

PRESENT: Vadney, Chairman; Bayard, Vice-Chairman; Finer; Bliss; Kahn; Worsman, Selectmen's Rep.; Touhey, Alternate; Edgar, Town Planner; Harvey, Clerk

Minutes of May 8, 2007, were not approved due to some confusion. Kahn – My recollection is that I made a motion, Ms. Worsman seconded, then we got into a discussion, we amended it down the road and then we voted on it and it's a little confusing and Mary Lee hadn't quite sorted it out yet so maybe we ought to hold it. Minutes tabled until the next meeting.

### **PRE-APPLICATION DESIGN REVIEW**

1. **CARL JOHNSON, JR. FOR BRUCE AND JANELLE VAAL:** Pre-Application Design Review of a proposed cluster subdivision, Tax Map R07, Lot 49, located on Collins Brook Road in the Residential and Shoreline Districts.

Johnson – We came before the Board previously for a non-noticed conceptual discussion regarding this property. It's located on Lake Winnisquam, Collins Brook Road and Meredith Center Road. There is currently an access point off of Meredith Center Road that comes down through the property, crosses underneath the power line and goes down to an existing home that's a little bit back from the shoreline but is the existing structure that's on the property. The rest of the property is vacant. There is, as I mentioned, a public service transmission line that transects the property and as part of the preliminary analysis that we did, we hired Eastern Topographics to do a topographic mapping of the property and they produced a 2' interval contour map. Some of the areas that were not able to be mapped by the aerial photography were supplemented by topography done by Ames Associates and verified by my office and incorporated into the total plan. This particular plan I'm showing here does not show the topography because it begins to get a little too confusing but upon formal application to the Board for the subdivision, we'll have complete plans that show all of the topography and the calculations that we used that topography for. This is property that is zoned Shoreline for the front of the property that is 300' back from Lake Winnisquam and the balance of the property is zoned Residential. The density in the Residential Zone is quite high. They allow very high density although when there is no municipal sewer available, the density essentially falls back to the lot sizing created by soils and slopes analysis so depending on the quality of the soil and the slope of the property that determines how many lot equivalents you can get for the property. Nicole Whitney under the supervision of Randall Shuey from Gove Environmental Services did a site specific soils map. That map will also be submitted as part of the formal application but essentially what was done is we took all of the different areas of the specific soils and prorated them in a chart which appears at the bottom of the plan. Since Meredith's Zoning Regulations still require you to convert the soil specific numbers back to the Belknap County soil divisions and come up with the equivalent, you'll see that the chart includes the site specific soils mapping designation as well as the Belknap County soil equivalent, the number of lots per area with the total number of

lots. The mapping area for that essentially is the entire part of the property which lies east of the power line. There was not site specific soils mapping done for that portion of the property that is west of the power line. The concept here is to create a cluster subdivision which would have the units clustered in the central part of the property further away from the boundaries and the existing home site that is currently down by the lake would be a separate lot and would be a conventional lot and the sizing of that would be separate from the soils used in the cluster. Since we have topography for that lot but we do not have site specific soils mapping, we would use the worst case scenario which is commonly done in Meredith where you take the worst possible soil for that particular slope category and apply it to that lot and then that lot would be a minimum of that size and essentially what that does is it guarantees the Town that no matter what type of soil there, the lot would be big enough and meet the lot sizing requirements. The lot as configured on the shore would include the upland portion of the property and would have a flag type configuration to have frontage on Collins Brook Road. That satisfies the requirement that each lot created has to have frontage on a Town road or a road built to Town specifications. The access for that lot would be through one of two ways. There is an existing roadway that comes down and essentially a driveway and accesses the lot that comes all the way from Collins Brook Road. One option would be to create some type of an access off the proposed road that would tie into that. There's also a situation with a previously approved subdivision in this area where there is the ability through a bridge to connect that property to the road that comes off of Collins Brook Road here and the access would be there (access points pointed out on the plan). Once again Meredith distinguishes between frontage and access, while you have frontage on a road you're not required necessarily to use that as your access so the frontage would be in one area, it would not be used access. The access would be from one of those two places. By the time that we file the final and formal application before the Board, we would be showing which one of those access points we would use for the access to the house site. There is a significant amount of frontage on Lake Winnisquam. The proposed cluster development does not intend to grant any rights to Lake Winnisquam by use of that frontage. Essentially, the frontage for that property would be used for the home site that's there and for the lot that would be created as a result of the subdivision. As you can see, what I've highlighted here is to crosshatch what would be called the green area. The requirement for cluster subdivision in the Town of Meredith is that at least 50% of the property remain green and by green that means not developed, no utilities, no roadways and so forth and so we've designated the portions of the property which are most sensitive. There is a prime wetland, the Collins Brook wetland in here and there is also Collins Brook which is a designated brook. Those are two areas environmentally sensitive that we're trying to stay away from as much as possible so the green area includes most of those wetland complexes and also some of the uplands that are associated with the wetlands as well as a large section of upland that's located in the northern part of the property. Also required by the cluster subdivision regulations is a minimum 50' buffer around the perimeter of the property and that shows as strip that can be seen here on the eastern portion of the property which is

a minimum 50' buffer. As I mentioned, we are proposing a new roadway which would have a new intersection off of Meredith Center Road and discontinued would be the existing entrance which comes off at quite a steep angle to the road. Mr. Vaal has met with the representatives of the State of New Hampshire DOT, they did not have time to write a letter for this meeting but they did nail down where the intersection of this new roadway would be, talked about the fact that it has sufficient site distance in both directions and that that entrance would be sufficient for the subdivision road that is being proposed. Prior to the formal submission to the Board, we would anticipate having a driveway permit from the State at that time for that location. One of the things that we've done since the last conceptual discussion is to have Paul Fluet from Fluet Engineering take a look at the horizontal and vertical alignment of the roadway. What Paul has done is produced a preliminary plan, this is not the hard engineering data that you would submit for the formal application that would be reviewed by the Town's consulting engineer but he did look at the way the horizontal alignment fit with the existing contours, he did some grading analysis of how the road would be graded and he also produced a profile and essentially there are no major issues with the road in terms of meeting the requirements for the vertical and horizontal alignment. The maximum slope of the proposed road is about 5%, well under the 10% which is the maximum allowed without a waiver from the Selectmen. Because the number of units proposed for this road is relatively small in terms of roadway development, we would probably be requesting the same type of roadway that was approved by the Board for the Corliss Hill Subdivision as well as the subdivision of the Ducharmes off of New Road slightly narrower width of pavement and that would reduce somewhat the amount of alteration of terrain that would be required from constructing the road. The road is about 1,000 feet long and comes in to a cul-de-sac. You may notice the units as shown on Mr. Fluet's plan aren't quite matching the location of the units that I show on my plan but that's because he was given a plan some time ago to do this analysis but the actual location of the road is the same. Per our discussions with the State, the physical entrance may be tweaked slightly. There's a utility pole there that the State of New Hampshire would like to have outside of the ROW. Right now we have it inside the ROW but not in the way of the road and they would like that tweaked a little bit to the north so we'll be doing that in accordance with the provisions dictated by the State of New Hampshire driveway permit. Getting back to the subdivision itself, there are a couple of other wetlands that were delineated by Nicole and the construction of this roadway and at least the initial configuration of the layout of the lots would require a very minor impact to the wetland located here (pointed out on plan), would require a wetland crossing of a very short distance, the rest of the road would come out and there is a driveway accessing some units that would require a very small crossing of a drainage swale. The yellow line that is showing up on this plan is essentially a buffer area that's outside of the green area which is the buffer area from the designated wetland which is a prime wetland so there's quite a large buffer that's included there. When you take the buffers and the green areas, you do have a situation where the cluster aspect really is a nice way to develop the property in that the best useable portion of land has the units on it. Initially, we had talked about the possibility of connecting to the

Town of Meredith water supply, bringing the water supply down Meredith Center Road but a couple of things have happened since that, one of which is that the cost analysis of this number of units makes it pretty cost prohibitive to extend the water that far. The other factor, of course, as you might be well aware of is the first come, first serve nature of our access to the water system right now and we would probably be low on that list so right at the moment this being a design review, the design review is kind of a step of a step in between the conceptual discussion where we're just talking about things in general and the hard application to the Board which has all the metes and bounds, all the lot sizing, all the placement of the units, we want to flush out some of the issues because the next step becomes expensive and to provide the information necessary for a complete application to the Board, we would have to be fully engineering the road for one thing. The fully engineered road would be showing all of the grading, all of the disturbed areas, the ditching, the type of surface, the cross section of the road and so forth. Ames Associates would also be doing quite a bit more test pits than they did for the soils analysis because we'd have to be identifying places on the property where the leachfields would be located. Based on the soils analysis that they did, there is no problem with the loading meaning the number of units that's being proposed on this property is quite low in relationship to its size, it's well over 40 acres big. There's no problem with the number of units that's being proposed, the problem comes when you're trying to fit units, roads, driveways, septic systems and now individual wells, a lot of work has to be done so that can all be laid out because you know you can't have septic systems within the protective well radius so that is another step that is quite expensive and is critical in terms of the actual physical layout of the units. Right now the units that are shown on the plan for the design review are essentially the same template of the units that are at Meredith Bay Village so it's the same type of development. If you wanted to get a feel of the density and the closeness in the proximity in this particular area, it's fairly similar to the proximity of the units that are there. As you get to the northern end, the units are a little bit more spread out. As part of the application process, the application has to be reviewed by the Zoning Board because a cluster subdivision is a special exception in this zone as determined by the Meredith Zoning Ordinance. In addition to applying to the Zoning Board of Adjustment for the Special Exception for the cluster, we would be applying to them for the impacts into the wetland and the buffers that we have coming through this area and in terms of locating some units to the north of the property. If the Zoning Board of Adjustment did not approve the location of the units in the buffer and crossing this drainage, then we would have to come back with a plan that showed the units differently configured within the buildable area. That may result in fewer units, it may not. The amount of units is predetermined by the lot sizing, how those units fit on the property is determined by the owner and sometimes putting too many units in an area is counterproductive and you reached the law of diminishing returns where they become too close and believe it or not you could have 14 units that would not be as valuable as 10 units or 12 units depending on the proximity so that's something that's looked at from the engineering standpoint as well as the marketing standpoint. As a land surveyor, I try to stay out of the marketing end of it, that's pretty much up to the owner and the

real estate people in terms of what would be best suited for the site. What we have done here is, although we are talking about some minor impacts into a buffer for some lower quality wetlands, what we are trying to do is spread out the units a little bit so that they are not all right in that one area and that would actually be, I think, a better situation. Of course, if that area is not able to be developed but something that comes through the zoning process, we could incorporate a bigger portion of that into the green area and there would be a larger buffer. Depending on the actual positioning of the units, we may increase the buffer to coincide more closely with the setback from the prime wetland because although that setback is there, it is upland. It is non-wetland land and I know the Board likes to see non-wetland land included in green areas whenever it's possible, practical and affordable. Worsman – I've been in that area from the lake end and that's, at least from the lake end, quite swampy quite a distance in as you'd access it through the loon preserve. I'm seeing a lot of wetlands here and I would like to see what this would yield in conventional lots before we proceed to a cluster. Down on the lake, you've got a proposed boathouse and are those moorings down there? Johnson – That's actually an application that was originally planned for the property; it's no longer planned for the property. It appeared on an auto cad layer that should have been shut off. There is no boathouse planned on the property and that will not appear on the final application before the Board. Worsman – So the lots in the back truly do not have access to this mooring field? Johnson – There is no mooring field. Those dots that were shown up there were actual, we did the mapping in the winter, and those were actually measurements for lake depths to show how deep the lakebed was in that area. This plan is a composite between survey work from my office, Ames office and Eastern Topographics and there are a lot of labors on this plan and when I printed these out today happened to be turned and shouldn't be but I would like to address your comment about the conventional layout. In the conceptual discussion for purposes of discussion, we did show a rough box out of conventional lots on the property. There is no requirement in the Town of Meredith's Subdivision Regulations and there's no requirement in the Town of Meredith's Zoning Ordinance to demonstrate that the number of cluster units approved in a subdivision has to be equivalent a number of conventional units. The ability to have a cluster subdivision in a zone is determined by a Special Exception granted by the Zoning Board of Adjustment and in the presentations that I've given for the many cluster subdivisions that I've done, the Zoning Board of Adjustment does not require that you produce any type of a conventional lot equivalent. The cluster subdivision portion of the Zoning Ordinance was put in there to encourage cluster subdivisions for those properties that it is adaptable to. This is a particular property that it's adaptable to. There are as you mentioned wetlands on the property, the limit of the prime wetland was determined by the soil scientist and there is an equivalent large buffer associated with that wetland that's not being encroached on. The swampiness that you see is part of the prime wetland and that swampiness travels quite a ways up the brook and that has all been delineated by the soils scientist, it's all excluded from the lot sizing calculations and there is a huge buffer that's associated with the prime wetland that's not being encroached on. Most of that buffer is included in the green area.

As part of developing the cluster subdivision, there is a list of things called covenants and restrictions that go along with the documentation that was submitted as part of the subdivision and one of the most important portions of those is how you deal with the green area, what types of uses are permitted in the green area and there's no provision that a green area be green. In other words, there's nothing that says the green area has to have trees in it. Many times the Board encourages the developer to incorporate, as part of their covenants and restrictions, cutting restrictions which would protect the green of the green area. In discussions with Mr. Vaal, we would be very willing to in most of these areas have cutting restrictions on the property which would essentially amount to a natural area for lack of a better term to be left in its natural state. One of the possibilities is because the green areas in Meredith and part of the Water Resources Overlay District, it encourages recreation within the wetland areas. There may be trail systems within the wetland areas and wetland buffers that allow recreation and also provide some type of a canoe access to the river which comes up through which would be exclusive to the lot owners, would not be a public launch or anything but would allow canoe access only to the brook. What we're proposing is to produce covenants and restrictions which would have a very well defined list of activities that would be permitted and activities that would be prohibited within the green area. Bruce Vaal – (inaudible – no mike). Johnson – During the analysis of the boundaries of the property, one of the difficult things is when you have a property like this that calls for the center of a brook in an area that's marshy, many times you can't tell where the center of the brook is. The aerial photography that was done to produce the topo for this provides a very clear image of the center of the brook. It stands out quite nice and what I did with the technology that we had, is I actually overlaid the photographic information onto the boundary and I determined the centerline of the brook with a very squiggly line which is called a poly line which defines where the limit of the property is based on the center of the brook. That's something you wouldn't otherwise have, it would be much more of a guess. We probably would have by scale shown the center of the brook and given a direct course and distance and said the property's on the center of the brook which is what's often done. This is a much more accurate representation of where the center of the brook is, but that's also somewhat inconsequential in that the limit of the prime wetland is the edge of the wet and because it's the edge of the wet and because the edge of the wet is so far from the center of the brook, it exceeds the setback from the center of the brook and then you have the setback from the wetlands which is the prime wetland setback. That prime wetland setback shows up as a yellow line on the plan before the Board and I've shown it in relationship to the cluster subdivision. It also applies to the rest of the property but that house pre-exists the ordinance in terms of developing that setback so that house is grandfathered in terms of its proximity to the wetland. In the print set that's submitted for the actual formal application, we'll do a much better job of labeling all the lines. We'll probably have multiple prints that show setbacks and then show upland areas and so forth. I've tried to produce a simplistic plan for purposes of discussion which shows the location of the road and units. Edgar – I think the wetland issues need to incorporate the input from the Conservation Commission. I

think we've done a good job in terms of not trying to push lots in by the brook. We do have a designated brook setback. The road construction will be both in that setback, the wetland setback as well as the direct crossing and then you get to the piece up back so I think that would be an appropriate early step before you file and start to feel them out. The project depending on how the State views it, especially with the rear crossing, it might be considered an adjacency project because of the hydrological connection of the wetland to the prime wetland. If that's the case, you may very well think about jettising those rear lots, there's a few other issues that it raises but that certainly is going to elevate the wetland application to possibly a level that you may or may not want to deal with, but I think you would want to get some input from the Conservation Commission early on. The idea that you mentioned of possible incorporating the buffer in the green area would be a good thing. One of the things we try to do is to not have unit development in limited common areas needlessly putting pressure on wetland setbacks. If these were condos, for example and if you're laying out limited common areas, those property rights might project into that prime wetland setback and we could just be setting ourselves up for a future conflict on that side of things and along that line of thinking if we're looking at cutting out the flag lot, maybe there's an opportunity to extend, whether it's the green area of the cluster or some other vehicle, further protection of the balance of the brook which leads me to a question about whether there's any potential or desire for further subdivision. If the answer is no, then certainly extending additional protection along the balance of the brook may be a good throw in that doesn't affect the project but it ramps up some of the environmental protection that could be afforded if it doesn't have a strong impact. When we deal with the road profile, just make sure we have the 50' at 2% or less coming in off the road. It looked like that may not have been factored into the program yet. It's not going to be a big deal because it's a very flat road but it needs to be done. What is an unorthodox, I'm not as familiar with that as I should be. Johnson – That makes two of us. Edgar – I think it has to do with developed area or something. Johnson – I think it's previous developed land, yes. Edgar – So when we make this conversion, I don't know as we have an unorthodox in our program and we're looking at one unit's worth of equivalence, we'd need to revisit that perhaps. Johnson – That's something I'll consult with Nicole about and find out what the equivalent of an unorthodox is. Edgar – The water system situation. I think you mentioned the possibility of individual wells versus community water. Is that what I'm hearing? Johnson – At this point, we're hoping to explore something other than community water. In other words, one well for each of the 2 units something to that effect which keeps the protective well radius low. That's also incorporated in the covenants and restrictions in terms of the maintenance aspect that each 2 units would have responsibility for one well as opposed to 16 units having responsibilities for one well. Edgar – Is there a sense at this point as to how the units would be owned, would it be a condominium? Vaal – Probably. Edgar – When you get into the formal submittal, really help us to visualize all these lines because there are some lines that don't connect to something. For example, the flag lot delineation just sort of stops. The setbacks for both the prime wetland, then we have designated brook setbacks and we have non-designated wetland setbacks so all

that stuff needs to be real clear for us and I would suggest that we walk the site. We talked about that back in October of 2006 about at what point do we get out there and I think we were looking at maybe some engineering in February was the line of thinking in the Fall so I mean we certainly could to out there, the likelihood of this coming before us formally is pretty real and so I think we certainly should get out there. I've been out there with Bruce and have walked pretty much most of the property and I think it would be helpful to visualize that and likewise we certainly might encourage the Conservation Commission to join us on the walk because they are going to play a critical role. There's got to be some relief to gain access no matter what you do, it's either crossing the brook or coming in off the highway and I just think Ralph Pisapia and the other folks that participate in the reviews should be brought in sooner than later. Johnson – The Conservation Commission has been on the site and has viewed it with Mr. Vaal, at least some members of the Conservation Commission. Edgar – In the context of reviewing a development plan? Johnson, Yes, and the roadway access and some of the impacts to the buffers. Of course, the application to the Zoning Board requires that it be sent to the Conservation Commission first for their comment and review at least 30 days prior to the meeting. Edgar – We want to make sure we don't find ourselves like we did with the prior application where we make an estimate on the impact area, then we engineer it and then we come back and the numbers don't match and we revisit so as much front end work you can do with the Con Com and engineering numbers so we get one set of impacts for the full build out of the project and we know what the total conservation area is, etc. Johnson – We would anticipate having the fully designed and engineered roadway prior to submitting the application to the Zoning Board so the impact areas would be clearly identified. What we're presenting here and what we've looked at long and hard and understand that although we've got a lot of money to spend, Mr. Vaal has spent a considerable amount of money coming to this point in terms of the layout of the lots and the roadway. If you look at the total 40+ acre site here, we're really talking about developing the site with very, very minimal wetland impacts and at least at the beginning we believe this is unavoidable impact in terms of getting to the property. As Mr. Edgar mentioned, this small crossing here could rear its ugly head with a State application but once again, we're talking about crossing a very narrow seasonal drainage swale to get to some useable portion of the property. I think that's a reasonable request, I'm not the one who puts the gavel down on that but that's how we're initially proceeding. Edgar – A couple other things, Chuck has looked at the plan and he had two observations. One is to spend a little time with him on building separation issues. It's a function of sprinkler, it's a function of water supplies, it could be as low as 25 feet, it could be as big as 50 feet and could affect your unit layout and in light of the compactness of septic, wells, units and driveways, you don't want to get into any more of the grading and engineering until you have a feel for that. If you've done that already, fine, it's just that we've had some go rounds on some projects where the same advice has been shared, it's been ignored and we've got a very large project that is currently being redesigned because they failed to heed to that advice. Johnson – I had a very lengthy discussion with Chief Palm regarding an FPA 1141 and the separation of units and



which portions of the Town of Meredith are encumbered by that regulation and essentially the answer is, it's on a case-by-case basis. Essentially, that provision that has been mentioned in the previous project applies to unit development in portions of Town that has one or more of several factors, one is response time, insufficient Town resources and so forth as you go down the line and for practical purposes, this portion of Town would invoke that regulation so I've talked to Chuck about that and that's where you're talking about the 30' separation and it can go as high as 50'. We've looked at that in terms of the preliminary layout of the units and we'd have to be on the same page with Chuck at final approval. Edgar – That's a good move. The other piece of that that he looks at and may or may not have talked about is the need for rural water supply requirements and we've talked about cisterns and things of that sort, probably access to the water in this case is not probably practical to provide for the ability of a fire truck to draft from the lake or something like that but there's probably an area that he had asked me to at least pass along to you where that oblique driveway comes in and would be discontinued, that might be an appropriate location for a cistern that would be close enough to the subdivision to meet all of his hose length requirements and all like that but also be able to provide added fire safety to the nearby properties so it's something to follow up with him on in terms of an easement area of something of that sort. Johnson – I've mentioned to Mr. Vaal about the firefighting issues and the cisterns and the possible sprinkling systems and he's aware of those options and we'd be investigating those and making sure we're on the same page with the Chief before final submission. Edgar – Finally, back in October we were talking about whether you could cluster duplexes. I reviewed that with Bill and provided all our lot sizing numbers work and at this point we're showing 16 units in 15.1 acres and that's without deducting unorthodents if we end up doing that so provided that all the numbers work when you jiggle the final lines, duplexes are allowed as a permitted use as a matter of right in the Residential District and the clustering of those is allowed by Special Exception. The cluster definition simply refers to a form of subdivision for residential purposes; it doesn't distinguish between single-family or two-family so Bill's view of that is it's not precluded. One thing that this is very much distinguished from an earlier project that we saw conceptually as far as duplexes is there was an initial view in a previous project to on a basis of bedrooms end up with a project that would have actually way more dwelling unit density than would be provided for in the zoning. That's not the case here. We would be running the numbers as single-family and regardless of the number of bedrooms, if it permits 15 or 16 dwelling units that's what we go with and we're not looking at clustered duplexes as a way to get substantially more density and that was the Pease Road analogy that the Board had objected to was because they were slicing and dicing bedrooms, they were saying on the basis of bedrooms, X number of duplexes would be the equivalent and from strictly a dwelling unit density point of view, that analogy did not hold up. This would be whatever the prescribed for single-family density would be, the number of dwelling units and then be configured in duplex fashion. That was Bill's view of it today provided the numbers work and provided that it is still subject to Special Exception. Johnson – I'm sure that the owners of Meredith Bay Village will be happy with that determination. Edgar –

Meredith Bay Village wasn't a cluster, it was a multi-family project. Kahn – I think what you just said is that if the soils calculation comes out to 16 single-family units, there can be 8 duplexes, is that what you just said? Johnson – It could be either/or because you could have a situation where you had some of the units as duplexes and some of them as single-family detached but the 16 is the number of dwelling units not related to the number of bedrooms as the previous project was. Vadney – Bedrooms don't count. Johnson – Bedrooms are determined by the loading of the septic systems. Bayard – I think we do have 4 units off of a common driveway here which may be an issue. The second thing, is the 50' buffer have to go all the way around the property? So there may be some issue on the 50' buffer. Johnson – The 50' buffer would have to go all the way around the limit of what we determine to the cluster and that line determining the cluster from the separate individual lot hasn't been finalized at this point but the division line between the cluster portion of the property and the individual lot would have to include a 50' buffer as well as the normal setback so you're correct in that assumption. Edgar – The issue Bill raised about the 4 units off a driveway was one of several issues that we talked about back in October. Vadney – But they are still there, I think that's why Bill was pointing it out. As I recall when we looked at this month ago, there was an issue over subdividing the land and using some to justify the other. Is there any subdivision going on or will this remain one lot, I don't see a description here? Johnson – A portion of the lots that are shown on this plan are not part of the subdivision, they are adjacent lots that were part of a previous subdivision. The other land of Satchel's Realty Trust here is not part of this cluster subdivision. That is part of another subdivision that Mr. Vaal did as well as the lots that are shown to the south of Collins Brook, those lots are not part of this particular application. This application includes the property which is from the centerline of this brook to the centerline of Collins Brook, then it comes up to a point and this red line separates the property under this proposal from the property that was previously subdivided, then there's the frontage along Collins Brook Road, the frontage along Meredith Center Road and then the backs of the lots that front on Meredith Center Road up to this point and then a property line which goes down to the centerline of the brook and back to the lake. Vadney – I guess I missed it in the briefing; this development includes the 16 new units proposed as 8 duplexes plus the existing house. Johnson – That's correct. It would be one conventional lot and 16 cluster units. Vadney – So we're looking at 17 units on this piece of property. Johnson – And the lot sizing for the separate conventional lot would be based on the worst case soils scenario not factored into this chart because all of the land essentially west of the power line is available for that lot sizing and there's a couple hundred thousand square feet that's available to use for that lot sizing for that lot so that lot would be based on its own lot sizing calculations. Vadney – You're calling it a lot, but is it going to be subdivided? Johnson – It would be subdivided, yes. It would be subdivided off of the balance of the 40 acres. Vadney – What would be the boundary.. Johnson – Right now we're kind of using the power line as separating the portion of the property that's the cluster and the portion that isn't. That line may change when we get down to analyzing the soils with Ames and the septic systems. That's a very easy line right now to be talking about because it's easily

seen in the field and it's a nice line that's easily seen on the plan. Vadney – Sooner or later there will be a line drawn on this plan that allots enough land to the condo area to justify 16 units or whatever. Touhey – Would you review for me the access for that house? Johnson – Currently, the situation is that this is one 40-acre lot with one house on it. The driveway if you will for the house comes off of Meredith Center Road, comes down in close proximity to Collins Brook, winds its way down underneath the power line, comes down here and winds its way down to the house, that's the current access to the existing home on the property. When the cluster subdivision is subdivided off and the conventional lot is subdivided off, the lot will have to have frontage on either a Town road or a road built to Town specifications. What we're proposing is a flag lot where the frontage for the conventional lot would be a minimum of 50' on Collins Brook Road and then the access, meaning how you get to it, would not be here because access and frontage are two different things, the access would either be from a driveway that ties in the existing driveway to the proposed road or there is a second provision that Mr. Vaal provided for in subdivision of his other land and that there's a means to use Sanctuary Lane and there is a bridge section here that the driveway could come off of Sanctuary Lane and the access could be provided by easement across the bridge to the house site. There is a bridge there now. Touhey – If this turns into being a condominium complex of sorts, then it would obviously, if access came off of that new road, there would have to be some kind of a provision for them. Johnson – There would be an easement that would have to be clearly identified on the plan how the access would be. Touhey – And their responsibilities to the association. Johnson – The other option is to actually create a 50' strip that's not part of the condominium complex that would go up to the road and which would alleviate the association from dealing with anything to do with the driveway but that will be worked out later. Vaal – Over here in the northern area for this access up here, when you guys come out to walk the land.. Vadney - Mrs. Natale – We're going to be turning to the public in a few minutes if you want to comment on this. Natale – How large are the houses going to be and how many bedrooms? Vaal – Probably two's. Natale – Similar to the Taylor Community? Johnson – Mr. Chairman, I think the lady's question is what the units would look like and we haven't come to that determination yet except that a good place to get a feeling for that would be to drive into Meredith Bay Village and look at those duplexes, those are similar to what we have at least at this point. Natale – How many? Vaal – There will be 8 duplexes but there will only be 16 units, 8 buildings, just so we don't have to spread them out too much. Vaal – Getting back, if we go to walk, this wetland that we'd be crossing and the wet areas that are back here, this property had a lot of gravel borrows on it and left the depressions. The depressions are pretty much where the wetlands have come from. Technically, I know they are still wetlands but they are not a high value wetland from what I got from the soils analysis but that's a whole different ballgame so this might rear a problem but I think when the state looks at it and when they look at the application being as how they were created, hopefully it won't be too much of a problem for us. The same thing here, the state wants us to push this alignment up this way a little bit which is fine, it gets us actually farther away from Collins Brook which is running in a very

defined channel here, it pushes it into this little wetland. This wetland again was another created one because you'll see there was an old barn that was over and it was just the way the farm had kind of configured that area so the wetlands that we're impacting here are not high value, the same with this one here. This wetland here is created by skidder ruts. If a machine had gone in there and the skidder turned the other way, there wouldn't be water sitting there so a couple of the issues that we're asking for, the Conservation Commission met me in the winter out there, we did take a walk, unfortunately they timed it when there was a lot of snow. We plowed in an access but they will go back again but I took them through, we walked all the way as far as we could down in here where I had it plowed and their concern was pretty much here and we'll get further detail on that but they had some issues but their thing was try to stay as far from Collins Brook as we could and the state wants us to do that anyway. We push into this wetland a little bit more, it gets us farther off the Brook. This access that we're asking for, we have the existing drive that goes in here, this new roadway will be obviously wider but we won't have to impact anything near the Brook because that's already there. It's stabilized and we'll a silt fence up and it won't be an issue through that area. Vadney – Point out on the plan where the state wants you to move the driveway. Vaal – There's a pole right here and where the road comes out there's a little red dot, that's the existing telephone pole. They want us to push it towards the center store a little bit upland on the map, they want to move it over about 15-20 feet so it pushes us into that little green area, that small blue area, they want us to infringe on this. We might not have t, we could maybe swing the road a little bit. If not we encroach a little bit higher here but again, there's part of an old cellar hole here, this is the depression from the barn from where they were mucking out it looks like, it's not a real prime, our concern is to stay as best we can, stay away from the area of the brook and then Mill Brook in the back here, this is a real nice big swampy wetland area through here and Chemung shares a big chunk of it over here. I think the Town has some land upland from us or some of the conservation people did so it's a nice thing to preserve. I am very game on limiting the cutting like Carl said, I want to trim up a little bit if there's a little bit of stuff that's got to go but for the most part we'll stay clear of all that. I want to try to keep this woodsy and I want something nice in there, I want it woodsy and I want to tuck a couple in the back here just because it's a really nice area. It's a shame to put it to waste. Vadney – One of my concerns is if the state wants to move that driveway even a little bit because on of the problems with this whole thing is the traffic coming down that hill from Laconia trying to slow down for Windsong which is a troublesome bad angle road and to try and move that, the best thing would be if they were directly across from one another. Vaal – The state doesn't feel that way. Vadney – If they are staggered and you're having to look at, right now you're looking in two different directions and Collins Brook Road and gunning it to get out of there, if there's another road with any quantity at all, it seems to me.. Vaal – I've met 3 times with a guy named Kingsbury (Pillsbury) out there and actually this time we had two people. One of the gentleman that actually works the area and Kingsbury (Pillsbury) does all of applications and approvals and that type of thing, they are very comfortable with the sight distances, they have no issue. Vadney – I agree

the sight distances are fine coming out of there but the problem is the way Windsong comes into it and the way the traffic coming both north and south... Vaal – There's a brook right here, seasonal brook so we can't get opposed to Windsong. Vadney – I agree it couldn't be directly opposite but to make it more staggered, it seems to me a problem. John, could you check with DOT and make sure that they've really thought about the traffic. Johnson – There is a John Pillsbury at the state, that's not who met with Mr. Vaal. Edgar – I just want to follow up per the Chairman, we're dealing with District 3 now right? And the guy's first name, do you recall? Vaal – I think it's John Kingsbury? Vadney – I just want to make sure they've thought about that and they are not just winging it without... Vaal – Actually, Mr. Kingsbury was supposed to call the Town and tell him that we had met all their preliminary stuff and I don't know if he did or not but he didn't have time for a letter but he was supposed to call and do that. I will make him follow-up with a letter. Vadney – I'm a little bit rebellious on this I guess, I don't automatically accept what any state agency tells us without at least some argument. If they can argue their way, fine and I don't want it to be just something the guy waived his arms and ignored it. Vaal – If you want me to stay more opposed if I'm going to be over the stream which crosses this side of Windsong, cuts across the culvert and goes right there. If you want me to get more direct access across, I'd get closer to Collins Brook for one and then I'd have to, we can culvert anything. Vadney – To be quite honest, I'd sacrifice a few frogs if I don't get killed at the intersection. It seems to me to be a safety issue. Johnson – I'm sure Mr. Pillsbury would recognize your name. It puts a developer in an interesting predicament when the state is the controlling agency and we're trying to comply with the regulations and be sympathetic to the Board's input, we essentially will do whatever the authority having jurisdiction tells us to do. Vadney – I'm not going to fight it to the death here, I just want to make sure somebody made a really conscious decision and not kind of an unconscious decision. The other predicament is the proximity of that pole, it's a fairly significant telephone pole to stay away from. Vadney – Poles are easy to move. Johnson – I'd just like to make one further comment with regards to the wetlands, when I look at things in development, you've got to understand that often times when you see something, it's not the first thing that came in off the block because we do work a lot with people who own property and how best to do it and this in my mind is a real balancing act and what we're balancing here are some of these and Mr. Vaal is correct in using low value wetland as a description because that's what they are, they are low value wetlands with a preservation of the highest value wetland which is the prime wetland and it's the balancing act that you're involved with and this in my mind and the adjacency issue may come in and there may be other issues there but the balancing act there in terms of having a nice development and having a very minor impact and preserving the resource is outweighed by the fact that we'd have covenants and restrictions which would be permanently protecting the prime wetland. But again, we'll have to do what the Zoning Board dictates us to do and one of the things that might happen is if we are put in a position where they will not approve units in that area, we may very well shorten the roadway and take this cul-de-sac down so we can get units outside of the buffer to the drainage and in the area where the cul-de-sac is and it would be a

shorter road but again, I think, although I'm a staunch supporter of cluster development, I think there's a point where there's too much of a cluster and I like to have things spread out a little bit more just for the aesthetic aspect of it. Johnson – We will be coming before the Board with a formal application. I would recommend upon application of the original submission which would not trigger a public hearing that gives you two weeks in between the acceptance of the application and the first public hearing to view the property if that seems like the way to go with the Board. We would have probably a lot more information for the Board to be looking at when they are out on the property by doing it that way. Vadney – To summarize, it looks like you've made an honest attempt to work around the environmental issues, it certainly will be interesting to see how the soils and slopes pan out but we'll have to wait for further data for that.

Meeting adjourned at 8:11 p.m.

Respectfully submitted,

Mary Lee Harvey  
Administrative Assistant

The minutes were reviewed and approved at a regular meeting of the Planning Board held on \_\_\_\_\_.

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William Bayard, Secretary