

PRESENT: Vadney, Chairman; Soreil, Vice-Chairman; Bayard, Secretary; Nate Torr, Selectmen's Alternate Rep.; Dever, III; Kahn; Touhey; Labrecque, Town Planner; Harvey, Clerk

Kahn moved, Sorell seconded, MR. CHAIRMAN, I MOVE WE APPROVE THE MINUTES OF FEBRUARY 23 AND MARCH 23, 2010 AS PRESENTED. Voted unanimously.

### **ELECTION OF OFFICERS**

Herb Vadney, Chairman  
Roger Sorell, Vice Chairman  
A. William Bayard, Secretary

Kahn moved, Touhey seconded, THAT WE ELECT THE CURRENT SLATE OF OFFICERS FOR THE COMING YEAR. Voted unanimously.

### **APPLICATION SUBMISSIONS**

- 1. MEREDITH PUBLIC HEALTH NURSING ASSN. FOR REALTY CONCEPTS, INC.-**  
Proposed Site Plan to construct a Professional Building on Tax Map S25, Lot 50, located on Waukewan St. and NH Route 104, in the B & I District,
- 2. MEREDITH PUBLIC HEALTH NURSING ASSN. FOR REALTY CONCEPTS, INC. -**  
Arch. Design Review of the proposed Professional Building for Tax Map S25, Lot 50, located on Waukewan St. and NH Route 104, in the B & I District.

LaBrecque — This application is for the purpose of constructing a 2700 sq. ft. building with associated improvements, parking and drainage. The site is currently vacant and it's located within the Business & Industry District. The application, checklist and abutter list are on file. Filing fees have been paid. It's recommended the applications for Site Plan Review and Architectural Design Review be accepted as complete for the purpose of proceeding to a public hearing this evening.

Dever moved, Bayard seconded, MR. CHAIRMAN, I MOVE WE ACCEPT THE APPLICATIONS FOR SITE PLAN REVIEW AND ARCHITECTURAL DESIGN REVIEW FOR THE MEREDITH PUBLIC HEALTH NURSING ASSN. FOR THE PURPOSE OF PROCEEDING TO PUBLIC HEARING THIS EVENING. Voted unanimously.

- 3. PATRICIA ENOCH —** Proposed 3-lot subdivision of Tax Map U38, Lot 1, into 3 lots (3.00 ac., 3.38 ac., and 19.91 ac.), located at 49 Veasey Shore Road, in the Shoreline District.

LaBrecque - We are considering this 3-lot subdivision as a minor subdivision because the ability to resubdivide is not there due to the slopes and wetlands so we are reviewing two acres being peeled off from a larger 25-acre parcel. The subdivision plan and abutters list are on file and the application fees have been paid. It's recommended the application be accepted as complete for a public hearing this evening.

Dever moved, Sorell seconded, MR. CHAIRMAN, I MOVE WE ACCEPT THE APPLICATION FOR PATRICIA ENOCH AS COMPLETE AND PROCEED TO PUBLIC HEARING THIS EVENING. Voted unanimously.

4. **HOWARD & LOUISE GUYOTTE** — Proposed major 2-lot subdivision of Tax Map S12, Lot 6, into two lots (3.08 ac. and 10.22 ac.) located at 12 Meredith Neck Road, Meredith Neck District. Acceptance Only.

LaBrecque — This parcel is approximately 13 acres in size and the proposed subdivision is to carve off a 3-acre lot in the rear that's vacant. The remaining 10 acres does have the possibility to be resubdivided. A waiver request was submitted for environmental information on the parcel that is developed and we do have a sufficient amount of information in order to determine the ability for both lots to be conforming. The subdivision plan, abutters list are on file. The application fees have been paid. It is recommended that the waiver be granted. In addition it is also recommended the application be accepted as complete for the purpose of proceeding to a public hearing on May 25, 2010, because it is a major subdivision.

Touhey moved, Sorell seconded, MR. CHAIRMAN, I MOVE WE ACCEPT THE APPLICATION AS COMPLETE AND GRANT THE WAIVER REQUESTED AND SCHEDULE THIS APPLICATION FOR PUBLIC HEARING ON MAY 25, 2010.

5. **HOWARD J. GUYOTTE** — Proposed Home Occupation Site Plan to establish a home real estate office and erect a sign, Tax Map S12, Lot 6, located at 12 Meredith Neck Road.

LaBrecque — This Site Plan application is for a home occupation for a real estate office located within the primary residence on the site. The application and abutters list are on file. Filing fees have been paid. It is recommended the application for a home occupation be accepted as complete for the purpose of proceeding to public hearing this evening.

Sorell moved, Dever seconded, MR. CHAIRMAN, I MOVE WE ACCEPT THE APPLICATION FOR A HOME OCCUPATION AND PROCEED TO PUBLIC HEARING THIS EVENING. Voted unanimously.

**PUBLIC HEARINGS**

- 1. ALBERT & DONNA DUCHARME:** (Rep. Carl Johnson) Proposed major 2-lot subdivision of Tax Map R30, Lot 4, into two (2) lots (16.0 and 143.69 acres) located at 16 New Road, in the Forestry/Conservation District. Application accepted March 23, 2010.

Johnson — The proposed 2 lot subdivision is located on New Road. This property had previously been considered for a cluster-type subdivision a few years ago and that subdivision was abandoned and now exists as two lots, about a 50-acre lot and the lot in question to be subdivided. They are separate lots of record. The lot in question is proposed to be subdivided by creating one 16-acre lot with frontage on New Road and the remaining parcel, Lot 2, approximately 143 acres. We have provided enough environmental data to demonstrate that both the new lot being created (#1) and the lot remaining, (#2) conform to the density requirements and also to the soils and slopes requirements of the Town. The new lot is accessed over an existing driveway which was previously approved by the Town's DPW and was constructed by the benefit of a special exception which was granted by the ZBA and also the NHDES. There will be an easement over that driveway for the benefit of Lot 2. Lot 2 does have frontage on New Road and may potentially be accessed, not as a part of this approval process, but by an easement over the existing roadway which now services Tax Map R30, Lot 3. A draft deed will be submitted for Lot 1 which will include an access easement across it for the benefit of Lot 2. Both of the lots at this point are undeveloped. We do have a valid test pit for Lot 1 and several valid test pits for Lot 2. Because of the size of these lots (over 5 acres), they are not subject to NHDES subsurface subdivision approval. Angela's comments include: The Fire Chief shall review the accessibility with respect to emergency vehicle access. The draft easement deed shall be submitted to the Town for review. The surveyor of record shall provide written evidence that all pins have been set prior to recording the mylar. Kahn — When we previously approved the 9-lot subdivision on this property, we were concerned about the condition of New Road and Y-Corner and we imposed in that conditional approval a requirement for upgrading New Road and for altering the configuration of Y-Corner. I can see it would not be reasonable for us to impose the very same off-site improvement conditions on a 3-lot subdivision, but on the other hand, it seems to me the road conditions out there haven't changed and what we're facing in the future is piecemeal subdivision that could get us back to a 9-lot subdivision over the years. I would like to see some solution which entail the lots that are still subject to subdivision with respect to the potentiality of off-site improvements with respect to New Road or maybe we need to do something with respect to New Road after this subdivision and with respect to future improvement of Y-Corner should you get to another series of subdivisions that amount to the same number or a similar number of houses as the proposal we had a couple years ago. LaBrecque — Carl pretty much reviewed everything in the staff report and a lot of the permitting was done on the front end a few years back. Regarding Lou's comment, he did make that comment at the last meeting and I had it noted but it didn't make it into the staff

report. Currently, there is the ability to build two houses and this subdivision will provide one extra building lot than what they have now. I think a reasonable condition would be for the Planning Board to review cumulative traffic impacts on future subdivisions to assess the need for off-site improvements. That is something the Board has done in the past and may want to impose that now and I guess it's up to the Board whether or not they want to kick something in now or reserve it all for later. Kahn — We had traffic studies previously and I don't want to go back there again. I suspect there is more traffic but I think we came to the conclusion after agonizing over the thing that off-site improvements with respect to New Road and Y-Corner were appropriate but I'm not willing to go back and get more traffic engineers telling me how many cars pass through that area. I think there should be reasonable improvements to New Road now and if you reach a certain amount of subdivision with respect to these properties, Y-Corner ought to be improved. LaBrecque asked if Kahn had an idea of what type of improvements should be done? Vadney — Has anything been done up for road improvements? Kahn — As far as I can see, the roads are being maintained as is. Johnson — It's the position of the applicant at this point that the creation of one single 16-acre parcel in this area of town does not anywhere near rise to the level of having to provide any type of road improvements to New Road or any other road accessing New Road. It's my experience having been out there recently, there have been improvements to New Road, at the very least some drainage improvements and the installation of some culverts above and beyond what was there prior to today. It would be my opinion that improvements have been made to New Road especially in the vicinity of this subdivision and the creation of this single lot would not rise to the level of requiring any additional encumbrance of the applicants to provide improvements. Vadney — I came through there last summer and there was work being done. LaBrecque — I asked Mike for comments but he didn't submit anything. Donna Ducharme — Mr. Chairman and members of the Board, actually Mike and the road crew have been out there all Spring cutting trees on both sides of the road, opening up the road, bringing gravel in and the culvert work was done over the last two or three years. All of them have been replaced and widened. Mike knows from us he can do whatever he needs on our road frontage to improve New Road. Touhey — What is the distance to Y-Corner from the driveway of the subdivision? Johnson - It's approximately 1,500' to the intersection of New Road and Higgins Road and I'd have to guess but Y-Corner is the intersection of Higgins Road with Chemung Road. Touhey — I find it very difficult if we were to require certain improvements to New Road, that's quite a bit of road for one additional lot. I don't know where you would have the people begin and where you would have them stop with those improvements. Vadney — You're right, Ed, I think what Lou's comment is and it's a very good point that sooner or later something's got to be done out there. We thought it was going to be done as part of the larger subdivision but Y-Corner is quite a ways from this proposal but all that stuff feeds through that very troublesome corner. If nothing needs to be done with New Road now and it sounds like it doesn't, we simply put a restriction on the larger lot that's being created that if it's subdivided in the future, it will be responsible for off-site improvements to New Road, if necessary, and to Y-Corner. Johnson — I think it's implied that any subdivision may require improvements to the existing road

and to the off-site roads, that's a mechanism that's set forth by statute. The slippery slope comes in when does the Planning Board initiate the improvements. I don't know of any time that road improvements talked about here have been required for a one lot subdivision. I would be in agreement with a note that any further subdivision of the parcel may require additional road improvements and that would allow the Planning Board to assess whether or not it would be appropriate. After a lengthy discussion regarding off-site improvements, the Board agreed they would like to get together with Angela and Mike Faller and review what has been done out there. LaBrecque If Mike gives us a review, how would that shape your condition? Vadney It may be that Mike has done a substantial amount at Y-Corner is a dangerous intersection and if you start putting more traffic through there, it's going to be a problem.

Kahn moved, Dever seconded, MR. CHAIRMAN, I MOVE WE CONTINUE THIS TO OUR NEXT MEETING MAY 25, 2010, AND THAT ANGELA BE INSTRUCTED TO DISCUSS WITH MIKE WHAT IMPROVEMENTS HE FORESEES IN THAT AREA IN THE FUTURE. Voted unanimously.

LaBrecque - We've got to come up with a solution on how we deal with it, because as I said, I don't think its reasonable to levy an imposition on a two-lot subdivision. I do think that larger lot could be subject to further contribution to off-site improvements if further subdivided. Vadney would be agreeable to go to the site with LaBrecque and Faller.

2. **MEREDITH PUBLIC HEALTH NURSING ASSN. FOR REALTY CONCEPTS, INC.**  
(Rep. Carl Johnson) (Ed Touhey stepped down)

Carl Johnson — We came to the Board for a conceptual discussion with essentially the same plans you're looking at now. You also have a complete plan set of the engineering designed by Paul Fluet. Paul will speak to the drainage issues which are the primary focus of the staff review dealing with the drainage and stormwater management. As you recall, the property is located at the intersection of Route 104 and Waukewan Street and is a triangular piece of property that's been to the Board several times over the years for different projects. What's being proposed is to relocate the Meredith Public Health Nursing Association from its current location to this new facility to be constructed on this vacant lot. In order to accomplish this, variances were required from the ZBA by primarily dealing with the use, as well as the municipal setbacks and the buffer from Route 104. Those variances were granted so we are benefited by those variances. If we receive approval this evening from the PLB, we would have to go back to the ZBA for one additional special exception which is parking in the setbacks because there are no places on this particular lot to locate either the building or the parking without being in the setback. The building to be constructed is a 60' x 47' building with a very small parking area which would require a slight parking waiver, the parking for the site has been calculated based on the existing use. The existing business has a long history of the type of parking it would require. We don't want to create any more parking than

needed because of the small lot size. The B&I zone allows a tremendous percentage of the lot to be covered with impervious surfaces and we're way under that. Unfortunately, the driving force of the Board indicating it would never like to see any more parking than is needed has recused himself from the Board but we know he has been supporting that concept sitting in the audience. The only entrance to the property is located off Waukegan Street and has been reviewed by Mike Faller and approved in the field. A Driveway Permit is required for that entrance. Paul has designed the drainage for this building such that there is a rain garden proposed that ties into the existing culvert system that services Waukegan Street. There are some drains in the building that will also tie into that and we will be connecting to the existing public sewer and water supply that has been field located to the best of the Department's ability along Waukegan Street. There is a sewer stub which has been located in the field and on the plan and they also located the distance to the water line which runs up our side of the street so it most likely would not require any disturbance of Waukegan Street to tie into the existing water. We did receive feedback from the abutter and he is in favor of this proposal. The use basically is a 9:00-5:00 type, not a lot going on at night or on the weekends. **The** Nursing Association does a great percentage of their work off-site. They come to you should you need their services so that also limits the amount of activity taking place on the site. We do have a landscape plan where we intend to plant some additional trees on the lot, 4 trees in the front, 2 trees in the rear and we intend to leave all of the existing vegetation and the vegetative buffer as it is. We also intend to leave as much of the existing vegetation which is the natural buffer between the proposal and the abutter. There are some significant buffers in place. **We are** proposing two free-standing signs and that is something we're going to have to work out with Bill because as I read the ordinance, it does not restrict you to one freestanding sign in this zone. The option suggested is to relocate this particular sign to the building and unfortunately I think that would do much more harm to the aesthetic nature of the proposal having the sign located on the building. **The** billboard was discussed at the Zoning Board hearing and as soon as the lease runs out, the billboard will be removed. Carl briefly reviewed the architectural plan. The building is one story with a basement. It has a very low lying profile. You can see the architectural features break up the roof lines and the sides of the building very nicely. We are talking clapboard sides, very nice architectural windows, some additional architectural features like the covered walkways, etc. The colors will be earth tone colors. Being in the B & I zone, this building certainly meets and exceeds the Architectural Design Ordinance. Vadney — You're proposing two signs and Bill Edney wants one sign. Johnson — It's Bill's interpretation you're only allowed to have one freestanding sign on the property. The total amount of signage is determined by square footage and one of these signs has to be removed and put on the building. We're proposing to have two small freestanding signs. **The** smaller sign at the entrance which would be more of an identification of what's at the property and a second one-sided sign facing towards Route 104. Vadney would favor not putting a sign on the building. If it comes down to a zoning ruling by Bill and he rules we can only have one sign, then we would have to go to the ZBA to get relief. Sign details are shown on the plan. The amount of signage proposed is 170

sq. ft. and the total allowed is 240 sq. ft. Paul Fluet reviewed the existing conditions of the site and the existing drainage. He pointed out on the plan the locations of the catch basins which feed down to the main line across the street and the existing water line which has a hydrant in between the edge of pavement and it goes on the road side of a catch basin. Carl has indicated there is a sewer service with a 4" pipe that we would tie into. Most of the trees along Route 104 are in the state ROW so we won't touch any of those. The second plan shows you have the green space in green, the new trees proposed in a darker green, the building is a gray color, sidewalk to side entrance and then a sidewalk in the front, and an 11-space parking lot.

Dever moved, Sorell seconded, MR. CHAIRMAN, IN THE CASE OF MEREDITH PUBLIC HEALTH NURSING ASSN. FOR REALTY CONCEPTS, INC., SITE PLAN AND ARCHITECTURAL DESIGN REVIEW APPLICATIONS, TAX MAP S25, LOT 50, LOCATED ON WAUKEWAN STREET AND NH ROUTE 104 IN THE WAUKEWAN WATERSHED IN THE BUSINESS & INDUSTRY DISTRICT, I MOVE SUBJECT TO THE FOLLOWING:

- (1) THE VARIANCE FOR PROFESSIONAL OFFICE SHALL BE CROSS-REFERENCED ON THE FINAL PLAN.
- (2) THE FINAL PLAN SHALL BE REVISED TO SHOW THE WALKWAY TO THE SIDE DOOR AND ACCOUNT FOR THE ADDITIONAL LOT COVERAGE.
- (3) CASES #2903 AND #2902 FROM THE ZONING BOARD FOR DEVELOPMENT WITHIN SETBACK AND NATURAL BUFFER SHALL BE NOTED ON THE FINAL PLAN.
- (4) THE FINAL PLANS SHALL BE REVISED TO REFLECT THE LOCATION OF THE EXISTING SEWER STUB.
- (5) THE FINAL PLAN SHALL SHOW THE ACTUAL LOCATION OF THE WATER MAIN AS WELL AS THE CONNECTION LOCATION.
- (6) THE WATER AND SEWER DEPARTMENT SHALL PROVIDE WRITTEN APPROVAL OF THE FINAL ENGINEERING PLANS FOR BOTH THE WATER AND SEWER CONNECTIONS.
- (7) THE ENGINEER SHALL PROVIDE SPECIFIC CONSTRUCTION DETAILS AND PROVISIONS REGARDING THE INSTALLATION OF THE CATCH BASIN AND STORM DRAIN CULVERT PIPE WITH RESPECT TO THE ROAD AND WATER MAIN.
- (8) A SILT FENCE DETAIL SHALL BE ADDED TO THE DETAIL SHEETS.
- (9) THE PROPOSED DRAINAGE IMPROVEMENTS SHALL BE APPROVED IN WRITING BY THE DPW PRIOR TO THE PLANNING BOARD SIGNING THE PLANS.
- (10) THE PARKING WAIVER FOR 3 SPACES IS GRANTED BY THE BOARD.
- (11) A ZBA SPECIAL EXCEPTION IS REQUIRED FOR PARKING IN THE SETBACK.
- (12) THE FINAL PLANS SHALL INCLUDE THE LOCATION OF TEMPORARY VEGETATION PROTECTIVE FENCING BETWEEN THE LIMIT OF CLEARING AND THE VEGETATIVE BUFFER TO BE RETAINED.

- (13) A LETTER FROM THE ENGINEER CERTIFYING PROPER INSTALLATION AND ANTICIPATED FUNCTION OF THE RAIN GARDEN IS REQUIRED PRIOR TO A CERTIFICATE OF OCCUPANCY.
- (14) THE LIGHTING FIXTURE DETAIL SHALL BE SUBMITTED TO THE TOWN FOR APPROVAL.
- (15) THE SITE PLAN SHALL BE REVISED TO CLARIFY WHICH FREE-STANDING SIGN OR SIGNS LOCATION(S) AS NEGOTIATED.
- (16) THE FINAL PLANS SHALL SHOW THE LOCATION, TYPE AND SIZE OF FUEL SUPPLY FOR THE PROPOSED PROPANE TANK AND THE LOCATION SHALL BE APPROVED BY THE FIRE CHIEF.
- (17) A PERFORMANCE GUARANTEE WILL BE REQUIRED TO GUARANTEE SATISFACTORY SITE STABILIZATION DURING CONSTRUCTION. THE DESIGN ENGINEER SHALL PROVIDE A UNIT COST ESTIMATE ON FORMS PROVIDED BY THE TOWN. STAFF WILL REVIEW THE ESTIMATE AND ESTABLISH THE AMOUNT OF THE GUARANTEE. THIS CAN BE DONE ADMINISTRATIVELY. THE FORM OF THE GUARANTEE SHALL BE EITHER CASH OR A LETTER OF CREDIT. THE FORMAT OF THE LETTER OF CREDIT OR CASH AGREEMENT SHALL BE APPROVED BY THE FINANCE DIRECTOR.
- (18) THE PLANNING BOARD SHALL RESERVE THE RIGHT TO REVIEW AND AMEND ANY APPROVAL AS PROVIDED FOR IN SITE PLAN REVIEW REGULATION NOS. 7 & 17. Voted 5 in favor, 1 abstention.

Vadney — Is it a done deal that the billboard on the site is leaving in 8 or 10 months or whatever it is? Johnson — Mr. Chairman, I can tell you Mr. Edney has ruled that the sign does not constitute signage for this property and it is grandfathered. We have been under negotiation with the seller for sometime. At one point he wished to retain rights to the billboard through 9/14/14. We wanted him to relinquish those rights upon closing which is about a month from now. The latest is that the seller has agreed to relinquish his rights to the sign 2/28/11. At that point, the new purchaser of the property would have a right to renew the sign lease with CVS Sign, the company that owns the sign. That would provide for the Nursing Association a cash flow. On the other hand, the Nursing Association would love, as many in this Town would, to see that sign absolutely disappear. The Board of Directors of the Nursing Association has not determined yet whether they would renew that contract for the purpose of the cash flow or whether they could let that dream come true of the removal of the sign entirely. That's the best I can give you at this point.

Dever moved, Sorel/ seconded, MR. CHAIRMAN, IN THE CASE OF THE MEREDITH PUBLIC HEALTH NURSING ASSN., I MOVE WE ACCEPT THE ARCHITECTURAL DESIGN AS PRESENTED AND THAT THE PROPOSED DESIGN DEMONSTRATES SUBSTANTIAL CONFORMITY WITHIN THE GENERAL AND SPECIFIC CRITERIA SET FORTH IN THE ORDINANCE.

Voted 5 in favor, 1 abstention.



**3. PATRICIA ENOCH** (Rep. Carl Johnson)

This proposal is a 3-lot subdivision of a 25+ acre parcel. The Board approved a BLA a little while ago creating a parcel on the westerly side of Veasey Shore Road to be conveyed to a piece on the easterly side of the road shown at the bottom of the plan. The remaining land is a large parcel of land with an existing driveway coming off Veasey Shore Road which accesses Patty's existing home which is located at the top of the knoll and there's an existing well and septic system in that location. This proposal is to create 2 lots, one is 3 acres and one is slightly over 3 acres located on the northeast side of the property. The zoning line runs through the property and the lots to be subdivided are in the residential zone and from a density standpoint, the lots are quite a bit larger in density but as all lots that are created that are subject to on-site sewage disposal are subject to the soils and slopes so we have proposed the worst case scenario as we frequently do to come up with a chart that basically says that if the soils are the worst soils that exist on that particular slope, the lots would still meet the lot sizing. Based on the test pits we dug, the lots are considerably better than worst case so that gives us a little bit of flexibility in terms of these lots being the minimum lot size as would be required by the worst case scenario. The configuration of the lot is such that it runs from Veasey Shore Road increasing elevation to the west. She has quite a bit of frontage existing on this piece of property but a lot of it is unusable in terms of access from Veasey Shore Road, its rather steep but there is one excellent point of access which is located to the very northeast portion of the property, has excellent sight distance in both directions and would be most suitable for the common driveway. Although Lot 2 has frontage on Veasey Shore Road, the access to that lot would be restricted over a common driveway coming across Lot 1 going down through the front of Lot 1 to access Lot 2. The test pits were dug by Ames Associates and we're showing the test pits on each lot with a typical 4K area. These lots are under 5 acres so they would also be subject to NHDES approval. We've shown the Belknap County soil types on this plan for reference only. There are no areas subject to wetlands delineation that would affect the lot sizing but that can be determined by the Board. We are basically saying by virtue of this subdivision plan that the remainder of the land because of its terrain, configuration and non usable frontage, its not subject to further subdivision. If the Board would like a note on the plan to that effect, we would be happy to do that. The lots we have created here because of the nature of the area and the soils and slopes situation could also not be further subdivided. We did the sight distance measurements on this particular driveway location but it would have to be approved by the DPW. Angela would like me to confirm in writing that the well radius is located on the parent lot and does not encroach onto Lots 1 and 2 and we can do that. The electricity, cable and telephone lines are above ground lines located on Veasey Shore Road. That would be the source of the utilities for each one of these lots. Draft deeds will be created for Lots 1 and 2, a part of which would include the driveway easement over Lot 1 for the benefit of Lot 2 and those deeds will be reviewed by staff. Prior to issuing a certificate of occupancy, the Fire Chief will review the accessibility with respect to emergency vehicle access and sign off that the driveways provide adequate access for fire safety and police access.

The surveyor of record shall provide written evidence that all pins have been set prior to recording the mylar. Vadney — I think this is the first set of drawings I've seen from you with a 5' contour. Looking at both of those driveways coming off, they look frightfully steep. Johnson — The existing driveway is steep. This is not, there is actually a logging road that was cut into that area and there actually is no steepness. This topography was actually from a previously existing subdivision plan that was approved by the Town some years ago so we didn't feel it was necessary to redo the topography. In issuing the driveway permit, Mike would be looking at the access and this is a very acceptable access to the property. In terms of 5' vs 2' for determining lot sizing based on slope category is really not a difference in that. Mrs. Enoch's driveway is very steep and that's an existing driveway and we're not proposing any additional access over that driveway. Vadney - Counting the contour lines and putting 1" to 100' here, you've got some very steep driveways. Angela, doesn't the Town ordinance require that the last 15-20' have a negative 2 degrees? LaBrecque — I think that's for roads. The Fire Chief would have to take a look at this and as Carl said, there was a logging road but looking at the topography on the plan, you wouldn't know it so I'm guessing that logging road was put in sometime after this topography was done. Johnson — We could provide some detail on that entrance. We can provide a detail sheet with the driveway permit application that shows how the driveway would be constructed. I measured the distance out there at the access to the property and it's not a steep situation. LaBrecque — I can go take a look with the Fire Chief too because this is something he'd have to look at and approve. There is only one cut proposed. We are not changing the existing driveway or adding any access to the property over that driveway. Vadney I know from various trips down that road, that the west side of that road is extremely steep and the driveway cut seems way beyond our regulations. I think you need Mike and Bill to look at that to make sure you can get the proper approach. LaBrecque — The note about certifying the wetlands, I notice the wetlands were mapped back in 2006 but I think they were done just for the purpose of the Boundary Line Adjustment because there are wetlands that extend behind this hill to the southwest of the parent parcel so those weren't mapped out and the soils seem not to be characteristic of wetland soils but I did notice the soils and slopes calculation in lieu of doing a site specific soil survey, Carl assumed the worst case scenario and just applied the slopes and he came up with 1.08 and 1.07 so any wetlands that were netted out would make it really tight. One percent of 3 acres is about 10,000 sq. ft. so you could have quite a few wetlands on there that wouldn't be affected. Kahn — Remember we had a problem once down on Batchelder Hill Road where there was a subdivision where no further subdivision was permitted and they came back to us and said they wanted to subdivide and no one had ever put down in writing why no further subdivision was required. I like the paragraph Angela has written here and I think that ought to be the note. "This subdivision is not being reviewed as a major subdivision because it has been represented that no further subdivision is possible due to the slopes and wetlands, therefore, the final plan shall include a note stating no further subdivision is permitted." Sally Dussault — My basic issue is surface runoff. It is all downhill from the top of Meredith Neck up where Patricia's house is all the way to the lake and it

just happens that the properties to the north of me and one to the south, I'm the low point and the amount of water that comes off the back hill that is fully treed now and undergrowth is enormous. With a heavy snow winter and last spring with all the rain thru May and June, it runs off the Enoch property. There is a culvert approximately 100' to the north of her driveway that dumps onto my property, runs down and comes across my neighbor's who are landlocked and dumps into the lake. **My** concern is excessive cutting of trees particularly on the larger of the two proposed lots, the lot I would be adjacent to. The fewer trees, the more runoff there is. I'm not sure the gutter that exists on the west side of Veasey Shore and the culverts that are there would handle. I am also concerned about leachfield runoff because it is all granite rock, boney ledge on the surface so it's not like its percolating down through sand at the ocean after the leachfield. I would hope the state requirements would take care of that runoff. I am truly concerned about surface runoff and what its going to carry not just across my property but into the lake. Vadney — Do we want to continue this hearing and go take a look at the site? LaBrecque — I would like to make a couple comments about the leachfield, 4 test pits were done and there was soil down to 5' and encountered no ledge so the septic design will be done in such a way that the State will only approve it so all of the leachate is treated so no contaminants should be leaching anywhere. These properties are not in the protective shoreland buffer. We are basically saying by virtue of this subdivision plan, the remainder of the land because of its terrain and configuration and non-usable frontage is not subject to further subdivision. If the Board would like a note on the plan stating that, we would be happy to do that. The lots we have created here because of the nature of the area and the soils and slopes situation could also not be further subdivided. We did the sight distance measurements for this particular driveway location but it would have to be approved by the DPW. This subdivision is subject to State approval and Angela would like me to confirm in writing that the well radius that's located on the parent lot does not encroach onto Lots 1 and 2 and we can do that. The utility lines are above lines located on Veasey Shore Road and that would be the source of utilities for each one of these lots. A draft deeds will be created for Lots 1 and 2, a part of which will include driveway easement over Lot 1 for the benefit of Lot 2 and those deeds will be reviewed by staff. Prior to issuing a Certificate of Occupancy, the Fire Chief would review the accessibility with respect to emergency vehicles and sign off that the driveways provide adequate access for fire, safety and police. Written evidence is required that the pins have been set prior to recording of the mylar.

Mr. Chairman, I think we ought to go out and look at it. Dever — Driveways in lot line setbacks, do we have a restriction against that? Johnson — No, back to grade by the time you go over the line, you can't grade onto somebody else's property. Vadney — I think this is a steep enough piece of property, looking directly across from Mrs. Dussault's line, you're looking at a 35% and up slope. Depending on where those drainages come and she says she's at the low point even a small amount of cutting up on that ledge could be problematic for her. I think we owe it to her to take a look at it and along with that or prior to that, you can go out with the Fire Chief and Mike Faller as well and really look at it from the standpoint of and Bill

Edney might want to be brought in that as far as the approach of that driveway to the road, it's going to be a very steep one. Are there decent buildable areas within each lot and there are, the rest of it is too steep to develop. Bayard, there is one little flat area but other than that it appears steep in the back. Johnson - There's a saddle that runs through there which is gently sloped, the rest of the property is C, D & E slope. Bayard — Chopping a lot of trees down there wouldn't make a lot of sense but whether we would want to consider any restrictions in the back, I don't know. Bayard — I think we need to take a look. The Board agreed they need to do a site inspection. LaBrecque — The site visit will be at 9:00 a.m., Saturday morning, May 22<sup>nd</sup>, and the meeting May 25<sup>th</sup>, 2010.

Kahn moved, Sorell seconded, MR. CHAIRMAN, I MOVE WE CONTINUE THIS HEARING TO TUESDAY, MAY 25, 2010, AND WE SCHEDULE A SITE INSPECTION ON SATURDAY MORNING, MAY 22, 2010 AT 9:00 A.M. Voted unanimously.

#### 4. **HOWARD J. GUYOTTE:**

I'm seeking permission to place a sign at my property, 12 Meredith Neck Road, Tax Map S12, Lot 6. We are proposing a home office that consists of one room approximately 8 1/2 x 15' and there will be no employees, just my wife and I, we're both real estate brokers. The sign is 18" x 30" and it will hang from a wooden post about 5 1/2' above the ground and it will be centered about 75' from my property line and 23 1/2' in from the center of the road. The office is proposed to be a residential real estate office. Vadney — Typically, how many customers/day would you expect to see? Guyotte — I probably won't have any because if you read the sign, it says buying or selling, it doesn't say home office so most people will be calling by phone and I will be meeting them at their property, but if someone drove down the driveway, we would be happy to take care of them. LaBrecque — There is a small parking area noted on the site plan and it is noted as guest parking. The Board is usually accommodating for home occupations. The sign is under the allowable signage. The size of the home occupation is well under the size allowed by ordinance, 25%). This request meets all the criteria in the Zoning Ordinance. The state owns 22' from the center of the road so the sign is set in 23 1/2'.

Kahn moved, Sorell seconded, MR. CHAIRMAN, I MOVE WITH RESPECT TO HOWARD GUYOTTE, SITE PLAN FOR A HOME OCCUPATION, TAX MAP S12, LOT 6, 12 MEREDITH NECK ROAD, THAT WE APPROVE THE PROPOSED SITE PLAN FOR HOME OCCUPATION AND RESERVE THE RIGHT TO REVIEW AND AMEND ANY APPROVAL AS PROVIDED FOR IN SITE PLAN REVIEW REGULATION NOS. 6 AND 17. Hearing closed at 9:13 p.m. Voted unanimously.

**PRE-APPLICATION CONSULTATION**

1. **DOUGLAS FREDERICK:** (Rep. Harry Wood) Pre-Application Consultation to discuss proposed use of property located at 194 Daniel Webster Highway, Tax Map S23, Lot 104, in the Central Business District.

This is the former Burlwood Antiques property on Route 3. The next door neighbor is the Mayhew Funeral Home on one side, a couple of residences on the other side and the flooring office of Tom Kuzina is here. The property has frontage on Route 3, it has easements to Reservoir Road and it has probably an infinitesimal amount of frontage on Cataldo Road. The proposal for the property which you will see at your next meeting would be for a motorcycle museum on this site. Mr. Frederick has vehicles going back to 1908 and this would tie in rather nicely with the Laconia Harley-Davidson shop which is not too far away down the street. There would be a kind of symbiosis between the two to some extent. The access would remain exactly the same as it has been and I would think the traffic flow would be somewhat less than it was for Burlwood Antiques. We propose to subdivide the property as shown on my plan here highlighted in pink. There would be a parcel not used for the museum which would be 5 acres in size and would have 150' of frontage on Route 3 but we would not propose to put in a new entrance. The difference in elevation between Route 3 and the improved area where parking takes place is probably somewhere in the neighborhood of 15'. It would be extremely difficult to get down onto the site without a huge change in slope and amount of fill. In addition, I'm sure the State Highway Department wouldn't want anymore significant entrances there. We will have to file with them for a revised driveway entrance because it's a change of use, but what we're proposing for the time being is that this property be available for a residence, that's all. If a future buyer wished to do something with that property other than that, it is zoned for commercial activity and they would be required to meet whatever requirements there were and get all the approvals necessary to do that. We would simply represent it to you at this time as a place for a residence. The access to that would be as I have it shown in yellow on my map, but that's essentially a 20' wide easement onto this property with almost 40' wide at the entrance to allow for turning or if there's a trailer or anything like that, they are not always going to come within a 20' slot because the paved area that's there is 40' wide. It depends on whether you're coming uphill or down how you would get in so we would utilize the whole width of the driveway to get in and then we would go right along the bottom of the slope for Route 3 with a little bit of room left for snow disposal on the Route 3 side to help with the clearing. No detail is shown on this plan for parking but the cleared area and the existing gravel area as shown on the plan was mapped a few years ago and basically that entire cleared area could be used for parking and when we file the formal application with you, it will have a parking scheme on it. We have shown wetlands, setbacks where required, a couple of the wetland areas are large enough that they require 50' setbacks and the ones less than 3,000 sq. ft. are exempt. The soils on that property are very wet and there is actually a stream hidden within the wetland area that is significant. You also have the drainage coming off of Route 3 or under Route 3 which used to be in an open

ditch and it's been culverted down to the point on the corner of the wooded area and I don't think that flows as much as it used to with the new improvements that have been made in Route 3. In the past it has caused some sedimentation in the woods when things were dug up. When they were putting in the roundabout, there were several storms that resulted in washouts and even though they had protective measures in the ditches and stuff, they blew out most of them from thunderstorms and some of that made its way onto the property. There is sewer and water available at the site for the Bur!wood Antiques building, therefore, the lot size is more than significant, 2.29 acres and the opposite property would possibly get municipal utilities but we would probably advertise it as sewerage disposal on-site because we have enough space and enough setback to put in the standard leachfield. We would be removed from the available sewers by considerably more than 100 feet and therefore we would take the option if somebody were to acquire the property and they wanted to use the sewer, that would be up to them and they could get the necessary approvals. There would be an easement granted and we would put markers in the field so if they were improving the driveway, they would know where to put it. Bayard - If they were to decide to hook up to municipal sewer, would there be an easement? Wood — Probably they wouldn't use the driveway for sewerage. That would be impractical. No test pits have been done yet but we know where we will be testing. Vadney - If you were to come back officially with this, it would be two steps. Wood — There would be two applications, one would be a site plan and the other would be a subdivision. The activities at the motorcycle museum would be inside the building with possibly one or two exceptions. Vadney — You mentioned some imaginary frontage on Cataldo Road. Wood — You can see how it comes down to a point and there is a pipe out there in that general vicinity which actually appears on the property but my understanding is that's got something to do with the water line that runs on that side of Cataldo Road. It actually runs off the pavement and passes through that area so when we looked at the boundary information, it did not go to that pipe. Wood — You probably could acquire an access to Cataldo Road. I've left 50' on this lot for that purpose if we chose to try to get out to Cataldo Road, we'd have at least that much width in that area but you might have to get an easement from a neighbor. Vadney — I don't have any problem with it, I don't think the traffic would be too heavy. Wood — Mr. Frederick does educational tours with schools and groups but those would be pretty well controlled, most of them would come in on a bus or some sort of transportation. Vadney - The property out there is very wet. Do you have an area designated where the house might be if a residence was constructed there? You are looking at a single dwelling? Wood — Yes. If they wanted to hook up to water and sewer, they could but we are not representing that use and would not be providing information for it. LaBrecque — You are representing the vacant lot as residential? if they were to inquire whether the property could be used commercially, they would be told yes but it would be up to them to get the necessary approvals. Douglas Frederick — This is a very unique museum; it's a police motorcycle museum and is the only one of its kind in the country. We currently have 30 motorcycles from 1908 to the present, all original police motorcycles. It's a different blend of people that would be coming to this as opposed to the choppers and consuming liquor and that type of thing. It's a family

oriented thing where we educate the public on the history of police motorcycling, a place where people are coming to restore police motorcycles and look through our library to accurately restore their motorcycles. We want the lot to be as low impact as possible. Its one lot, one unit whether it be commercial or residential but very low impact. Hearing closed at 9:30 p.m.

Plan Signatures: Kristen Montana - Subdivison  
Northway Bank Site Plan

Meeting adjourned at 9:33 p.m.

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

May 27, 2010



