MEREDITH PLANNING BOARD
STAFF REVIEW SUMMARY

PROJECT: Shep Brown's Boat Basin- Site Plan Amendment for (2) storage buildings and related site improvements
LOCATION: Lovejoy Sands Road, Meredith Neck Road, Lake Winnipesaukee
DATE: September 22, 2003

REVIEW REFERENCES:

- Project Narrative
- Site Plan Set (7 sheets)- 9/5/03 (J. Scott, P.E.)
- Building Drawings- 8/2/03 (C. Nangia, P.E.)
- Drainage Calculations- 9/8/03 (J. Scott, P.E.)
- Unit Cost Estimates- 9/18/03 (Rist-Frost-Shumway Eng.)
- "Downstream Defender" product information
- "Downstream Defender" Operations and Maintenance Plan
- Correspondence- 9/21/03 (J. Scott, P.E.)
- Correspondence- 9/21/03 (L. Caron, P.E.)
- Correspondence-7/17/03 (D. Littlefield)
- Planning Board Minutes (Pre-application Consultation)- 8/12/03
- Selectmen's Minutes- 9/8/03
- See List of Abutters Correspondence- 9/23/03

COMPLETENESS REVIEW:

1. Application, site plan and abutters list are on file.
2. Filing Fees have been paid.
3. Technical Review Fees have been paid.
4. Recommend the application be accepted for public hearing.

COMMENTS:

Background. Applicant proposes to construct (2) boat storage buildings at Shep Brown's Marina, Tax Map U-35, Lot 8A. Lot 8A extends from Meredith Neck Road to Lake Winnipesaukee on the northerly side of Lovejoy Sands Road. The proposed boat storage buildings would be located on either side of an unbound right of way, which connects Lovejoy Sands Road with the Turtle Road, Soley Lane, Tall Pines Condominium area. Applicant appeared before the Planning Board on August 12, 2003 to discuss several phases of potential future development or redevelopment at the marina (see correspondence dated 7/17/03 and minutes dated 8/12/03 for reference). The correspondence of 7/13/03 indicates that the buildings currently under consideration would be used for winter storage. This boat storage-building proposal was described as Phase I at the August 12, 2003, Planning Board meeting. The proposed development on Lot 8A is within the town's Shoreline zoning district but falls outside of the NHDES 250' protected shoreland. Lot 8A abuts residential uses and a municipal parking lot.

Access. Access to the site is via Meredith Neck Road and Love Joy Sands Road.

Use. Bill Edney, in his capacity as Zoning Administrator, has reviewed the proposal to construct the two boat storage buildings. Bill's understanding is that the marina is a grandfathered use and that the proposal is consistent with the marina use previously established and therefore does not require any approvals from the Zoning Board of Adjustment.

Concerns have been expressed that the applicants may at some time in the future seek to establish a RV Campground. Although a proposal to establish a campground is neither before the Planning Board nor the Zoning Board of Adjustment, Bill has reviewed the use issue. The Shoreline District allows campgrounds by Special Exception in areas where the Shoreline District abuts the Forestry/Rural District. In this part of the community, the Shoreline District abuts the Meredith Neck District. Therefore, it is Bill's understanding that a campground is

neither a permitted use nor a use allowed by Special Exception. A zoning use variance would be necessary in order for a campground to proceed under the current zoning.

Setbacks. The proposed structures comply with lot line setbacks as established for the Shoreline District.

Lot Coverage. The proposed development on Lot 8A plus all pre-existing development covers 24.09 % of the lot area. Up to 30 % lot coverage is allowed by the zoning ordinance in the Shoreline District.

Wetlands. There is a wetland in the vicinity of "Shed 2". R. Shuey, a Certified Wetland Scientist, has delineated the non-designated wetland. The delineation and the corresponding protective buffer are indicated on the plan.

Drainage/Storm Water Management/ Water Quality. A Drainage study has been prepared by the Applicant's engineer. The study and the site plan features have been reviewed by Lou Caron, Planning Board Consulting Engineer (see review letter dated 9/21/03 for reference).

Erosion Control/ Stabilization. Erosion control measures are indicated on the site plan. Unit cost estimates have been submitted.

Performance Guarantee. A Performance guarantee should be considered with regards to site stabilization and restoration of the private ROW. Unit cost estimates have been submitted for both functions. The total of the estimate is $27,757. The estimate is under review by the Department of Public Works.

Abutter Concerns. RSA 672:3 defines "abutter". For purposes of receiving testimony (as distinguished from receiving notice) the term "abutter" includes any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. We have received numerous communications from folks owning property on the mainland and on nearby islands. The communications received as of the date of this review are listed above and are included in the packet. Many of the communications are from seasonal residents that will be unable to attend the hearing and have requested that their concerns be entered into the record. The Board should take the time to review each letter. With one exception, the communications express a variety of concerns many of which suggest that any expansion of the marina should not be allowed. Issues raised include but are not necessarily limited to:

- *Overall impacts* associated with future massive or extensive expansion of marina operations;
- The "proposed" RV Park;
- Relationships between *project phases;*
- Increased *traffic* on Meredith Neck Road and Junction of NH Route 25;
- Increased *congestion* in/around the marina and adjacent public facilities;
- Compromised *access to island properties;*
- Changes to *character and tranquility* of the surrounding neighborhood;
- *Access* to neighboring mainland properties;
- *Zoning* interpretation;
- Impacts to *water quality* associated with increased boater activity;
- *Noise* impacts associated with increased performance boat activity;
- *Safety* considerations associated with increased boater activity in the channel between the mainland and the islands;
- *Visual* impacts associated with development/redevelopment

Clarification of use of the proposed storage buildings. Applicant has indicated that the storage buildings are for winter storage. Many abutters are of the opinion that the buildings will be used for valet service or in/out purposes. Obviously, this distinction has implications as to what potential impacts may be in terms of on-site parking, boat launching etc. How could the Planning Board be assured that winter storage does not convert to valet service in the future? <u>The applicant should clarify this issue so that the Board can evaluate on-site and off-site implications.</u>

Clarification of on-site parking. The current proposal does not provide any additional parking. How will the

current proposal create a demand for additional parking? How and where will the additional parking demand, if any, be met? Given the absence of any onsite parking associated with the proposal, a parking waiver would be necessary from the Planning Board. In the final analysis, the Board must be comfortable that the applicant can provide sufficient on-site parking for patrons, customers and employees. A parking summary should be provided that documents existing parking demand and parking and puts the proposed storage buildings in context (see also Lou Caron's letter dated 9/21/03 for reference).

Clarification of Phase I in relation to future phases. The applicant outlined potential future re-development plans at the August 12, 2003 Pre-application Consultation (see correspondence dated 7/17/03 from D. Littlefield). To what extent does the current Phase I relate to or is dependent upon the other phases?

Impacts to Municipal facilities. The Planning Board may wish to seek input and/or recommendations from others such as the Board of Selectmen, the Meredith Police Department and the Department of Public Works as to the current summer conditions at the municipal facilities (parking, ramp, roadways) and to what extent they may be impacted by the current proposal..

Impacts to Lake Winnipesaukee. Several issues have been raised regarding the potential for this project to negatively impact Lake Winnipesaukee; i.e., noise, boater safety and water quality. The Board may wish to contact the NH Department of Safety, Marine Patrol and the NE Department of Environmental Services for their input prior to making any decisions. This would allow these agencies to identify what their particular jurisdictions may be and to provide their professional insights that may be relevant to matter before the Planning Board.

Recommendation. The Planning Board should consider conducting a site inspection of the property. To the extent the Board would like the applicant and/or staff to generate additional information, the Board should be clear as to any additional requirements/ expectations of the applicant and/or staff. The public hearing should be continued to a date that would allow sufficient time (1) for the development, submittal and review of any additional information, (2) to complete public testimony as necessary; and (3) to conduct a site inspection with an eye towards the issues raised during the hearing.