

PRESENT: Mack, Chairman; Hawkins, Dever, Joslin, Moyer, Tivnan, Clerk

Jack Dever moved, Fred Hawkins seconded, THAT WE APPROVE THE MINUTES OF JANUARY 13, 2005.

### **PUBLIC HEARING**

2667. **TOWN OF MEREDITH:** (Rep Fred Mock) An appeal for a SPECIAL EXCEPTION to allow construction of a building and related site development within the 150' buffer of a prime wetland and a SPECIAL EXCEPTION to allow off-street parking within the side setbacks, Tax Map No. U11, Lot Nos. 50 & 50A, located at 1 Circle Drive in the Central Business and Residential Districts.

This building will be constructed on what is known as the "Lumbertown" site. We are here for two reasons tonight. Because of the proximity to the Hawkins Brook prime wetland, the activity is within the 150' buffer. Also, a portion of the parking is within the 30' setback. The project is at the northern tip of the wetland, to the north of Hawkins Brook. In the project area, the Hawkins Brook Wetland is characterized by a perennial stream and associated forested wetland vegetation. The project includes a sidewalk improvement along NH Route 3 from Circle Drive to the southerly driveway along the southwest side of the parcel. The Wetland Board wanted us to also show future conditions. The "Lumbertown" site that exists today has several out buildings; a lot of pavement and towards the easterly side of the project there are areas of disturbed ground in the form of gravel. The proposed construction will have no impact on the prime wetland. We will have less impervious area than what exists today. A portion of the site drains in two directions. One is southerly towards the wetlands and one westerly towards NH Route 3. All storm water runoff leaving the site is presently untreated and discharges ultimately into Hawkins Brook. The water quality that enters the brook and then Lake Winnepesaukee does not receive the kind of treatment that the Planning Board and the State would like. The drainage from the site that leaves towards Rt. 3 enters the wetlands just north of a large box culvert crossing. In that area there is a fair amount of erosion. We are proposing to provide treatment of the storm water by capturing all the storm water, roof drains, parking lot runoff and routing it to the easterly corner of the site and provide treatment in a grass swale area. We also plan to fix the existing erosion control problem in the southwesterly corner of the site. We believe this to be a positive impact to the wetland complex, primarily having to do with the improved quality of storm water runoff entering the wetland and the repairing of existing erosion problems. We have had a wetland scientist from our office prepare this application. The use will not be detrimental to the character and enjoyment of the neighborhood. This proposed facility is in keeping with the neighborhood. The

proposed building will be used for recreational activities and is very compatible to activities associated with Prescott Park. Architecturally, the proposed building is in keeping with other commercial uses within the Town. We believe none of these activities will be neither injurious, noxious nor offensive to the neighborhood. The use will not be contrary to the public health, safety, or welfare by reasons of undue traffic congestion or hazards, undue risk to life and property, unsanitary or unhealthful emissions/waste disposal, or similar adverse causes or conditions. The project will not generate an undue amount of traffic nor lead to traffic congestion/hazard at the access to NH Rt. 3. Because we are proposing activity within the ROW, we have made application to the Division III Office of NH DOT. We should have approval from them soon. Since the proposed use is commercial in nature, no sanitary or unhealthy emissions or waste disposal or similar adverse causes or conditions will be experienced.

The proposed building construction includes parking along Greemore Drive and Circle Drive that is within the 30' setback. The areas that are within the setback include the parking along Circle Drive, which includes bus parking/drop off area, parking spaces near US Route 3 and Circle Drive intersection, and parking along Greemore Drive on the easterly side of the parcel. The placement of the parking was driven by several factors. The care and concern of the water quality on the Prime Wetland was one. The size and shape of the parcel required that the majority of the parking be located easterly of the proposed building and that the building be in line so that it will be a focal point for motorists coming into Meredith from Rt. 3 North. The only remaining area for snow storage was in the most easterly portion of the site and this requirement precluded use of the same land area for additional parking. The width of the parcel and proximity to the steep slopes leading to Hawkins Brook precluded moving the parking area southerly and play space was critical in the planning and designing. The only areas available were on the southerly and easterly areas of the parcel. We have improved the water quality, we have improved the opportunity for erosion control and we have minimized parking to the best degree possible yet provide adequate parking. I believe you should have a positive response from the Conservation Commission in your packet. We have met two times with the Wetlands Board on this project. They have reviewed the application and have returned it with comments that we have responded to. We are moving forward in a positive way. One of their comments was to "please make sure that your snow removal practice is done in a way that it is out of the wetland." Mack-Do you know what the difference is to the impervious area? What it will be with the improvements versus what it is now? Mock- You are testing my memory. It is less. Mack – I can see that. I would like to know for the record what we are talking about. Mock- If my memory serves me right, it's in the 70% down to the high 60%. Moyer – Is there parking for handicap close to the building? Mock- Yes, they are close to the main entrance of the building. Mack-Do you have a copy of the Conservation

Commission letter? Mock-I don't have one. I know through conversation there was a unanimous recommendation. Joslin-Did Chris say there is not a letter? Tivnan-There is not one in the folder. I don't remember seeing one. Mock-I have a letter back from the Wetlands Board. This is their review letter, not the approval letter. One comment was a recommendation that snow not be pushed into the wetlands, that the depth of the catch basins sump pump be increased and take the outlet portion and provide a T. They have asked for confirmation that we will not be using phosphorous fertilizers. They asked for some clarification about the wetland lines along the westerly edge of the ROW. They also asked for clarification on who did the mapping. There have been four people involved in the mapping. At the end of the day, they want who's responsible for the mapping to provide a seal. A Terrain Alteration Permit is required. They want clarification that we are not proposing to do any of the improvements that you see on sheet C-2.0 and C-2.1. They do not want the walking trail to be a stone path. They want a boardwalk construction so that the activity will be from the surface of the ground up. Mack-So you don't have anything from the Conservation Commission? Mock -No, I don't. I thought you all did. Mack- None of us do. Hearing closed at 7:40PM

### **DELIBERATIVE SESSION**

Mack-I think it is a great plan. They are doing a lot of work to keep everything out of the wetlands. The problem I have is that we do not have final plans. Joslin-I have the same concerns. Mack-Anything that they might have to change is within that buffer that they are asking us to approve. So we could potentially be approving something that is not what is finally going to happen. There are a couple of things we can do. We can grant the appeal specifically as per the plans. If there were any changes, they would have to come back; or we can put it off until next month's meeting. How much time do you think it is going to take to have all your permits in hand? Sounds like you are in the final stages. Mock- Site specific is eminent. The Wetlands Board, I don't know. We just finished a similar project and it was a three-month time frame. I hazard to make a guess. We are not making plan changes. Joslin-It sounds like we could approve it as presented. Dever-I am concerned that we do not have the letter from the Conservation Commission. This is an in house thing and we do require this. Mack-The next meeting is only two-weeks from now. We can continue it for two weeks. It would be better if we had the letter and by the sound of the responses from the Wetlands Board, it sounds like clarifications only. Dever-They have met the requirements for a Special Exception. Mack-We have started to insist on having all of the proper information in hand before we make a decision. I suggest we continue.

Joslin moved, Dever seconded that, IN CASE # 2567, I MOVE THAT WE CONTINUE THIS HEARING TO MARCH 10, 2005 TO GIVE THE CONSERVATION COMMISSION A CHANCE TO GET THEIR REPORT TO US SO WE WILL HAVE THAT IN FRONT OF US TO MAKE A MORE INFORMED DECISION AND ANYTHING FROM THE WETLANDS BOARD BE MADE AVAILABLE AT THE SAME TIME. Voted 5-0 in favor.

**REVIEW A MOTION FOR A REHEARING**

2664. **WAYNE BREDVICK FOR JOHN WADE:** An appeal for a VARIANCE to locate a leachbed 39' from Lake Winnepesaukee, 75' required, Tax Map No. U30, Lot No. 27, located at 33 Loch Eden Shores Road in the Shoreline District.

Mack-This is the one with the replacement leachbed with the well that no one knows where it is. They want a rehearing because they feel we should make the Wade's find the well. There is no new evidence. Dever-They did everything they could to locate the well. Mack-There is no other place to put the leachbed on that site. It is as far away as possible. Joslin-Who filed for the rehearing? Mack-The owner of the well that no one can find. She has not presented any new evidence that says anything different than what was presented at the meeting.

Hawkins moved, Dever seconded, I MOVE THE APPEAL FOR A REHEARING IN CASE # 2664 BE DENIED, AS THERE HAS BEEN NO NEW EVIDENCE BROUGHT TO THE BOARD AND THE BOARD HAS MADE NO TECHNICAL ERRORS IN IT'S DECISION. Voted 5-0 in favor.

Meeting adjourned at 8:00 P.M.

Respectfully submitted,

Christine Tivnan  
Planning/Zoning Clerk

Approved by the Meredith Zoning Board on \_\_\_\_\_, 2005.

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John Mack, Chairman