

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

Kahn moved, Sorell seconded, MR. CHAIRMAN, I MOVE WE APPROVE THE MINUTES OF DECEMBER 28, 2010, AS PRESENTED. Voted unanimously.

APPLICATION SUBMISSIONS

1. **DONOVAN TREE EXPERTS** – (Rep. Carl Johnson, Jr.) Proposed Site Plan to construct a 2,500 sq. ft. commercial garage for storage and maintenance of vehicles and equipment and future office space, Tax Map U12, Lot 19, located at 30 Jenness Hill Road in the Central Business District.
2. **DONOVAN TREE EXPERTS** – Architectural Design Review of the proposed commercial garage structure, Tax Map U12, Lot 19, located at 30 Jenness Hill Road in the Central Business District.

LaBrecque – The proposed site plan and architectural design review applications are for the purpose of constructing a building for an office and equipment storage for the tree service business. The applications and abutter list are on file. Filing fees have been paid. Recommend the site plan and architectural design review applications be accepted as complete for purposes of proceeding to public hearing this evening.

Sorell moved, Bayard seconded, THAT WE ACCEPT THE APPLICATIONS FOR SITE PLAN AND ARCHITECTURAL REVIEW AS COMPLETE AND PROCEED TO PUBLIC HEARING THIS EVENING. Voted unanimously.

3. **AMBROSE LOGGING CO., INC.** – Proposed Major Subdivision of Tax Map S24, Lot 12A, into two lots (17.80 ac., 28.31 ac.), located on Pease Road in the Forestry/Rural District. **(APPLICATION ACCEPTANCE ONLY)**

There are 2 applications, a Boundary Line Adjustment between Lots 12A and 12, where the Sim and Leigh Willey lot gets larger and the second step is there's a two-lot subdivision on 12A leaving a 17.8 acre and 23.1 acre lot. Lot 12 on Pease Road has a dwelling on it. There is only one plan and it demonstrates both the BLA and the proposed subdivision. Subdivision/BLA Plan and abutters list on file, subdivision application fee has been paid and it has been requested the application fee for the BLA application be waived due to the applications being consolidated into one plan to be reviewed and heard together next month. Given that, it is recommended these applications be accepted and proceed to public hearing next month on February 22, 2011.

Touhey moved, Sorell seconded, Accepted as complete.

4. **AMBROSE LOGGING CO., INC. AND SIMEON AND LEIGH WILLEY** – Proposed Boundary Line Adjustment between Tax Map S24, Lots 12 & 12A, located on Pease Road in the Forestry/Rural District.
5. **THOMAS & NANCY McGINTY FOR APPALACHIAN MOUNTAIN CLUB (AMC)** – Proposed Site Plan to construct a parking area for use by AMC Club members, Tax Map U34, Lot 21, located on Lovejoy Sands Road in the Shoreline District.

LaBrecque – The AMC Camp on Three Mile Island has been using the municipal parking lot. This application is for the purpose of constructing a parking lot just up the way on Lovejoy Sands Road and being accessory to the island use. The application and abutter list are on file. Filing fee has been paid. It is recommended the site plan application be accepted as complete for the purpose of proceeding to public hearing this evening.

Dever moved, Sorell seconded, THAT WE ACCEPT THE APPLICATION FOR A SITE PLAN TO CONSTRUCT A PARKING AREA FOR THE AMC Camp. Voted unanimously.

PUBLIC HEARINGS

1. **DUSTIN G. HARPER** – (Rep. Attorney William Philpot) Continuation of a public hearing held on 12/28/10 for a proposed Site Plan to establish a Home Occupation for restoring boats and vehicles, Tax Map U10, Lot 3, located at 78 Plymouth Street in the Residential District.

At the last hearing, it was agreed by both parties to continue and have a meeting with staff. After discussion at that meeting, I formulated a list and description as to what was going to happen with this home occupation. It was also agreed that since the web site was inconsistent with what the application for the home occupation was to be, the web site would be closed down momentarily and that has been done. The home occupation is limited to boat and vehicle restoration and the signage has been changed to reflect that. This is not going to be a maintenance operation as far as boats and vehicles; it is a restoration setup and there will be limited containerized fluid transfers, oil and that sort of thing and just the necessary fluid to be removed from an engine. Major engine and transmission repairs in both boats and cars would be farmed out and not done on site. No glass boat restoration, its basically wooden or mahogany speed boats. As to the size of boats to be worked on, basically the rule of thumb is if it doesn't fit in the garage, its not going to be worked on on-site, everything's going to be inside. As far as car restoration, there will be limited mechanical work and restoration but from a maintenance perspective, this is not an operation where you bring your car in and have your brakes fixed. Cars would be restored; upholstery, some body work as I described it, spot welding to restore a body but the major work and certainly the major spray painting would be farmed out because there's not going to be any spray booth on site to accomplish this sort of fine painting that would be necessary

for a quality restoration. LaBrecque – Staff met with the applicant on January 5th and discussed the proposed activities that were going to be on site and it was made clear that basically any affiliation with off-site businesses that were not part of this home occupation restoration were not going to be conducted on this site so its not an office for car and boat sales someplace else. It is strictly what has been provided in the letter submitted. The use is permitted by the district. The permitted lot coverage and setbacks should be noted on the site plan. The appearance of the home will remain the same with the exception of the proposed sign. A Sign application is required to be submitted with the building department that will reflect what's being applied for, just boat and auto restoration. A detailed explanation of activities was provided by Attorney Philpot. A lot of things raised as concerns at the last public hearing are addressed here. No spraying of automobiles so there will be no exhaust fumes that may affect the neighborhood. With respect to any noise, there won't be any heavy machinery. He does have a lift and other things that are used but not heavy machinery. All major engine repairs get sent off-site. He does not carry or store large quantities of oils, paints, varnishes, paint thinners and that sort of thing; he gets it when he needs it. I did note in my staff report that reference to Attorney Philpot's letter should be made and will be kept in the file. Any revisions to the scope of work would be addressed by the Code Enforcement Officer and potentially would have to come to the Planning Board for Site Plan Amendment. The Board does have the right to review and amend in the future should anything come about, we could always have the applicant back before the Board to review and amend the approval. Public Hearing closed at 7:16 p.m.

Bayard – I'm seeing here that home occupations shall consist of those customarily traditional home occupations which are generally acceptable to be carried on in dwellings in a residential area. I think this one is really very gray, I think it's maybe a stretch to accept it. I do have a problem that if there are any changes, it would require review by the Code Enforcement Officer and possible site plan amendment. I think what we often run into is this creep in change; something changes a little but is not really big enough to bring it in front of the Board. The next year there's another little change that's not big enough to bring before the Board and pretty soon you end up with a few cars out there. I think if there are any changes, we should bring it back before the Board. Dever – In regard to those comments on creep, what I'm witnessing is a creep of the type of home occupations. To follow up on his comment of creep, we have creep in the type of activities, an upholstery shop on South Main, auto/boat restoration on Plymouth Street, now maybe they want to change the upholstery shop to a body shop, the type of activities are creeping beyond what I think they should be, I don't think residential neighborhoods are appropriate locations for it. Should this be approved, I would be very concerned about the washing of vehicles with a storm drain right in the yard and also would want to address where it all goes when you sweep it out, it's all going to go out and run down there. You have a storm drain that doesn't appear to be much more than 15-20' from the main doors of the area where they're going to be working. Vadney – Both points raised are certainly valid, I think we need to ensure that Code Enforcement doesn't let it get too far. John's is a little more abrupt, it's just that

type of activity is stretching the definition of home occupation. We have been somewhat liberal in allowing people to do something that's not noxious to the neighborhood; we've been fairly kind up front allowing them to do that. I think we can reserve the right to review and amend this type of thing. As far as the storm drain, I don't know if we would put any kind of environmental catch basin in there. LaBrecque – With respect to the storm drain, everything's going to be kept in the garage so if the concern is spills, we can get some sort of management plan, spill prevention and response plan for pollutants that are kept in the garage. Dever – I'm talking about washing vehicles, you don't sweep it in, you sweep it out and the only place it can go is in the storm drain. Bayard - If this were a commercial property, we would be looking at those issues and we would be concerned. Just because it's residential, I don't want it to slip through because it doesn't meet the standard review that we do for a commercial property because its home occupation. With regard to home occupation and the idea of creep, there is supposed to be no outside evidence whatsoever that there's a home occupation so if there's creep, there's outside evidence. If the Board's not comfortable, the Code Enforcement Officer should catch this and bring it to the attention of the Board. We have the ability to review and amend with any approval. I think we should leave it up to Code Enforcement to inspect it under the rules and if he has an issue, he brings it to us. LaBrecque - I think Bill made it very clear to the applicant at our meeting that he would be following up on the approval. We do not need Bill to tell us something is happening, it's up to the Board. Bayard - We're stating here this one's right on the edge and needs watching. I'm a little concerned about the drainage. Harper – there won't be any creep because there's no place for anything to be parked to begin with. As far as vehicles, I do very little repair on vehicles or restoration, it has always been boats. I don't necessarily wash them, there's no place to wash inside. I might do one car a year or maybe every 3 years so there's no reason to be concerned about that. Nothing will be parked outside on the site. Mr. Harper will be the only employee. If the boats don't fit in the garage, I won't be working on it. LaBrecque – On the site plan it shows the home occupation which is in the garage, (1,350 sq. ft.). Boat restorations take 3 or 4 months, depending on what's being done.

Touhey moved, Bayard seconded, MR. CHAIRMAN, I WISH TO MAKE A MOTION THAT WE APPROVE THE PROPOSED HOME OCCUPATION SITE PLAN AS PRESENTED BY DUSTIN G. HARPER FOR TAX MAP U10, LOT 3, LOCATED AT 78 PLYMOUTH STREET IN THE MEREDITH BAY WATERSHED AND RESIDENTIAL DISTRICT, SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) THE MAXIMUM PERMITTED LOT COVERAGE OF 30% SHALL BE NOTED ON THE PLAN AS WELL AS THE SETBACKS.
- (2) THE APPEARANCE OF THE HOME WILL REMAIN THE SAME WITH THE EXCEPTION OF THE SIGN.
- (3) THE DETAILED EXPLANATION OF THE ACTIVITIES ASSOCIATED WITH THE PROPOSED BOAT AND AUTO RESTORATION DATED JANUARY 10, 2011, SHALL BE REFERENCED ON THE SITE PLAN. ANY REVISION TO THE SCOPE

OF WORK ADDRESSED IN THE DESCRIPTION OF THE BOAT AND CAR RESTORATION ACTIVITIES WILL REQUIRE REVIEW BY THE CODE ENFORCEMENT OFFICER AND A POSSIBLE SITE PLAN AMENDMENT.

(4) A REVISED SIGN DESIGN MUST BE SUBMITTED BY THE APPLICANT FOR A SIGN PERMIT THAT REFLECTS ONLY BOAT AND CAR RESTORATION AS THE HOME OCCUPATION.

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

2. **DONOVAN TREE EXPERTS:** (Rep. Carl Johnson, Jr.) - Site Plan and Architectural Design Review:

This property is located on Jenness Hill Road across from the Town's transfer station and northeast of the property of the old dump. It is bounded on the southwest by a residential property by the Town's snow dump and on the southeast by a residential property owned by the Hatch family and on the northwest by a residential property owned by the Pina family. There was a bunch of debris on the property which was cleaned out and now it is vacant. Donovan Tree Experts is a local Meredith company doing business for several years in the Town and the proposal is to construct a 50' x 50' building basically for a maintenance place to show up in the AM with vehicles and have a small office just for their own use. As you might expect with the nature of the Donovan Tree Expert business, the great majority of the business is done off the premises. Very few traffic trips will be made to the property. No services are provided at the site. A limited amount of disturbance has to be done to the site. It is zoned Central Business and we're only proposing 32% lot coverage or 6,500 sq. ft. There's an entrance onto Jenness Hill Road which would have to be approved by the DPW. Four parking spaces are being provided to the northeast of the entrance area and two available parking spaces for work vehicles inside the building, maybe more depending on the size of the vehicle. There will be a small office and an employee washroom which is connected to a proposed leachfield. That leachfield was recently approved by the State of NH on January 11, 2011 and was issued a construction approval. There is a well located to the northwest of the property and that well is part of the approval of the septic system, we had to issue a well release waiver fairly common in these small lot situations. The essential element is you can't encumber somebody else's property with your protective well radius so you have to waive the well radius that falls outside of your property. The reason its way up there is because it's better to have it up there than to have it down by the applicant's leachfield. The number of employees would vary but right now there are 3-4. They come to the site in the morning, park their personal vehicles on the site and then the work vehicles leave the site and on a good day, they would be off-site all day returning in the evening. The work vehicles would remain on the site and there would be little other traffic coming to the facility. There will be no commercial dumpster on the site, all the trash will be taken to the transfer facility across the street. In terms of noise, there's not a lot of noise generated by this company, they don't have chainsaws

running all the time. Most of the time its a Monday thru Friday type operation, there are times when emergencies may arise on a weekend that might create some activity. This business is pretty low key and pretty inert in terms of what's actually happening. The position of the building, just because of the topography, if you can see the contours, its much steeper in this corner, there's going to be some minor excavation in this area to construct a small retaining wall 4-5 feet high sloping away just to allow access into the building. We really tried to minimize the amount of disturbance to the site. In terms of snow storage, there are a few areas in the front as well as the leachfield area because the snow can be moderately put near the leachfield area. It's a really small site so there's not a lot of snow to be removed. A small double-sided sign is being proposed in the front of the property 64 sq. ft. in size where 128 sq. ft. is allowed and one 4 x 8 sign on the building which is 32 sq. ft., 64 sq. ft. allowed. The signs may be smaller depending on when the design comes in. Very minimal lighting is proposed, two very small lights on the front and one on the side would be downward shining sconces, no bright floodlights. The existing power line which goes down Jenness Hill Road will serve the site. As I mentioned, it's a small septic system, the minimum size septic you can have on a piece of property and it's basically just to service the employee's washroom. No washing of vehicles and no storage of any large quantities of contaminants on the site. Very small containers of gasoline are kept for the chainsaws and those are mostly stay with the vehicle. The oil tank is going to be inside the building. . Dever asked if maintenance will be done on the vehicles there or will maintenance be done elsewhere. Johnson – Minor day-to-day maintenance only. LaBrecque – Carl, did you change the parking calcs to reflect 6 spaces. I looked at that as an office use, one space per 200 sq. ft. and the rest being storage. I don't think you'd count an entire garage as needing a space for 200 sq. ft. so you're not requesting a waiver this evening based on the calculations. The summary on the plan right now is the way it was submitted, if the Board felt that they wanted to grant a waiver for the 4 spaces, they could do that or we could have the discussion about the alternative interpretation of the parking requirements where it is actually lower. The parking requirements are driven by the number of employees coming to the site because there will be no public coming to the site. I had a hard time trying to justify a parking waiver when you're applying 200 sq. ft. for the large garage and that's really a calculation for an office. Dan Hatch – The Donovan's indicated they were going to build a 50' building 10' from my property. My concern is where the building ended up on the lot? If you take a 50' wide building with a metal roof and all the snow comes off, is it close enough to the property line to end up in my driveway which is right next to their property line). Is it an issue at this point? The setback in the zone is 10' from the side lines, 30' from the front and 20' from the rear so the building is proposed to be 10' from the property line which is along the edge of Mr. Hatch's driveway. Hatch – The edge of the driveway is the property line. Vadney - The roof is pitched the other way. LaBrecque - Donovan's intend to do a little bit of landscaping in between the building and the property line. Touhey – (inaudible) There are 4 spaces available for the employees and when a truck leaves, they could stick a car in the garage. Donovan's employed John Ramsey from Planet Green to design the building which has 2 doors on the front with an employee

entrance. The side entrance faces Jenness Hill Road. There's also a list of materials and the architectural details including the technical aspects of the building. There are overall dimensions on the architectural plans in terms of height and so forth. The foundation plan, details on the roofing, all kinds of details on the fasteners, the windows, weatherproofing, exterior doors and cross-sections of the joints, some construction material, basically it's a fairly thorough detailed sheet of how the building is going to be constructed and the materials list as required by the Architectural Design Ordinance. Bayard – I like the landscaping, he's doing the retaining wall and I think the property will look pretty nice when it's done. I think the building is boring and I think it needs a few more windows or something. Vadney – The ordinance requires it be in keeping with the neighborhood. I just think a little something could be done to it. Sorell – I disagree with Bill because there's a little more security when a building is built like this. People don't know what's in there and they are not apt to try to get in. Johnson – If there's some discussion about architectural shutters, I'd be happy to have some discussions with the client in terms of being able to commit to that but I would think they would be receptive to adding some additional architectural features. This is a permitted use in the zone, it's the type of use that is fairly inert in terms of its functionality and there's really no need to have windows and that's why they don't. Dever – It's going to be vinyl sided not just flat bare wall. I'll make some suggestions to the client for some shutters or architectural features. Touhey – Is that a culvert going under Jenness Hill Road? I'm concerned about the sizing of that culvert vis-à-vis, the non-pervious surface area that we're contributing to this lot. Johnson – It's not a large contribution to that drainage ditch as a result of what's here, the 6,000 sq. ft. There's a fairly significant ditch in the front on the road that enters this culvert. In analyzing it, we didn't think that amount of land area would contribute significantly to that culvert. I'm sure that's something Mike will look at when he looks at the driveway permit. One of the things that will come into play is whether or not there will be a culvert associated with the driveway permit. Touhey – That is a downhill or uphill stretch of road there anyway so that culvert perhaps was designed almost more so to take what was coming down the hill. We looked at this as being similar to somebody who was going to purchase this and construct a residence on it. LaBrecque – Mike and I had a look at this building and the site and the roof is pitched so any storm water coming off the roof is not going to be going onto the pavement, it's just going to be infiltrated into the landscape or lawn area on either side. The applicant intends to landscape the area immediately in front of the parking spaces between the road and the asphalt. We felt that's a small amount of sheet flow that could probably be accommodated by all of the green space below the leachfield and in front of the parking spaces because that's where the land naturally slopes. Touhey – Was any soil testing done on that lot? Johnson – Yes, There were 4 test pits done in conjunction with the septic system design. Sorell – Where's the culvert going under the driveway? Johnson pointed the area out on the plan. Public Hearing closed at 8:04 p.m.

Dever moved, Bayard seconded, MR. CHAIRMAN, IN THE CASE OF DONOVAN TREE EXPERTS, TAX MAP U12, LOT 19, FOR A PROPOSED SITE PLAN TO CONSTRUCT A GARAGE AND OFFICE LOCATED ON JENNESS HILL ROAD, THE HAWKINS BROOK WATERSHED IN THE CENTRAL BUSINESS DISTRICT, I RECOMMEND WE APPROVE THE PROPOSED SITE PLAN, SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) THE DES SEPTIC APPROVAL NUMBER SHALL BE NOTED ON THE PLAN.
- (2) A DRIVEWAY PERMIT IS REQUIRED FROM PUBLIC WORKS AND SHALL BE REFERENCED ON THE PLAN.
- (3) A SPECIAL EXCEPTION FOR THE PARKING IN THE FRONT SETBACK IS NEEDED FROM THE ZBA AND SHALL BE REFERENCED ON THE PLAN.
- (4) THE PLANNING BOARD RESERVES THE RIGHT TO REVIEW AND AMEND ANY APPROVAL AS PROVIDED FOR IN SITE PLAN REVIEW REGULATION NOS. 7 & 17. Voted 7-0 in favor of the motion.

Dever moved, Sorell seconded, MR. CHAIRMAN, I MOVE IN THE CASE OF DONOVAN TREE EXPERTS THAT WE AGREE THAT THE PROPOSED DESIGN DEMONSTRATES SUBSTANTIAL CONFORMITY WITH THE GENERAL AND SPECIFIC CRITERIA SET FORTH IN THE ORDINANCE FOR ARCHITECTURAL DESIGN REVIEW. Voted Unanimously.

3. THOMAS & NANCY McGINTY FOR APPALACHIAN MOUNTAIN CLUB (AMC):
(Rep. Carl Johnson, Jr.)

Johnson – This is a proposed non-residential use of a piece of property located in the Shoreline District on Lovejoy Sands Road. If you're familiar with the public parking that's down by Shep Brown's Boat Basin which services many of the islands on Lake Winnepesaukee, one of the things you probably know is there are too many cars there and they've had several different issues over the years with just the sheer volume of cars that are trying to park to access the lake and the island properties. One of the users of that lot is the Appalachian Mountain Club and this proposal essentially will take out approximately 60 cars from that equation and place them up the road in this proposed parking lot. This lot was approved by the Planning Board as part of a small subdivision plan. It's just under an acre and a half (63,000sq. ft.). We put as big a parking area on the lot that we reasonably could and stay within the lot coverage requirements of the Town of Meredith which is 30%. We put it towards the front of the lot so it doesn't impact the abutters and also keep it sloped fairly at grade so this would not be an entirely flat parking lot, it will be graded about 3% slope from the west to the east. A single entrance off Lovejoy Sands Road will be provided to enter this largely lined on paper but not lined in the field parking lot. This works a little bit different from a normal parking lot in that there are no cars coming and going on a regular basis. The way the Camp works (representatives from AMC are here to answer any specific questions you may have about this lot) the cars come here, park in this lot and are essentially there for a significant period of time until the changeover and then leave and new

cars come. This isn't a situation where you may have 2 or 3 hundred traffic trips per day coming to this lot, that's not how this lot works. You can see the significant difference it would make in terms of the parking at Shep Brown's lot. It's really kind of a win/win situation. The McGinty's actually own this lot and they also own the residential lot which is immediately abutting it. There is another approved residential lot which comes down this long driveway and is actually on the far side of the McGinty lot so there would be no impact to that lot. The land across the street is owned by Shep Brown's, otherwise known as Deep Water Marine and the land from here down is pretty much the marina proper. This is kind of an inert thing in that it's going to sit there and from the period from Columbus Day to Memorial Day, there's going to be absolutely nothing here but snow. Whether or not there are some accommodations made to store some things there during the winter, that's a possibility also but again its not going to be an active and functioning parking area for that period of time. There will be no lighting associated with this so there's no electricity, no utilities associated with the parking area. The lot will be fenced, they're going to install a chain link fence for security with a nylon shielding in between, forest green or some other similar color blending in with the natural surroundings to give them security and there will probably be a gate at the front with some type of locking system controlled by the Camp. Two small dumpsters will be located at the back of the parking lot. Touhey – I understand the Code Enforcement Officer has determined that this is an accessory use to Three Mile Island, however, I have some concern about that because our definition of an accessory use makes reference to the use of a building on a site or the use of the other land on the site and in this case, there is no building on the site for it to be an accessory use and there is no other activity on that particular lot to be an accessory use of. I question that and if it is not an accessory use, then it would appear to be something that would have to go to the ZBA for a variance. There's nothing in terms of parking lots being a permitted use in the district nor is it a special exception in the district. Vadney – I also questioned that accessory use and thought if that qualifies, how many other interesting accessory uses you could come up with. Johnson – The first thing they did was meet with the Town to go over the zoning and planning issues so it was initiated by the client to determine whether or not the use was permitted and that's when Mr. Edney made the determination that Mr. Touhey spoke about that it was an accessory use. After that determination was made, they came to me to develop the site plan for the parking lot. The steps were taken in the right order so the Board can wrestle with Mr. Edney's decision but he has made the decision that it's an accessory use. The basis of his decision was that this parking lot is being used for something that is off-site so this use is accessory to that particular use. These cars aren't being parked for the marina use, they are being parked for a use which is the camp on Three Mile Island which is not here and is accessory to that use subject to site plan review. The Planning Board would have as much control over this under site plan review with a Variance as not. Bayard - I have some concerns especially if its going to be used for storage. In a way, I have a feeling it would be accessory to the marina at that point. Johnson - I don't think this is intended to be a commercial storage area. AMC members in the audience confirmed that statement. Johnson – In this same

zone down the street, the Town of Meredith is inviting people to come and use their parking lot as an accessory use to either the AMC Camp or their residence on the island. We are taking those cars out of the Town-owned lot to alleviate a great amount of the problems they have down there. This is not a new use in the zone or the neighborhood. Vadney – That’s not the argument, everybody who’s been down there in the summer knows there’s a parking problem and more parking is required. Touhey – My comment was that I didn’t feel we could act on this without it going for a variance and that still remains my concern. I will just state that we also have Camp Lawrence, Camp Nokomis and I’m sure they have parking problems at times so what is stopping them from locating some other lot in the residential area and saying this is accessory to our property on the island so I think it is a rather dangerous precedent unless we follow proper procedure. LaBrecque – It’s not in a residential zone, it’s in the Shoreline District. It’s Bill’s call and right, wrong or indifferent, it’s his decision because he’s the zoning administrator. I don’t know if the Board wants to get in the habit of interpreting the Zoning Ordinance. If the Board does not want to accept his determination, their venue is to appeal to the Zoning Board to question the administrative decision. Dever – One of the permitted uses in the Shoreline District is public uses and it says town ramps and docks, but its public uses which we have a number of those public uses in the Shoreline District and if you want to stretch it and say a parking lot is a public use, I would almost view it as such. Touhey – This parking lot would not be for public use, this lot would be the AMC’s parking lot. We had this residential subdivision before us a few years ago so we have a vague memory as to the placement of those lots and the two back lots had a common driveway coming in or something similar, with the notification of abutters was that lot on the other side of the McGinty’s lot. Lapham – I’m not that familiar with the Three Mile Island Camp, are they picked up by a boat? Johnson - Yes. So people are not bringing their own boats, canoes, boat trailers or anything of that sort? Johnson – Correct. Lapham – So the trailers would also be left in this parking lot. David Carpenter, I serve on the committee that oversees Three Mile Island Camp. The change day for the camp is Saturday so as Carl was saying that’s the majority of the traffic in and out of the parking lot, people come on Saturday and leave on Saturday. During the week unless they want to come into Town to take part in some activity, they generally leave their car in the lot the entire week. Some people do bring their own boats on trailers and what they’ve done in the past is leave the trailer in the Town lot which can be problematic because there’s a 72-hour limit and they either get ticketed or they move the trailer around. If we have room in the lot we’re proposing, then I think the camper trailers would stay in our parking lot, otherwise, they would probably continue to use the Town’s trailer parking facility. It’s a very limited number of campers that bring their own boat requiring a trailer, I’m guessing on a weekly basis, 3-4 maximum. Vadney – How many people do you have in a typical week. Our camper limit is 94 per week and generally at the beginning of summer, we’re lower than that, probably around 80. Our top weeks are the August weeks when we usually get to maximum capacity. We’re probably going to have no more than 60 cars between campers who come on a weekly basis and the staff that are working at the camp and it could be fewer than that. LaBrecque – How many

cabins do you have? We have 45 cabins and 5 tent platforms, the cabins and the tents aren't the limiting factor. The limiting factor is how many meals we can serve and the seating for meals. LaBrecque – You have docks there right? Carpenter – We have slips available for campers that have their own boats. Vadney – Back to Ed's issue, I understand the Edney part and what we'd have to do to challenge it, but my real thought on it is again this creeping aspect. Johnson – These people are being charged to camp and their parking is free and that's why its accessory to the Camp. I'm not against the idea and parking is necessary out there but Ed brings up a good question and he knows the neighborhood and we do have to give thought to the other landowners and residents and the whole development of the area. Bayard – As I recall, we did discuss some of this when we looked at Shep Brown's and that was a proposal that was being put forth and I don't recall that we had an issue with it at the time. As far as I know, it never came to fruition but there may something in the record that discusses it, I don't know. Vadney – We expanded the public lot up the street and redid some of the stuff down closer to the water. Bayard – I think we discussed something specific for the AMC and perhaps it was because Shep Browns' wanted to expand some stuff. Johnson – Over the years there have been several quirky attempts to alleviate the parking situation at Shep Brown's lot and the Littlefield's have been very accommodating to try to come up with whatever means they can to solve the issue. This takes 60 cars out of what's already happening and already going on and permitted by the Town right down the road and we're just plucking it from that bottom area and putting it up here. Vadney – Technically, this is a very good idea, I'm just a bit troubled by Bill's interpretation because if he can make that interpretation, I would think there would be a lot of other incidental accessory uses. Johnson – I think this would have been done already if that were the case. Touhey – Therein lies the concern, the fact is it hasn't been done all these years and now all of a sudden we're opening up the potential for lots in residential areas to in some way be identified as accessory to structures on islands. I don't see where the line can be drawn, Carl. Sorell – I don't agree with you, this is an accessory use to one specific camp, it's just this camp that's going to park there, it's not a public lot. Dever pointed out some of the other uses allowed in this zone. There are a number of uses that are much more intensive than a parking lot that's going to be used potentially 3 months out of the year and lightly used thereafter. I don't personally have an objection to this; I feel it relieves a lot of pressure. The Town owns a parking lot in this district that we exercise control over in an effort to provide parking for people who live on the islands. Touhey - I'm not saying there isn't a parking problem here and I'm not saying the AMC hasn't been trying to work this out for a lengthy period of time, but I will get back to the procedure we're following and what precedent it sets for the future. Kahn – I'm hearing Ed out, but basically we've got a decision to make, we either have to throw it to the ZBA or lie down and play dead and send a message that if somebody comes with this sort of arrangement and it's a commercial arrangement, we are going to go to the ZBA if Bill tries to put it through and it seems to me that's where we've got to go and I don't think under these circumstances that we want to throw this thing to the ZBA, I think it is a little bit imaginative ruling on Bill's part but I think Bill has got to understand that if this then

comes back in some sort of a commercial form or if this parking lot turns into any kind of commercial boat storage or something like that, there's going to be a lot of ruckus on it so park your cars, leave it to get snow on it from Columbus Day to Memorial Day and we will see to it that no commercial operator tries to do the same thing. Johnson – If somebody was to have a parking lot for people to park cars to grant them access to the lake, that is not permitted, that's controlled under the waterfront ROW part of the ordinance and there are very severe restrictions as to how many rights you can grant and you have to have lake frontage. According to our site plan regulations, a waiver would be needed because there are no handicap spaces and the number of parking spaces would require 3. It is likely there isn't a high demand for HC spaces; they probably will use the ones where they are picking up the boat. Carpenter – We do have one cabin that is accessible to mobility impaired campers. The way this lot would operate is the camper would come with their family and drop off their baggage and passengers down by the Town dock and one driver would bring the car back to the lot. The only precedent we're setting is if someone came before us with the exact same pattern of having a camp. Vadney – No, that's not true, it's a little wider than that. I agree with Lou that we need to send a strong message to Bill that on some of these issues we're going to start getting a little stricter. AMC is going to own this lot. Vadney – I strongly support the idea, I am concerned as Ed and Lou have stated, there are issues on some of the determinations on this and I'm happy to press on with it.

Bayard moved, Brothers seconded, I MOVE THAT THE APPLICATION OF THOMAS AND NANCY McGINTY FOR APPALACHIAN MOUNTAIN CLUB FOR A PROPOSED SITE PLAN FOR AN ACCESSORY PARKING LOT BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) THE DRIVEWAY PERMIT FROM PUBLIC WORKS DATED 7/21/08 BE REFERENCED ON THE PLAN.
 - (2) FOR NOW A WAIVER FROM THE PARKING REGULATION THAT REQUIRES 3 HANDICAP SPACES BE GRANTED AND AMC WILL MAKE ACCOMMODATIONS FOR HC CAMPERS WHEN NEEDED.
 - (3) THE PROPOSED PARKING LOT BE DESIGNATED FOR USE BY THE APPALACHIAN MOUNTAIN CLUB ONLY. (Corrected per vote by PLB on 2/22/11)
 - (3) THE PLANNING BOARD RESERVES THE RIGHT TO REVIEW AND AMEND ANY APPROVAL AS PROVIDED FOR IN SITE PLAN REGULATION NOS. 7 & 17. SINCE THIS IS SOMEWHAT OF A GRAY AREA, WE WILL BE MAKING SURE THAT STAYS IN FORCE AND I THINK THE GATE WILL PROBABLY HELP.
- Voted 7-0 in favor of the motion.

Respectfully submitted,

Mary Lee Harvey, Adm. Assistant
Community Development Dept.

The above Minutes were read and approved at a regular meeting of the Meredith Planning Board on February 22, 2011.

A. William Bayard, Secretary