

**DRAFT**  
**Planning Board**  
**July 15, 2008**

**Members Present: Tom Vannatta, Chair; Bill Weiler, Vice-Chair; Travis Dezotell; Dean Geddes; Jim Powell, Ex-Officio; Ken McWilliams; Advisor**

Mr. Vannatta called the meeting to order at 7:10 p.m.

**CASE: 2004-006: Angel Hawk Subdivision – Letter of Credit**

Mr. Vannatta circulated copies of a letter he wrote on behalf of the Planning Board to Daniel Luker, Esquire representing Ledyard National Bank informing him that the Board has voted to extend action on Angel Hawk's expired letter of credit until August 1, 2008. After which time, a public hearing to revoke the subdivision approval will be considered for September 5, 2008.

**CASE: 2008-015: Rock Ridge Development – David Kinsman – South Road – Tax Map/Lot # 44-666-156**

Mr. Vannatta informed the Board that he has written and submitted a letter of support for the concept of the Rock Ridge Development as requested by Alison Kinsman, representing David Kinsman, at the June 17, 2008 meeting of the Planning Board. The application for the federal grant has been submitted.

**MINUTES**

The Board reviewed the minutes of June 17, 2008 and made corrections.

Mr. Weiler made a motion to approve the minutes as corrected. Mr. Dezotell seconded the motion. All in favor.

**CASE: 2008-014: Conceptual Site Plan Review – The Fells – Karen Zurheide – 456 Route 103A – Tax Map/Lot 18-232-347.**

Karen Zurheide, representing The Fells, and George Pellettieri, Landscape Architect, were present to present their plans to move the parking lot at The Fells to the southerly side of the existing Gatehouse.

Ms. Zurheide explained that the Fells owns 84 acres of property at the Hay Estate. Often, when there are programs offered, there are a lack of parking spaces which means Route 103A then becomes the overflow parking area.

George Pellettieri, Landscape Architect, explained the parking area plans in more detail. He stated that his personal interest and concern is that the project is constructed in a way that is sustainable and needs to try to make the project work on the land that has been set aside for it. He explained that he is environmentally conscientious and is on the Board of Directors at The Fells. The intention is to clear the area on the southerly side of the Gatehouse for a new parking lot. It is not possible to incorporate the parking among the existing trees because due to partial clearing, they would then be subject to wind throw. Also, the area set aside for the new parking lot will need fill to raise it up for proper drainage. Two new driveway permits have been applied for at the Dept. of Transportation. The existing entrance by the stone pillars will remain for maintenance and emergency access. The existing parking area will then be restored to its natural state. The new parking area will be designed for approximately 100 vehicles, but the plans have not been taken too far without approval of the concept from the Board. He pointed out on the plan where they would like to incorporate bus parking. There will be a landscaped area to create a natural looking buffer along Route 103A. The plans involve Low Impact Development practices and possibly permeable pavement. Since there will be several trees removed, there will also be several other new plantings in other areas. In the future, The Fells would like to consider building a new building to be used as a visitor's center. The visitor's center is shown on the plans, however there are no specifications on the building, only the location identified. All areas will be handicapped accessible.

Mr. Weiler asked Mr. Pellettieri if there would be any outdoor lighting.

Mr. Pellettieri stated that there are no plans for outdoor lighting since there are not many nighttime programs. Outdoor lighting will not be a factor in this application.

Mr. Vannatta asked Mr. Pellettieri if there were any wetlands existing in the planned area of development.

Mr. Pellettieri pointed out on the map where there are existing wetlands and stated that there will be slightly over 3,000 sq. ft. of wetland impact for which The Fells will have to get a Wetlands Minimum Expedited approval. He stated that there is another project that he is working on in New London that is going to require excavation of some quality fill. He would like to bring that fill to this site for use in the construction of the parking area. He stated that he would like to get the site ready, grass planted and the erosion control materials in place before winter.

Mr. Geddes asked Mr. Pellettieri how far it was from the corner of Bowles Road to the closest entrance to the proposed parking area.

Mr. Pellettieri stated that he does not know exactly, but that it is approximately 200 ft. from the Bowles Road corner to the existing entrance. The new entrance will be farther than that.

Ms. Zurheide explained that this parking area is needed for the increase in parking spaces for reasons of safety and capacity. The overcrowding of vehicles and overflow of vehicles parking along Route 103A is not a safe situation. Aside from patrons of The Fells, people who hike on the Sunapee Hills trails also use the existing parking area. The US Fish and Wildlife Service has expressed an interest in using the parking area for some of their future programs, too. Additionally, the new parking area will eliminate the dangers of the one-way gate entrance, uneven terrain in the existing lot and the mud on rainy days.

Mr. Weiler advised Ms. Zurheide and Mr. Pellettieri that they need to obtain a copy of the Site Plan Review Regulations and review the checklist and procedures in Articles 10 and 12. Since there are no buildings involved, not all of the articles will apply.

Mr. McWilliams advised Ms. Zurheide and Mr. Pellettieri that they need to make a formal written request for a waiver to the articles of the regulations that do not apply to their project or to the articles that they would like the Board to consider waiving. If a final Site Plan Review is going to be heard at the August meeting, all materials and plans need to be filed with the Land Use Clerk by July 29, 2008.

Mr. Pellettieri stated that they would be using the Low Impact Development techniques to get the runoff and drainage back in the ground as quickly as possible. Also, one major objective is to get the erosion control measures in place with the banks seeded before winter. He commented that he will probably not have the Wetlands Board Approval at that time, but understands all approvals will be contingent upon the Wetlands Board approval and the Dept. of Transportation approval.

Ms. Zurheide informed the Board that The Fells is also subject to a Historic Preservation Easement and will need to permission before they can proceed with the parking area.

Mr. Weiler advised Ms. Zurheide that the holders of easements as well as contractors and residents are considered abutters for the purposes of notification. Therefore, they should be included on the abutter's list.

**CASE: 2008-08: Conceptual Site Plan Review – Rosewood Barn & Gallery – Tom and Kerry Behrens – 1386 Route 103 – Tax Map/Lot 07-338-000.**

Mr. Behrens stated that he would like to begin a daycare facility in the upper two floors of the Rosewood Barn that was previously used as a furniture store. He explained that he decided to seek a change of use to a daycare center after ending the furniture venture and studying the needs of the area. He stated that daycare is a very labor intensive and patron intensive business, and trying to come up with a meld of a business plan is difficult. He stated that what he has recognized is that the ability to hire personnel for his motel and restaurant business is a difficult thing due family obligations of potential and existing employees. There appears to be only one licensed daycare in Newbury and many of his current staff do not have daycare and run into trouble when children are ill or on

vacation. There are a large number of requests from patrons of the motels for daycare services. The daycare at Mt. Sunapee often reaches capacity during the ski season and would appreciate another facility in close proximity of the Mountain. The Dept. of Health and Human Services has been out to view the facility and has determined that the facility could service 27 children under school age and 33 children of school age for a total of 60 children. The preschoolers and infants would be on the main floor (second level) and the latchkey children would be on the top floor (third level). The Building Inspector, Fire Chief and Police Chief have all made site visits and made recommendations. There will be a key-card entry security system and closed circuit television so that parents can check on their children remotely throughout the day. Only those with a password and security code will be allowed access to the closed circuit so that unauthorized persons will not be able to view the children. There is proposed to be 1,500 sq. ft. of outside playground space. The building has already been through Site Plan Review and the bathrooms, electric, sewer, drainage and landscaping is all done and functioning. Mr. Behrens asked considering the previous site plan approval, what further or additional requirements does the Planning Board request for application for the change of use from the furniture store to a daycare use.

Mr. Behrens commented that one of the biggest pitfalls with daycare is that there are so many kids in daycare with two working parents, which means the children have to commute to a daycare near their parents' work because the local daycares do not open early enough for parents to get to work if they have to wait until 8:00 when a local daycare may open. Therefore, the daycare is proposed to open at 6:00 a.m. and close at 7:00 p.m. to accommodate early drop-off and later pick-ups. These hours will also spread the traffic flow out so that there is not a lot of congestion. As a courtesy, the daycare would accommodate children who need to get directly off the school bus. Since the business is so close to the Sunapee Town line, that courtesy would also be offered to the Sunapee school system. The daycare is proposed to be open 7 days/week to accommodate guests of the area and parents who work during the weekend.

Mr. Weiler asked if this change involves a change in traffic flow or road layout.

Mr. Behrens stated that there will be no change in roads, but there will be a change in parking and layout to accommodate the playground.

Mr. Weiler stated that as a result of the change in parking layout, a Site Plan Review hearing would be required. He asked Mr. McWilliams if in this situation, would the application be an amendment to an existing site plan or would it require a whole new plan.

Mr. McWilliams advised the Board that Appendix A On-Site Parking of the Site Plan Review Regulations does not list daycare centers. Therefore, under paragraph b. Uses Not Listed: *Minimum parking requirements for uses not listed shall be determined by the Board.*

Mr. Behrens stated that only one parking space will be taken by the siting of the playground, but they will be in a different layout.

Mr. Vannatta asked Mr. Behrens if there is handicap access.

Mr. Behrens explained that handicap parking accommodations have always been available, but they were never delineated.

Mr. Weiler advised Mr. Behrens that he needs to follow Article 10 of the Site Plan Review Regulations and show where the work is being done. Photographs of as-built/existing drainage conditions are acceptable in place of engineered plans. Also, photographs of the signs will be acceptable in place of new designs.

Mr. Behrens asked if he could use the existing site plan drawing with the changes for the daycare overlay on top.

The sense of the Board was that if there are no changes to specific conditions such as utilities, drainage, topography, landscaping etc, then Mr. Behrens does not have to address those in the Site Plan for the daycare.

Mr. Vannatta asked Mr. Behrens what he is planning to use at material for the playground.

Mr. Behrens stated that the existing asphalt in the area designated for the playground will be removed and the ground will probably be a pea-sized stone, which will not pack down, hard and give a measure of flexibility.

Mr. Behrens stated that he will return with a final Site Plan Review Application for the August 19, 2008 meeting.

**CASE: 2008-015: Conceptual Lot Line Adjustment – Michael O'Donnell – Winding Brook Road – Tax Map/Lot 035-393-323 and 035-402-378**

Mr. O'Donnell explained that he and his wife own lot #25 with 2.5 ac. at the Mountainside Subdivision off Winding Brook Road. His house is built less than 15 ft. from the abutting property line. The abutting property, lot 31 with 2.7 ac. is now up for sale, and he would like to buy it for protection and privacy. He commented that as far as he can tell, he has several choices. One, purchase Lot 31 and leave it as is; two, purchase Lot 31 and apply for a boundary line adjustment to move the boundary line farther away from his house; or three, purchase the lot and combine the lots to create one house lot of 5.2 acres.

Mr. Weiler advised Mr. O'Donnell, that a lot line adjustment would be acceptable as long as Lot 31 maintained a minimum of 2 acres, taking into consideration the one-acre requirement for building envelope and allowance for steep slopes and wetlands. A

surveyor would need to be hired to survey and prepare a mylar for recording with the new property line sited and the before and after acreage of each lot shown. After which, a public hearing would be required. Combining the lots could be done without a surveyor by filling out a Merger of Two Lots of Record form. The Planning Board Chair would then sign the form, and the form would be recorded at the Merrimack County Registry of Deeds. Additionally, the taxes on one lot, even though it is larger, is less per acre than two smaller lots because of the inherent value of a building lot, not matter what size.

Mr. O'Donnell asked the Board if the perk test results are kept on file at the Town Office.

Mr. McWilliams advised Mr. O'Donnell that perk tests expire after a certain amount of time and are required to be redone by the State.

Mr. O'Donnell surmised that it has been over 20 years since the lots were subdivided, so more than likely new perk tests would have to be performed if a lot line adjustment was proposed. He thanked the Board for their input and said after giving the issue some thought, he may be back in touch in the near future.

**CASE: 2008-013: Conceptual Site Plan Review – Baker Hill Golf Course – Richard Chase, Agent – Baker Hill Road – Tax Map/Lot 027-038-501.**

Dick Chase, Agent for Baker Hill Golf Course, Rick Flint from Old Hampshire Designs and Bob Turcotte, Course Manager were present to discuss expansions and improvements of specific areas at the Baker Hill Golf Course. Mr. Chase explained that now that the golf course membership is at full capacity, more space is needed in the Club House, locker rooms and cart storage building. There is also some maintenance needed involving grading at the 16<sup>th</sup> hole.

Mr. Turcotte addressed the maintenance at the **16<sup>th</sup> hole**. He explained that the 16<sup>th</sup> hole was supposed to be 12 ft. lower than what it was actually built. The pond along the green was supposed to extend along the entire length of the hole. But, in the course of construction, the contractors hit ledge. During the construction stages, efforts were made to button things up as quickly as possible, so the pond was built only about half the length planned. There is an existing elevation change of 29 ft. from the fairway to the pond. There are tall grasses along the edge of the pond that are not conducive to good golf playability. The original tee box was a great big one shaped box. The pond was supposed to come right up to the tee box, which was supposed to be rectangular in shape. The current tee box is too low to see the water hazard.

Mr. Turcotte explained that what they would like to do is to improve the playability of the 16<sup>th</sup> hole by elevating the tee about 3 ft. to 4 ft., grade the area ahead so the players can see into the pond, grade the slope going toward the pond and lower the fairway. Consideration is also being given to placing a ready-rock wall at the edge of the pond to ease the grading so the slope is more playable and maintainable. There will be

professional engineering specifications prepared which will address erosion control to protect wet areas.

Mr. Chase asked the Board if the alterations as described by Mr. Turcotte would be considered maintenance or an amendment to the site plan, which would require a hearing.

Mr. McWilliams advised Mr. Chase that if the slope is over 15% and 1,000 sq. ft., they would have to comply with Article 21 of the Zoning Regulations, which is permitted by the Board of Selectmen.

Mr. Weiler asked Mr. Turcotte why this hole was not built to plan.

Mr. Turcotte explained that when the conditions made the plans impossible to follow, the Baker Hill representatives returned to the Planning Board in 1999 for approval of the changes.

Mr. Powell asked Mr. Turcotte what the elevations were from the pond to the fairway.

Mr. Turcotte stated that the pond is at 1,255, the NE side of the pond is 1,273, the SE side of pond is 1,260, the N side of the pond is 1,276 and W side of the pond is 1,257. He assured the Board that the bulk of the disturbed area would be sodded immediately after grading.

The sense of the Board was that the alterations described by Mr. Turcotte are maintenance activities and can be completed without a public hearing to amend the site plan. The Board requested a complete copy of the plan, which shows the alterations to the 16<sup>th</sup> hole for Town records.

Mr. Flint presented a proposed plan of the overall **entrance and parking area** for the Baker Hill Golf Course. He explained that the existing parking area is an open space, gravel surface and no parking delineations. The Baker Hill Golf Club would like to receive approval from the Board to alter the existing parking area, which would involve organizing the area and planting some vegetation to dress it up and create a buffer between the parking area and Baker Hill Road. Also included in the parking area plan is an extension to access the back of the buildings to accommodate deliveries and unforeseen emergencies. This access will make the traffic flow safer because it will be clearer to drivers where to park or not park. The surface will remain stone since it does not create a problem with storm water runoff. Porous pavement is not an option because there is ledge under the parking area.

Mr. Chase explained that now that the club membership is at full capacity the **clubhouse** is too small to accommodate club functions. He explained that they would like to add onto the existing clubhouse in order to create a lounge for the 19<sup>th</sup> hole and increase the size of the kitchen.

Mr. Flint presented a sketch of the proposed new clubhouse, which included elevations. He explained that they would be keeping with the current design. These changes would not be a total remake of the building, nor would they be a change of use.

Mr. Chase advised the Board that after discussions among the Club's Board of Directors, it was decided not to have trucks driving down to the clubhouse for deliveries. The delivery trucks will remain up in the parking area and the cargo will be brought down in smaller vehicles or golf carts.

Mr. Flint presented a sketch plan of the proposed cart barn, which would be attached to the same building as the Pro Shop and new locker rooms. In addition to locker rooms, office space and a conference room is also proposed. The building plans are simple and spacious. The uses in the building are staggered and designed to keep the same rural character as what currently exists. The staggering also prevents having one large, long square box-like building. The **cart barn** section of the building would be moved back from the road, but not too far that it would block the view of people in the Pro Shop and create a safety hazard. This will require moving the tee for the 1<sup>st</sup> hole about 30 ft. Currently there are 56 carts on 2 levels, but more are needed especially when there are tournaments and busy golfing days. Additional **locker room** space is proposed next to the Pro Shop. Currently, the locker rooms are in the basement of the clubhouse, which is inconvenient for golfers going on and coming off the course. People end up changing their shoes in the parking area.

Mr. Weiler asked Mr. Chase what timeframe he expecting to follow.

Mr. Chase stated that the plans have had a favorable response from the Board members and the general membership of the Club, but a formal vote has not yet been taken. He commented that probably within the next month to six weeks a formal vote will be taken and he can then contact the Planning Board about setting up a site plan review hearing.

Mr. McWilliams advised the Board that he sees two issues with the presentation that need careful attention. The first is that since a new exit/entrance is proposed, the Board needs to make sure there is adequate site distance to maintain safety. Also, the Highway Administrator and the Fire Chief will have to be agreeable to the changes from the safety issues under their departments. Secondly, removal of the existing cart barn is good, but the new cart barn will be added onto an existing building and will only be 15 ft. back from Baker Hill Road. A variance from the Zoning Board of Adjustment for new construction within the 30 ft. road setback will be needed.

The Board discussed the different venues in which the Zoning Board of Adjustment hears an application.

Mr. Weiler advised Mr. Chase that they could either move the cart barn addition back 30 ft. from Baker Hill Road or apply to the Zoning Board of Adjustment for a variance on the Planning Boards referral.

Mr. Chase asked the Board if all three items discussed need to be addressed by Site Plan Review.

Mr. McWilliams advised Mr. Chase that the parking area needs to be addressed by Site Plan Review because there is a change in traffic flow; the clubhouse needs to be addressed because there is over 500 sq. ft. of floor space added; and the cart barn needs to be addressed because it is re-locating an existing use on the site and may have over 500 sq. ft. of floor spaced added to the building.

Mr. Weiler advised Mr. Chase that they could apply for all three projects at once or apply for them separately at different times in order to not run out of time on the approval. Work needs to commence within 6 months of the approval and completed within 1 year of commencing. The Board may give a 6-month extension at its discretion.

Mr. Chase commented that they would like to get it all done simultaneously to be less invasive to the club members.

Mr. McWilliams commented that their next step is to apply to the Zoning Board of Adjustment for a variance for construction of the cart barn within the 30 ft. setback to Baker Hill Road. He advised Mr. Chase that he may want to review the plans with the Building Inspector to make sure he sees no red flags before a lot of time and expense goes into planning and engineering.

Mr. Weiler advised Mr. Chase that he needs to follow Article 16.7 of the Zoning Ordinance.

Mr. Dezotell made a motion to adjourn. Mr. Geddes seconded the motion. All in favor.

Meeting adjourned at 10:00 p.m.

Respectfully submitted,

Linda Plunkett  
Recording Secretary