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: October 28, 2003

REVIEW REFERENCES:

- Project Narrative
- Site Plan Set (7 sheets)- 9/5/03, *revised to 10/17/03* (J. Scott, P.E.)
- Building Drawings- 8/2/03 (C. Nangia, P.E.)
- Drainage Calculations- 9/8/03 (J. Scott, P.E.)
- *Supplemental Drainage Calculations- 10/20/03 (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
- List of Abutters Correspondence- 9/23/03
- *Planning Board Minutes- September 23, 2003*
- *Correspondence- 10/8/03 (J. Callen, Esq.)*
- *Correspondence- 10/14/34 (R. Varney, Esq.)*
- *Correspondence- 10/21/03 (J. Edgar)*
- *Correspondence (response to Lou Caron, P.E.)- 10/21/03 (J. Scott, P.E.)*
- *Correspondence w/ attachment- 10/21/03 (J. Scott, P.E.)*
- *Correspondence- 10/24/03(J. Callen, Esq.)*
- List of Abutters Correspondence- 9/23/03
- *List of Abutters Correspondence- 9/23/03 to 10/28/03*

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 and the 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.

Applications for Site Plan Review and Architectural Design Review were accepted on September 23, 2003. The applicant has requested the public hearing be scheduled for October 28, 2003 (See correspondence from attorney Varney dated October 14, 2003 for reference).

Use. *Bill Edney, in his capacity as Zoning Administrator, has concluded that the proposal to construct the two boat storage buildings requires a Special Exception under the zoning ordinance.*

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, *Bill has determined 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.*

Access. Access to the site is via Meredith Neck Road and Lovejoy Sands Road. *Many residents and property owners have objected to the increase in traffic they believe will be associated with the expansion at Shep Brown's Marina. The applicant has responded that although a traffic study has not been performed, they believe that traffic associated with marina customers and activities is under control, and will have virtually no impact on congestion (see letter dated 10/21/03 item 4 for reference).*

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? *In my previous staff review, I suggested that the applicant clarify this issue, so that the Planning Board can evaluate on-site and off-site implications. The applicant has submitted a response clarifying the purposes of two proposed buildings (see letter dated 10/21/03, item 1 for reference).*

Clarification of on-site parking. The current proposal does not provide any additional parking. *In my previous staff review, I raised several parking related questions: How will the current proposal create a demand for additional parking? How and where will the additional parking demand, if any, be met? Also, in the previous staff review, I recommended that a parking summary be provided that documents existing parking demand and parking and puts the proposed storage buildings in context. The applicant has submitted two summary tables. One summary identifies building use classifications for each building at the Marina and off site locations that are being consolidated under the current proposal. The second summary correlates the building classification to parking requirements. The parking summary includes the use, # existing parking spaces and # proposed spaces. The summary suggests that there are 206 existing spaces, a total of 211 are proposed, while there are 278 currently available. The applicant concludes that the project will have no impact on parking (See letter dated 10/21/03 item 2 for reference). The summary does not address the existing conditions in the context of what is required per our regulations. For example, the parking generation rate for "wet slips" is 1.5 spaces/slip whereas the applicant's summary attributes 92 spaces to 92 slips, short 46 spaces for that line item. The summary assigns 30 parking spaces to 72 dry rack slots. Admittedly the regulations do not speak to dry rack storage, but even if it were 1:1 (as opposed to 1:1.5), the line item is 40 short. The parking situation warrants thoughtful consideration. The public hearing should help shed some additional light on the issue. In the final analysis, the Board must be comfortable that the applicant can provide sufficient on-site parking for patrons, customers and employees.*

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). *In the previous staff review, I raised the question: To what extent does the current Phase I relate to or is dependent upon the other phases? Item 3 in the applicant's response letter dated 10/21/0, the applicant suggests that the current proposal (Phase 1) is a stand-alone project, and that it would be constructed even if other future phases never materialize.*

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 applicant has responded that the proposal will have nearly zero impact to lake traffic (see response letter dated 10/21/02 item 5 for reference). The lake itself is held in trust by the State of New Hampshire for the public. Therefore, I have contacted Capt. Gallagher of NH Department of Safety, Marine Patrol. Capt. Gallagher has indicated that he will attend the public hearing. I have also contacted Jacquie Colburn, NHDS Lakes Program Coordinator who has also indicated that someone from NHDES will likely attend. This would allow these agencies to: (1) hear first hand the concerns of the public, (2) clarify what approvals, if any, are required by the State, (3) clarify what jurisdiction, if any, the Town has relative to regulating activities on the Lake; and (4) provide any technical input, observations, etc. on the issues raised that may be useful to the Planning Board with respect its regulatory responsibilities.*

Impacts to Municipal facilities. Many individuals have raised the concern that the existing municipal facilities are over burdened at present and that any expansion of the marina would further compound an already tenuous situation. 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.

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). *The applicants engineer has submitted a supplemental drainage analysis and has responded to Mr. Caron's review comments in letter fashion. (See letter dated 10/21/03 for reference).*

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. *The applicant has shifted the westerly building slightly to provide room to work without encroaching in the wetland setback area (see J. Scott response letter dated 10/21/03 item k. 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. 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. With one exception, the communications express a variety of concerns, most suggesting that no expansion of the marina should 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, Junction of NH Route 25 and Pleasant Street;
- Increased *congestion* in/around the marina impacting *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;
- Impacts to nearby *loon nesting sites;*
- *Visual* impacts associated with development/redevelopment;
- Overall *quality of life concerns* associated with the expansion of a commercial; facility, within the context of the surrounding residential neighborhood.

Recommendations.

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 Planning Board should continue the public hearing to a date specific that would allow sufficient time for (1) the Board to conduct a site inspection, (2) the submittal and review of any additional information. The continued hearing would then provide an opportunity to complete public testimony.