In terms of the density, I did demonstrate to him that I had previously subtracted out the road ROW. He was questioning whether or not that was in the calculations or out. It is out. The roadway is just under an acre in terms of size and that's been factored out. As usual, the highway access permit is required by the Town of Meredith DPW but that's already been reviewed by Mike Faller, both in plan form and also in an on-site. The engineering that's being modified are basically some drainage modifications to the way the drainage comes on the site and how it's treated, fairly minor modifications and Kevin is working directly with Lou Caron on those modifications and they will come through to the Board essentially when they are complete. We do need to submit Lindsey Lane to the Board of Selectmen. That's the road name that 's being proposed for the new road. John goes over some basic comments about the site stabilization that's also being reviewed by Mr. Caron. We do not propose any street lighting at the intersection at this time. If that's something Mike Faller would like to see from a safety aspect, we would be, of course, willing to comply with whatever his recommendations are. We do not feel it's necessary at this point. As you might imagine the traffic that's generated by 7 additional lots on this class of a road is relatively minor. The road average trips per day are relatively minor and so we don't think it would necessitate a street light in that particular location. The lot merger is required prior to the approval of this plan primarily because there was a former subdivision here, this is actually two separate lots and this is a third lot and in order for this to happen, there would have to be a lot merger and then drainage and slope easements would be required for the roadway. Those would be blanket in covenants and then the legal declaration of covenants would have to be submitted for staff review. John says that in the Declaration of Covenants emphasis needs to be placed on the private maintenance of the roadway and the drainage, the purposes of the green area and the limitations within the defined 50' buffer area, particularly as it relates to Lots 1, 3 and 4. There are some buffer impacts here, the corner of this one is actually just a touch over the 50', but essentially the 75' buffer is shown here because that's the setback for a septic I've noted in a dark line here, the 100' setback from the designated brook, because Hatch Brook is a designated brook. You can see that much of the green area is self-controlling because it is encumbered already by the 100' setback from the designated brook and also by the setbacks that happen to be of the non-designated type. There is a small area here that's a green area that's open field at this point and then there's a larger portion of the green area here which is developable land fairly gradually sloped down to the brook which will also be encumbered by the restrictions in the green area. Essentially, these three (3) lots are bounded by nice stonewalls. We intend to keep that wall. Also, there is one of the original stonewalls here that we intend to keep with the exception of where the driveways would break thru for the home sites. Vadney -Where does the big boulder sit? Johnson – Right where it says "large boulder". Vadney – I can't read it from here and that's staying, right? Johnson – Well, there's some talk about possibly making that boulder the entranceway to the

Blake Farm by using it as a monolith of sorts. It will stay there. Those are pretty much the comments that John had. One of the things that would be happening also is a unit cost estimate would be provided by the engineer which will be submitted to the Board for purposes of bonding the roadway and/or the portions of the roadway that involve sediment and erosion control which is the difference between build it or bond it and what we would hope to be obtaining would be a conditional approval subject to the conditions that are in John's staff review. We do need State of New Hampshire subdivision approval for this subdivision because they are individual septic system designs and what we would hope to do is to, if we were benefited by a conditional approval subject to those items, we would have a separately noticed compliance hearing where the Board would review the final engineering plans, the covenants and restrictions and the amount to be bonded for the construction of the roadway. Kahn – One of the things John points out and I hadn't noticed it the last time, I don't know why. He also pointed out when we were doing the site walk, I think we've got a very significant problem here in terms of compliance with the ordinance that you've got a house sitting in the middle of the 50' buffer. I don't think that complies with the ordinance. Johnson – Well, the Zoning Board thought so and so did Mr. Edney. Kahn – Did they specifically say that somewhere? Is that specifically in the application? Johnson - Before we made application to the Zoning Board, I asked Mr. Edney about the fact that we were creating a cluster subdivision and one of the units would have the house sitting in it and he said because that was a previously existing situation, that was not an issue. Kahn – I'm not sure he understood you, but even if he did understand, I don't think he can grant a variance, I think you're talking a variance here. Johnson – Well, that wasn't his opinion. Sorell – The Kahn - You've got an ordinance that says a cluster Blake farmhouse? development of 10 acres or more shall have a 50' perimeter buffer with no setback required from the interior boundary of the buffer and you don't have a buffer when you've got a house sitting in the middle of it. Vadnev – You're talking about the original Blake house? Kahn – Yeah, it seems to me that unless you have a variance, the buffer has got to be some place where you don't have a structure. Johnson – One of the options that we had available to us was not to include the house in the cluster and that's why we asked Mr. Edney specifically if that was going to be problematic and whether or not, I mean this was the plan that was presented to the Zoning Board, it's not different. Kahn - Carl, it may have been presented, but unless you rub their noses in it and ask them for a variance, I don't know that you've got permission to do that. Bliss - That's not really up to us, I feel. Kahn - It's whether we should approve a subdivision plan that doesn't comply with our ordinance. It is the ZBA's business, but unless we have evidence that the ZBA considered and specifically approved it as a Finer - I think we have a variance, I don't think we have a go ahead. knowledgeable ZBA and if they had this plan in front of them, then I'm sure they saw where the existing house sits. Kahn – I'm not sure of that at all. As a matter of fact. I have something here in our minutes of the last meeting, the developers representative said and I quote and this is probably what he said to the ZBA, "There is a 50' perimeter buffer that's required for the subdivision from the

standpoint of the criteria for cluster subdivision that's being adhered to". I would say that is a rather optimistic view of what we have here. Now if Bob Flanders were here, he might have another term for it. Johnson – I think the point is whether or not you're putting a structure in a buffer or whether or not you're creating a buffer that has a structure previously existing in it. That house does not conform to the Zoning Ordinance of the Town of Meredith right now for any setback. It's within the front setback from Corliss Hill Road. Kahn - I have no question as to whether or not that house is a pre-existing structure and is grandfathered. My question is whether or not you are complying with the cluster ordinance. I don't think you are, I think you need a variance and I don't think that you can show me that the Zoning Board of Adjustment considered it and granted vou a variance. Johnson – The Planning Board approved a subdivision of this parcel which showed a setback line which had that house in it without the benefit of a variance. We're asking the Planning Board to approve a subdivision plan that shows a setback line with that house in it without benefit of a variance. I don't see the difference. Vadney - Carl, you mentioned and it was my first thought too, that you considered subdividing out the Blake property and then making this a 7-lot cluster instead of an 8-lot, whatever the numbers are, 1 less. Johnson – What you probably end up doing is doing away with this green area. Vadney - What are the impacts if you do that? Johnson - You would lose a green area. Vadney - Because the Blake property would have to be a bit narrower, but go deeper. Johnson - It wouldn't be able to be 33,000 sq. ft. because it wouldn't be part of the cluster. It may involve also some minor reconfigurations of the other lots because you would have to get it up to whatever the soils and slopes would be for that particular lot, but I think subdivision plans in general sometimes create setback lines from previously existing structures and there's nothing we can do about the fact that the house is there and I remember specifically talking to Mr. Edney about that fact and he did not see that it was going to be a problem so we proceeded to the Zoning Board without the benefit of asking for a variance. Had he said it requires a variance, I probably would have asked the Zoning Board for a variance. He did not, so I did not. One of the rules of my business is you don't ask for a variance you don't need. Finer - I have no problem approving it with an existing dwelling in there. It was there when the ZBA looked at it and they gave their blessing to it as did our Code Enforcement Officer and I have no problem, that's not a stopper for me. Harvey - John indicated that this application was not ready for conditional approval because no new information has been submitted for review. Johnson - In between now and the time which I appear before the Board, whether it's at a compliance hearing or some other venue, I'll clarify that with Mr. Edney and possibly he can talk to the Chairman of the Zoning Board to see if he has an issue with it. Finer – Maybe just a letter from Bill saying that he understands that. Vadney – Let's see if there is anything else on this issue that needs to be discussed. Bayard - I have a question on the, this is a fairly level area or not? Johnson – There's topography in your packet, I didn't put it on the display plan, but essentially the property slopes down like this towards the brook, gently sloping down. If you look at the amounts that are in the map units over here, there are large areas in the B & C

slope, A/B is 0-8% slope and C is 8 - 15% slope so the majority of it is B/C slope. There are some D slopes used for calculation purposes but not a lot of D slopes on the lot. Once you get down to bottom here, the 3 units at the bottom are very gently sloped from front to back. Bayard - What's the steepness of the road? Johnson – It would not exceed 10%. Vadney – What's the total drop from the driveway access at the road down to those lower lots? Johnson – I would have to look at the topo plan which I don't have up here on the board. Bayard – The area where the cul-de-sac is is fairly level then? Johnson - This is a field that's fairly gently sloped in this direction. There won't be a lot of disturbance to create the flatness of the cul-de-sac. Bliss - In Lou Caron's letter and also in Mike Faller's letter, they both mention guite a few things as far as drainage and different things that they would like to see happen. Have you made any progress as far as trying to address those issues? Johnson – Kevin Leonard is in contact with Mr. Caron and he's in the process of updating his plans to comply with Mr. Caron's comments regarding the drainage. Essentially what had happened is the original engineering plans took most of the drainage and brought it down to the end of the cul-de-sac and had it coming through to a treatment area. What Mr. Caron and Mr. Faller would like to see is the drainage about halfway down be taken out so that you don't accumulate all of the drainage. They both say it's not a lot of drainage, but they would rather see it broken up into two components instead of one, that essentially is what he's working on now. Ralph Pisapia -Meredith Conservation Commission - What is the acreage of the green area and what kind of protection will be incorporated to make sure it stays green, especially along the brook? Johnson – The total lot area is 18.41 acres, the green area is 13.18 acres or 71% of the property, 50% being required as green area. Covenants will probably deal with some type of protection with no cutting within the 100' buffer of the designated brook and limited cutting allowed in the rest of the green area. As you are familiar, the Town of Meredith cluster subdivision does not require the area to be green, it requires it to be open which means theoretically you could have the open space clear cut if you so desire. That's why John is encouraging and I know that the Conservation Commission is encouraging covenants that restrict cutting to some extent. I know we're going through this process with the Ducharme subdivision in Chemung in terms of having some covenants that make green areas greener than open space and that's something that's reviewed traditionally at the staff level because there is no requirement to restrict it and as I mentioned, there already are protections in the conservation overlay district with regard to these wetlands and the brook in place and a good portion of the green area that's to the north and the west is pretty much encumbered by those setbacks and so what we would be looking at is probably addressing some of the areas that are not encumbered by those and maybe restricting clear cutting and restricting alteration of terrain in those areas. Vadney – I do want to point out one thing. Mike Faller wrote a note talking about a 4:1 sloping of the grading by the road and a requirement for guardrail. I don't recall anything down in there that required that, where would be the part that would require a guardrail? This discussion has been going on with a couple different roadways in a couple different areas of town. Mr. Caron, for a particular

personal reason prefers 4:1 slopes. The Town of Meredith's Board of Selectmen has approved 3:1 slopes on roads in the past in Town. The difference with a guardrail really isn't whether it's 3:1 or 4:1, it's what the total drop is. If you have a 3:1 slope and it's only a 3' drop, it doesn't make much sense to have a quardrail in my mind. The guardrail is a safety issue and Mr. Caron's comment and I don't know if Mr. Faller's thinking is the same is that if you have a 4:1 slope regardless of where it is, you don't need a guardrail because the slope is so gentle. Our opinion here is if you had a chance to walk down through here, at a 10% slope with a 3:1 in any one particular place, you're not talking a huge drop between the edge of the road to where you're going to end up so we would rather not see a guardrail. Vadney - When I walked it, I didn't see any place that.. Johnson - If push came to shove on the issue, I'm sure anybody that was going to be developing this property and selling homes would rather put a 4:1 slope in than a guardrail. Regardless of the cost, it would look stupid in the middle of that field to have a guardrail. Vadney - Do you have any idea what the highest, what would be the longest run out on that 4:1? Johnson - I would have to look at the engineering plans. I would be happy to do that before the next meeting, but not very far. It's basically, if you take the start of this driveway to the bottom of the cul-de-sac, existing conditions it's about 10% so there's not a lot of engineering of the road to get it to be 10%. In some instances, the road ends up being 10%, but like Clover Ridge when you go around the corner there's significant buildup and you have to have a super elevated curve to get there. That's not happening here. That's why you have a guardrail at Clover Ridge because regardless of the nature of the slope, it's quite a drop to the bottom. In this particular instance, it's not going to be a large drop from the top to the bottom regardless of the ratio of the slope. Vadney – That seems strange that you'd think of a guardrail down in We can probably continue this. Johnson - We would not be ready obviously in two weeks. We would be, however, ready for the second meeting in March, March 28, 2006. Bayard – I assume you're going to get everything in place early on?

Finer moved, Bliss seconded, I MAKE A MOTION THAT WE CONTINUE THIS HEARING UNTIL MARCH 28, 2006. Voted unanimously.

4. JONATHAN D. & PAMELA MELONE HALSEY: (Rep. Harry Wood) Continuation of public hearings held on January 24 and February 14, 2006, for a proposed Major Subdivision of Tax Map S01, Lot 4, into two (2) lots (23.656 ac. and 16.233 ac.) and Boundary Line Adjustment between Tax Map S01, Lots 4 and 5, located on Tuttle Road in the Forestry Rural District. Application accepted January 10, 2006.

We appeared once before the Board and at that time there were a number of notations and what not that still had to go onto the plan and essentially those have been added. I will go through the majority of them here. John talked with me early this morning before he left for his meeting and so I'll just go over it. You may recall there are two existing parcels on Tuttle Road which is in Center

Harbor, the lots themselves are in Meredith. What we are proposing to do is to take the larger of those two lots which is Lot 1 and 2 combined and we're going to split that to form Lot 1 and Lot 2. In addition, we would do a Boundary Line Adjustment in this area where Parcel A would be removed from this existing separate lot and would be added to this one. The principal reason for that adjustment is to provide access over the existing roadway into the property. We want to avoid disturbing the existing wetlands and buffers as much as possible and so using the existing road seems to be the easiest way to do that. This entrance would service both Lots 2 and 3. I have labeled this Lot 3 although it is a separate standing lot; it's for identification purposes. Lot 1 would enter here directly across the street from the driveway of the individual who's going to buy this lot and he would have access over an existing roadway both to his barn and onto the proposed Lot 1. All three of these lots are considerably larger than you generally seen in a subdivision, the smallest one is 14 acres and that's by desire. The owner does not want to think about trying to cut this up any smaller than that, that's the way he prefers to have it. This is a relatively rural section of Town and the lot ownerships in the surrounding area except for in Center Harbor in this general area are all this size or larger. The adjacent property here is 10 acres, this one is 500, the ones over here are 2 or 3 acres apiece running down. The Bigelow property goes roughly a half mile out to Keyser Road. We did have a discussion last time about the frontage for Lot #1 and we have clearly moved the boundary line so there is 50' of frontage on the Center Harbor Town road without question. Before there was a little bit of a question as to whether or not they had it. I have a meeting scheduled with Center Harbor on March 7th and at that time they will review this and basically comment on the adequacy of the road to support one additional lot, which is impact to them. The Highway Superintendent will attempt to clarify the end of the road issue and I have agreed to bring that information back for administrative review so that there's no question. We were asked to put the lot sizes after adjustment on the plan and those are clearly labeled as being after adjustment. The setbacks were adjusted for the zone, 40' in the rear, 30' on the sides and 40' on the front. Also listed in plain English on the note section of the plan, there was a question with regard to the wetlands certification and the identification of the individual doing it and the standards they follow is here in the lower right corner. Test pits were actually submitted at the last meeting while I was talking to you. Their locations and test pit numbers are shown on the plans along with a typical 4K area that would be necessary for a septic system. Driveway standards - There's been a movement here recently to assure that residences that have lengthy and somewhat remote driveways be constructed to a standard that would allow a typical fire engine that we have in Meredith, not necessarily a ladder truck, but the ones that we have to access the site and that will primarily be the fire fighting unit and the pumpers. In order to do that, they've fallen back on some standards, National Fire Standards, and those are listed in the note which talks about the grade, turnouts every 800' or so so you can set a pumper on the side of the road and run a hose down to a truck at the lower elevation and then from there pump up to the next one and thereby get Meredith has more hose than some local communities; they have to the fire.

about 1,000 feet of hose they can put out of any given truck so 800' is the number. Other things are a cross section which is adequate to support a vehicle of that weight, also fuel delivery trucks and things of that nature which on gravel roads if they are improperly constructed or too much fine gravel, especially near the edges, if the vehicle gets too close it can roll over so we've got a typical cross section here that calls for a15' cross section with shoulders and full buildout including the sub-base and 50' radius turns to assure that it's not too sharp that when your turning, you actually leave the road surface just because of the way the vehicle tracks and we've said on here that these driveways are somewhat Their actual location will be subject to whoever builds on them, whenever they build on them and if they build on them and for that reason, they also ask that if the driveway is placed in any other location or before construction were to begin on these driveways, that they be reviewed by the Fire Chief for compliance before it's half built and then find out that its inadequate. That's the standard of care that's being taken at this time to assure that you would be able to access these house locations. Obviously, it's possible to build much lower down. This one in particular, the current owner hopes to retain that lot and he specified where he wanted the house so we showed it to him. We also put on the soil types due to the size of the lots here; it did not seem necessary to do any sort of a high intensity analysis. We took the soil types out of the Belknap County Soil Survey which are very uniform in this general area. They are almost all Gloucester soil, they are C or D depending upon the particular slope so what we did was we sized each one of the mapped areas according to a "D" slope and said if we had any "C" that would just make it better and I think the closest one we have here is on Lot #1 and is twice the size it needs to be just in the mapped area and you can see that that's probably about a sixth of the entire lot. We do have a couple wetlands on Lot #1 which were not mapped because they are so far away from what's being done, it did not seem appropriate where there was serious question about the access onto the lot on #3. We did a full mapping of the wetlands there and the setbacks and whatnot are shown. All improvements including the proposed driveway are outside of the buffer zone and Lot #2, the one in the middle, essentially has no wetlands on it. We do have to supply draft easements. We were hoping that as a result of this presentation this evening, we are seeking a conditional approval. We know there are a number of conditions that it would be subject to, some of them are the usual ones, pins being set, mylar for recording, draft easements being reviewed administratively primarily for maintenance responsibilities. In a case like this general area, there will be an easement for Lot #3 over Lot #2 and the portion that's shared by them, there will be a mutual cost breakdown there. Once you leave the existing drive and you're on your own property, you would be responsible for that entirely so there will be no easement on Lot #1 in this area. Originally, we had proposed that, but the owner has told me that it is not necessary and basically what he's planning to do is start his driveway before he gets to this lot line and he's going to go above it so there won't be a need to have any type of an easement over this area at all. That will be part of Lot #1. That also guarantees continuity between areas that Mr. Fitzgerald owns on the other side of the road. He is literally the abutter to Lot #1

for the entire length of its frontage along the Town line. We would have subject to the Center Harbor approval of the road use, that's required by RSA and also the end of the road verification that it is at least as far as this stonewall and that would guarantee that the required 50' is present and then there would be administrative review of the draft easements and mylar for recording. We also, at a previous meeting, we submitted a request for authority to sign the mylar outside of a meeting should you be willing to grant a conditional approval this evening. Kahn – I had the impression that from the standpoint of the Fire Chief that he was more concerned about the ability of his pumpers to lift water than the amount of hose that he had. Somehow I got the impression that 500' was what he was looking for. Wood – Usually it's the other way around. You can pump almost forever, but you can't suck. You've got to have a source and that's why frequently even though there's a fire pond located on the Fitzgerald property here, they would have difficulty getting a truck close enough to it to draw out of it so that would be a problem. For example, if you tried to access that pond from the road, I don't think you could do it. I think you would just break the suction and that would be that. In the case of a fire, maybe Mr. Fitzgerald would let them drive in his driveway so they could get to the pond, but other than that the Chief said he was looking at it from the standpoint of pumping units and that was his suggestion. I had a meeting with both he and John and that was the outcome of the meeting. Vadney - What is the vertical climb going up Lot #2 in rough terms? Wood - Altogether you've got, you're about 500 feet down in this area and up in this area you're about 640, 150 feet. Kahn - I'm confused now as to who's got an easement over what. You eliminated an easement from Lot 1 over Lot 2, right? Wood – That's correct. Kahn – Is there now an easement for Lot 2 over Lot 3? Wood - No. There will be an easement for Lot 3 over Lot 2. Kahn -I see, it's proposed drive, I've got it. Wood - This is the existing one, the proposed drive to this unit will actually use this driveway until it gets past the setback line for the wetland and then it will depart. We had originally contemplated an entrance at the crest of the hill in this location for this lot, but it mandates crossing a wetland because the wetland goes almost all the way across the entire lot. Rather than take that approach and possibly disturb the area, we chose to go around it. Ralph Pisapia - Conservation Commission - I appreciate the fact that Harry brought us in early on this one and made that modification around the wetland. I think it's a good project.

Kahn moved, Bayard seconded, I MOVE THAT WE CONDITIONALLY APPROVE THE HALSEY MAJOR SUBDIVISION OF TAX MAP S01, LOT 4, INTO TWO (2) LOTS AND BOUNDARY LINE ADJUSTMENT BETWEEN TAX MAP S01, LOTS 4 AND 5, LOCATED ON TUTTLE ROAD, SUBJECT TO THE FOLLOWING CONDITIONS:

(1) ANY SUBDIVISION APPROVAL IS MADE SUBJECT TO APPROVAL BY THE CENTER HARBOR PLANNING BOARD IN ACCORDANCE WITH RSA 674: 53;

- (2) THAT A DRAFT EASEMENT BE SUBMITTED FOR STAFF REVIEW AND APPROVAL INCLUDING PRIVATE MAINTENANCE PROVISIONS: AND
- (3) WRITTEN EVIDENCE BE PROVIDED THAT PINS HAVE BEEN SET, INCLUDING ANGLE POINTS PRIOR TO RECORDING THE MYLAR.

Voted 6-0 in favor of the motion.

5. WANAKEE UNITED METHODIST CENTER: (Rep. Michael Moore) (Sorell and Kahn stepped down) Proposed Site Plan Amendment (Existing Conditions), Tax Map R19, Lot 11 and Tax Map R20, Lots 7 & 8, located at 75 Upper New Hampton Road and Arbutus Hill Road in the Forestry/Rural and Forestry/Conservation Districts.

Wanakee is primarily a summer camp and is a year-round facility based on one building off Arbutus Hill Road that allows for wintertime activities. considered a residence by the Town as in 1994 it went through Town approval as far as its conversion from a single-family residence that was purchased into its present state as sort of a retreat center. We have a 10-week summer period including staff training, as well as the closing of camp. There's about 8 weeks in the summer of youth attendance, youth residence and these are some notes that Phil had presented or written up in the packet that you have. It averages around 600-620 different youth throughout the summer on a day-to-day average and breaks down to a daily average of 87 campers and staff on site on any given day in 2005. We are limited to the amount of residents that can be in there by the size of our dining hall which is one contributing factor. Vadney - John had a comment to cross-reference the existing well on final plans. Has that already been done or are these the plans that John looked at? Carl Johnson – I received the staff review today so there are a couple of plan notes that would have to be done. Essentially, this is an existing conditions site plan. There's one small change in that they are creating the primary ropes course in a slightly different location than it exists now and also constructing an 8' x 12' storage shed primarily for the gear that's associated with the ropes course located on the overall plan and the blowup plan. That's the only new thing that's here. Essentially, it's an existing conditions plan. The camp has been working with Bill Edney on a lot of fronts utility wise to be upgrading the septic issues on the site. John does have a note regarding the maximum sleeping capacity versus the capacity of the core facility and that's basically solved by the fact that although there's a maximum sleeping capacity, there's not that many people there at any one time and so there's some historical evidence that's been submitted that the maximum campers plus staff for a short period of time is 136 and the daily average in the year 2005 was 87 so that's significantly below the capacity of the core facility. There are as I mentioned a few notes, one of which is the EPA identification # of the well, that will be added to the plan. There's a few existing overhead electrical service lines that have to be added and the fuel supplies for the building should be added with a sign off from the Fire Chief. Those are the majority of John's comments. The only other thing I'll mention to you is that the wetlands that are

shown on the plan are not delineated wetlands, but are wetlands that were gleaned off the aerial photography that was done and so John says it is pretty much sufficient for the existing conditions plan. Should any future applications come before the Board for any buildings that are in the proximity of those wetlands, they would have to be delineated by a certified wetland scientist, but essentially down in here these wetlands are gleaned off the topo and essentially because of the nature of the topography, they are fairly well defined by the limits of the slope. Vadney – How much land altogether? ??-227 acres. Vadney -When you say that the average is 87, is that the summer average? ?? - Over that 10-week period. Bliss - Are we being asked to, we see the maximum sleeping capacity is 262, but yet the sewer isn't meeting that. Are you going to change any of those capacities on the plan as far as the amount of people? Vadney – This isn't an evaluation of that really. What they've said is, they know those systems couldn't support 365 days a year at those intensities, but the fact that the peak is only 87, the 10-week summer period is 87 and most of the year it's empty and there's no problem. There is definitely a septic issue and that's one thing that if anything else occurs out there, they have to come back in. Carl, can you say it better than that. Johnson - Not better, but I'll add to it in that you've got to remember that the maximum sleeping capacity is including sleeping bunks in different places that are used by the same people. In other words, some of the tent sites and the camp sites those may be utilized on one day by the campers and some place somewhere else by others so the maximum sleeping capacity is not an indication of the capacity of the camp at any one time. Finer -What's the capacity of the dining hall? ?? - 137 which is a number that's including the cooks and everyone so about 140 as far as how many people can individually fit in there depends a little bit on the ages of the individuals, 130 -140, we can't fit any more than 140. Bayard – I just find it kind of weird that you have a latrine practically out into the lake there. ?? - This latrine does not exist and I guess it is my understanding we hadn't been able to get that, but I had to ask Carl about that this morning when I spoke to him. That latrine, there's no building there. There's a tree which is fine for some people, but generally does They are a holding tank; all the systems are tanks at this point and not count. are pumped out on a regular basis or on an as-needed basis. Vadney - The main thing was to clean up this plan so it would be better for them and better for us, better for everybody to know what was going on and then the right to review and amend in case anything else happens, they know they have to come back. The septics are marginal if they were to expand their operation so any change in expansion would require that and we would review and amend. Roger and Lou can hear the bell at dinner time. Tom Zachowski – My notice here is that there is an application for, I'm not really understanding why I'm here. What are the changes that are actually being made here. ?? - There's no new construction proposed besides, in the future, a very small shed to go with the new ropes course which is off of the road that goes up to the cabins. This was something that the Town asked for a number of years back. I think the more recent construction with some of these cabins, I think some of the construction that was done was to change the tents over to cabins was based on the original site plan

that was made in 1969 or something so the Town had asked, I guess all the camps to submit an updated and accurate site plan for all of their things. At this point there is no new and we can't go ahead and do anything until this site plan is approved so I guess this is what you can see if you walk through the camp. Zachowski – With the exception of building an 8' x 12' shed for the ropes course. what is proposed? It's an equipment shed just for the ropes course and the harnesses and helmets. Bliss read John Edgar's summary report into the record to help clarify what is being proposed. Applicant has submitted a comprehensive update (replacement) to a site plan that dates to 1961. The 1961 plan was amended and approved by the Planning Board in 1997. The primary purpose of the updated site plan is to identify accurately, existing conditions at Camp Wanakee. The Trustees of the New England Annual Conference of the United Methodist Church own Camp Wanakee. The property provides a site for the camping program of the Conference. There are no proposed changes in use associated with this application. The applicant does propose to relocate an existing ropes course and construct a small 8' x 12' accessory building for storage purposes. Vadney – When we looked at this about 1997, there were arguments over how many sleeping places there were and it turned out all there were were pallets out there or raised areas to pitch tents. Hearing closed at 9:14 p.m.

Bliss moved, Finer seconded, MR. CHAIRMAN, I MOVE THAT WE APPROVE WANAKEE UNITED METHODIST CHURCH PROPOSED SITE PLAN AMENDMENT (EXISTING CONDITIONS), TAX MAP R19, LOT 11 AND TAX MAP R20, LOT 7 AND 8, LOCATED AT 75 UPPER NEW HAMPTON ROAD AND ARBUTUS HILL ROAD IN THE FORESTRY RURAL AND FORESTRY/CONSERVATION DISTRICTS, WITH THE FOLLOWING PLAN NOTES THAT JOHN HAD MADE:

- (1) THAT THE FINAL PLANS SHOULD BE CROSS-REFERENCED TO SHOW THE EXISTING WELL (EPA ID#152727-001);
- (2) THAT FINAL PLANS SHOULD INDICATE OVERHEAD ELECTRICAL SERVICE:
- (3) FINAL PLANS SHALL ALSO SHOW ALL FUEL SUPPLIES THAT ARE ON THE SITE WITH SIGN OFF BY CHIEF PLAN; AND
- (4) THAT THE PLANNING BOARD RESERVES THE RIGHT TO REVIEW AND AMEND ANY APPROVAL AS PROVIDED FOR IN SITE PLAN REVIEW REGULATIONS NOS. 7 AND 17.

Voted 6-0 in favor of the motion.

6. **WILLIAM WOODAMAN** – Proposed minor subdivision of Tax Map U15, Lot 41, into two (2) lots (11,271 sq. ft. and 10,317 sq. ft.), located at 7 Mudgett Avenue in the Residential District.

I have property on 7 Mudgett Avenue that we wish to subdivide into another lot and there's a house and a garage on one side and the other lot is going to be admittedly very small. The purpose of our subdivision as the family owns property on the north end of my property here is to create a buffer and our intent is to never develop this land. It's just to sit there to buffer between my home and our family properties up here so that nothing is ever going to be developed on this lot. That's our intent. So the building lot that we have, although it meets the Town requirements for the subdivision is small, we understand that. It's irrelevant to us personally because our intent is to leave it as just a field. I am open for questions on where we go from that. Obviously, there are no abutters here. They all met with me this afternoon and there's no complaints to anybody else and they are all encouraged by the fact that we have gone to great lengths by acquiring this house and we've cleaned up the field that the prior residents had used as a junkyard of sorts and we just want to have this field grow with its apple tree and stay there as long as we're alive to see it. Vadney - I'm confused. If you have no intention of developing it or selling it, all you are going to do is pay additional taxes on it. Woodaman - Yes sir. It's a fair question and I've been asked that before. We had the choice of perhaps maybe doing a BLA to come down just enough to bring this particular part underneath the minimum requirements for subdivision. To be honest with you, we kicked that around and it was my decision to as you said earlier, do my part and pay a little extra taxes on the land, but that's true and we acknowledge that. Bliss – I have a question as far as, so where are the lots that you are subdividing and if they are on the other, is it correct that they are on the other side of the road or is this where your, I'm not sure what's being done. Woodaman - I've confused you a little bit. This is our focus for me being here tonight. I have family that owns that abuts around this side of the property. With my home here and family property here, we want to buffer and maintain the fact that this field will stay intact so I intend to do that. Sorell – Why don't you merge that with your property? As I'm the owner of 7 Mudgett Avenue and if the Board will just recognize the fact that I did offer the abutter relatives, I think perhaps you can also appreciate the fact that I want to maintain control of this property and I don't intend on as I've paid for and gone through, I maintain the taxes on this property. I don't want it to have it absorbed into other potential estate property of the family. It's my property; I want to keep it in my name. Bliss - You said you don't want to subdivide this or put a house on it while you're living. Are you going to put something like that on your deed? Woodaman – As far as a covenant on the deed to prohibit any. I think that kind of restricts my rights a little too much as I meet the Town's requirement for a subdivision. I offer the fact that it's our intent to not develop the land as a courtesy to say that we want to see that field there, I want to have that kind of control in between the family's property and I'm not here to say I want to build a

dwelling on this property, I want that property to just stay the field it's always been. I grew up at 10 Mudgett Avenue and I had the opportunity to purchase 7. We want that property to stay just the way it is. Bliss – So if your kids come to you and say they want to build a house on that lot. Woodaman - They'll get turned down. Vadney - Let me make the point that we actually don't care what he pays in taxes, we don't care whether he turns his kids away from the lot or if he sells it tomorrow. What we're doing is subdividing the piece of land and anything can happen as soon as we do it and it would be two properties. Although it's of some personal interest just because it's so different than what we usually see, that really is not important. The thing we have to consider is the situation on the ground before and after the subdivision if it meets the rules and it is a troublesome lot, although they've apparently come up with a building envelope that's about 24' wide or something like that, but it meets the rules. If they were to build on it, they would be restricted in what kind of house they could put on it. It would have to be fairly small. That is still a legal house lot. It doesn't matter what his advantages or disadvantages are, the question is how we see the subdivision and from all that John has told us and all I can see on it, it does meet the rules. Bayard - Can you subdivide and make an unbuildable lot? Vadney -No, you can't subdivide and make a lot that is a non-buildable lot, but this is a buildable lot. Bayard - John does raise an issue that he's not sure whether it is or isn't based on an exempt wetland on the northerly lot that needs verification from a wetland scientist. Sorell - He's got that. Woodaman - I received the notes this afternoon and had my wetland scientist fax me her report. I have copies. Bayard – And that is exempt? Woodaman – In our understanding of the rules, it is? Bayard – I share your confusion as to why you even bother breaking it off, but that's your business. Woodaman - Yes, that's something I've toyed with for a few months now and I've elected to take this route. Vadney - That's certainly within the landowner's prerogative, we don't mind it. We do recognize that it's a narrow lot and if you or anyone else ever wants to build on it, the Code Enforcement folks will be watching it pretty closely because it's a troublesome one, but as we see it, you could put a legal house on that building area. Harvey -John indicated that the plan should be amended to show a proposed driveway for the vacant lot and I understand you don't plan to develop this, but the Town needs to know whether or not the DPW will approve a driveway to that lot. Vadney – It is true that because we can't approve a lot that wouldn't meet the qualifications if somebody wanted to build on it, we do have to make sure so you do need to get evidence from the DPW where you could put a driveway. That doesn't have to go there, it could be changed in the future, but at least we've identified under the current rules that there is a spot that would qualify as a driveway. Mudgett is pretty straight all the way so there shouldn't be much of a problem, it's just a question of getting some kind of a signoff that any point along it would work or the first 20' or whatever. I guess we could make that a condition. Harvey – He also has a question about the drainage moving down through the lot and whether or not it would interfere with the house site. Vadney - It drains from the east and there's a culvert right in there. Woodaman - There is some drainage from the east crossing, but as we were able to craft the house lots and

delineate the size of the lots, conveniently enough the drainage runs almost on that exact line delineating the two and it's a very, very light swale. I believe that indicates the pipe right there. As we've watched for years since the construction up in the Barnard Ridge areas, there's little or any runoff anymore. That road used to be a huge mess back in the 60's and 70's and now that, one of the benefits of construction in other parts, the water is just not coming down the hill as much as it used to. Hearing closed at 9:30 p.m.

Kahn moved, Bliss seconded, MR. CHAIRMAN, I MOVE THAT WE CONDITIONALLY APPROVE THE TWO-LOT MINOR SUBDIVISION OF TAX MAP U15-41 INTO TWO LOTS (11,271 SQ. FT. AND 10,317 SQ. FT.) LOCATED ON MUDGETT AVENUE IN THE RESIDENTIAL DISTRICT, SUBJECT TO THE FOLLOWING CONDITIONS TO BE DEALT WITH ADMINISTRATIVELY:

- (1) VERIFICATION FROM THE WETLAND SCIENTIST THAT THE WETLAND MEETS THE EXEMPTION CRITERIA IN THE ZONING ORDINANCE;
- (2) EXISTING SEWER SERVICE TO THE DEVELOPED LOT SHALL BE INDICATED ON FINAL PLANS;
- (3) THE PROPOSED SEWER SERVICE TO THE VACANT LOT SHALL BE INDICATED ON FINAL PLANS;
- (4) THE PROPOSED WATER SERVICE TO THE VACANT LOT AND THE 6" MAIN SHALL BE INDICATED ON FINAL PLANS;
- (5) THE PLANS SHALL BE AMENDED TO SHOW A PROPOSED DRIVEWAY FOR THE VACANT LOT OR PROVIDE EVIDENCE FROM DPW THAT THE LOT WOULD RECEIVE A DRIVEWAY PERMIT AT THE TIME OF CONSTRUCTION: AND
- (6) WRITTEN EVIDENCE THAT THE PINS HAVE BEEN SET IS REQUIRED PRIOR TO RECORDING THE MYLAR.

Voted 6-0 in favor of the motion.

7. RICHARD DECOLA FOR VINEYARD FINANCIAL SERVICES LLC: (Rep. Jason Drouin) Proposed Site Plan to establish a change of use and related site improvements on Tax Map S18, Lot 40, located at 95 Daniel Webster Highway in the Commercial – Route 3 South District.

This is just a simple change of use from retail to office space. We have enough parking as it is right now, but in the spring we intend to add on two more spaces. This property is located just below Roche Realty on Route 3 South. Vadney – Where does the access to Grouse Point go in, just above it? Drouin – Yeah, I think it's almost 200' above it and Roche Realty goes off of that. Ten (10) parking spaces are required, nine (9) are proposed. On the first floor where the office space is, about 1/3 of it is mechanical storage with the furnaces and everything else so if we took that into account, plus it's a title company, so people only go there just to sign their papers and then leave. It's basically a title company.

They have an office in Bedford and they had an office in Center Harbor and then they bought this building to have their office closer. Finer – Is there anybody in the apartment upstairs now? Vadney – Where's the sign that's on the other lot? Drouin – It's on the plan right in between, it says sign and they realize they have to give an easement for that and then when and if they do anything with the back lot which is a separate subject, they are going to have an access easement for that so it's kind of give and take. They own both lots now. Bayard – Currently, is it vacant or is it in use. What was the previous use? Drouin - It was retail, I'm not sure what it was. Originally, it was a barn for the farm. Sorell – That piece of land that goes back to the other piece, how much road frontage is that? Vadney – That's already subdivided. Sorell – The Town requires 50' of frontage. These two lots have rights to Grouse Point. Sorell – Where is the snow storage going to be? Drouin – As of right now, we are pushing the snow along this boundary here and along this back over here. Vadney - Are the fuel supplies inside or outside. Drouin - They are on the outside. Bayard - Then we would want the chief to sign off on the fuel supply.

Bayard moved, Finer seconded, THAT WE APPROVE THE SITE PLAN OF RICHARD DECOLA FOR VINEYARD FINANCIAL SERVICES, LLC, TO ESTABLISH A CHANGE OF USE AND RELATED SITE IMPROVEMENTS ON TAX MAP S18, LOT 40, WITH THE FOLLOWING CONDITIONS:

- (1) THAT THE NH DOT DRIVEWAY PERMIT BE REFERENCED ON FINAL PLANS;
- (2) THAT THE FINAL PLANS SHALL INDICATE SNOW STORAGE AREAS:
- (3) THAT THE FINAL PLAN SHALL NOTE THAT DRIVEWAY AND SIGN EASEMENTS ARE REQUIRED PRIOR TO EITHER LOT BEING CONVEYED;
- (4) THAT FINAL PLANS SHALL INDICATE FUEL SUPPLIES WITH FINAL SIGN OFF BY THE FIRE CHIEF:
- (5) THAT WE APPROVE THE REQUEST FOR A WAIVER OF ONE (1) PARKING SPACE GIVEN THE LIMITED NATURE OF TRAFFIC ASSOCIATED WITH A TITLE COMPANY; AND
- (6) THAT WE RESERVE THE RIGHT TO REVIEW AND AMEND ANY APPROVAL.

Voted 6-0 in favor of the motion.

Meeting adjourned at 9:42 p.m.

Respectfully submitted,

Mary Lee Harvey Secretary Planning/Zoning Department

The minutes were reviewed and approv	ed at a regular meeting of the Planning Board
held on	
	William Bayard, Secretary