

TOWN OF TUFTONBORO
PLANNING BOARD
February 21, 2019
MINUTES

Members Present: Matt Young, Chairman, Tony Triolo, Vice-Chairman, Bill Marcussen, Selectmen's Representative, Jack Parsons, Member.

Members Absent: John Cameron, Kate Nesbit, Laureen Hadley, Members, Russ Steensma, Alternate.

Staff Present: Lee Ann Hendrickson, Administrative Secretary.

Chairman Young opened the meeting at 7:00 PM.

I. Public Comment

None.

II. Consideration of Minutes

January 31, 2019

It was moved by Jack Parsons and seconded by Matt Young to approve the January 31, 2019 Tuftonboro Planning Board minutes as submitted. Matt Young, Tony Triolo, Jack Parsons voted in favor. Bill Marcussen abstained. The motion passed.

III. Scheduled Appointments/Public Hearings

a. **Fenton Varney**

Site Plan Review for Excavation Operation

Tax Map #3-1-24

Matt Young reviewed the history relative to permitting excavation operations in the Town of Tuftonboro.

Bill Marcussen stated two years ago a change to zoning was on the ballot to bring the Town into compliance and allow for existing operations to operate for an additional two years without site plan approval (until March 2019).

Fenton Varney clarified the site plan approval process relates to existing pits.

Member of the public asked which lot in Mountain Shadows is Mr. Varney asking to permit as a pit.

Bill Marcussen stated the property is adjacent to Mountain Shadows.

Fenton Varney stated the pit is pre-existing; noting such has been there for 13 years.

Matt Young stated the application is documenting the existing excavation area; noting the application is complete.

It was moved by Bill Marcussen and seconded by Tony Triolo to accept jurisdiction of the application. All members voted in favor. The motion passed.

Fenton Varney reviewed the site plan and surrounding area and Google Earth overlay. He stated the area of excavation is 1.5 acres (66,000SF). He stated he has no intent to expand the operation.

Matt Young asked if there are any restrictions or covenants on the road to prevent the applicant from using the road to access the pit.

Fenton Varney replied no; noting he has fee simple roads.

Bill Marcussen asked if the area is open now.

Fenton Varney replied yes and noted he would stake out the limits of the operation after snow melt. He requested conditional approval.

Matt Young stated the State requires that the high water table be determined (elevations needed) and noted that he and Jack Parsons would walk the property with the applicant to blaze the trees and denote the confines of the area.

Chairman Young opened the public hearing.

Mike Jarvis, stated his daughter, Jillian Jarvis (who is an immediate abutter at 43 Mountain Shadows) was not notified. He stated she changed her address at the Town Offices in December. He stated she has issues that she'd like to voice but, couldn't attend the meeting.

Matt Young stated the Board would check for compliance to see if she legally received proper notice. He stated if a person cannot attend a meeting that they can submit a letter to the Board.

Fred Gurney, 2 Lyndsay Lane, stated the area is becoming more and more a residential community. He noted he is not speaking on behalf of the Board and stated there is no need for a commercial operation.

James Pizzano, 9 Partridgeberry Circle, asked how many trucks would be going in and out and who would be hauling fill in and out.

Fenton Varney stated it is not a commercial pit.

Matt Young stated there is not a large reserve which does not trigger an increase to what Mr. Varney is currently doing.

James Pizzano stated he wouldn't have bought if he knew of the operation.

Fenton Varney stated he is not requesting a sandpit and noted the application is only for a site plan review of a pre-existing pit. He stated the most sand he can excavate is a little over an acre; noting the operation is not changing. He stated it's a matter of putting it on paper that it's an existing condition.

Matt Young noted the approval would be more restrictive.

Fenton Varney stated it limits the excavation area.

Mary Jarvis asked the intention of the application other than putting it on the books.

Fenton Varney replied nothing.

Mary Jarvis questioned the intention for the remaining sand and asked if it could be used for road improvements.

Fenton Varney stated it is washed sand with no binder in it. He asked Mike Jarvis how many times/week does his 10-wheeler do in and out of the development.

Mike Jarvis replied 2-3 times per week. He asked when Mr. Varney would start reclaiming the pit.

Jack Parsons replied two years after final use of the pit.

Mike Jarvis asked if the application was given to the Conservation Commission.

Michael Fairchild, 4 Partridgeberry Circle, stated he didn't receive notice of the hearing.

Jack Parsons stated because he is not a direct abutter.

Matt Young requested the Board continue the application to determine whether legal notice was provided to the abutters.

It was moved by Bill Marcussen and seconded by Tony Triolo to continue the Fenton Varney Site Plan Review application and public hearing, Tax Map #3-1-24, to March 21, 2019. All members voted in favor. The motion passed.

YMCA Camp Belknap

Site Plan Review; Construct Staff Housing & Barn

Tax Map #40-3-34

Matt Young noted the application is complete.

It was moved by Jack Parsons and seconded by Bill Marcussen to accept jurisdiction of the application. All members voted in favor. The motion passed.

Matt Young stated he reviewed the application; questioning the conservation easement noted on the plan.

Seth Kessels, YMCA Camp Belknap, stated the Society for the Protection of NH Forests holds a conservation easement on the property. He stated the organization reviewed and approved Camp Belknap's Master Plan which included this project.

Bill Marcussen asked if there is documentation of such.

Seth Kessels replied yes. He stated the wetlands crossing has been completed and approved.

Matt Young asked if the tanks noted on the plan are underground.

Seth Kessels replied no. He reviewed the project noting there would be a driveway to access a year round home (2,000 SF) that would tie-into the new wastewater treatment facility and the construction of a barn (heated facility) that includes a small office, camp store and bathroom. He stated the barn would be used to chip and store wood, vehicle repair and carpentry projects (bunk beds, screens, etc.).

Matt Young questioned the changing of fluids on the vehicles.

Seth Kessels replied no, only repair of the plows for the pick-up truck and 1-ton truck.

Jack Parsons questioned outdoor lighting.

Seth Kessels stated there will be an awning on the front of the facilities barn and a traditional porch light on the house.

Matt Young questioned access.

Seth Kessels replied Chase Point Road; noting the old driveway (off of Route 109) will be closed with plantings.

Chairman Young opened the public hearing.

Bill Marcussen asked when the new septic system would be operational.

Seth Kessels replied fall 2019; noting there would be a cross-over during the summer months.

Matt Young noted the following documents are needed;

- Copy of conservation easement
- Letter from the Society for the Protection of NH Forests approving Camp Belknap's Master Plan
- Drainage plans
- Copy of Town of Tuftonboro Driveway Permit
- Revise plan to include a signature block
- Provide explanation of double wall containment tanks

It was moved by Tony Triolo and seconded by Bill Marcussen to continue the YMCA Camp Belknap Site Plan Review application and public hearing to March 7, 2019. All members voted in favor. The motion passed.

Mary Jane Sargent

Fred & Eunice Sargent

Site Plan Review; Excavation Operation

Tax Map #32-2-4, 32-2-6, 32-2-12

Pre-application Discussion

Matt Young asked Mary Jane Sargent and Fred Sargent if Richard Casella is authorized to speak on their behalf.

Fred Sargent replied yes.

Mary Jane Sargent replied yes.

Richard Casella stated he is using the perimeter subdivision plan as a base for the Site Plan for the excavation operation.

Matt Young stated the plan could be used if he has permission from the person who prepared the plan.

Bryan Berlind stated that if there is a seal on the plan the applicant would have to notice the preparer of the plan.

Matt Young stated a surveyed plan is not required.

Richard Casella reviewed the existing conditions of the sites. He noted Google Earth only goes back to 1999.

The Board requested the following information be submitted;

- Note on the plan that it has been amended
- Letter of Authorization
- General plan/proposal as to how the slope would be treated
- 11x17 of Google Earth photographs

- Include use of area and materials on the plan

Bryan Berlind questioned an excavation permit.

Jack Parsons stated that once the site plan is approved that an Excavation Permit would be issued.

Matt Young stated site plan approval allows the Town to issue the Excavation Permit.

IV. Action Items

Kevin Beckett

Tax Map #38-1-60 and #38-1-78

Jack Parsons noted he reviewed the survey plan and there are no issues.

It was moved by Jack Parsons and seconded by Matt Young to approve the Kevin Beckett Lot Merger, Tax Map #38-1-60 and Tax Map #38-1-78

V. Discussion Items

a. Recommendation to BOS for Appointment of Alternate; Gary Qua

Matt Young stated he spoke with Gary Qua; noting Mr. Qua is interested in becoming an alternate member of the Board. He recommended endorsing Mr. Qua to the BOS.

The Board agreed.

VI. Informational Items

N/A

VII. Other Business

N/A

VIII. Public Comment

Guy Pike asked if the Planning Board has spoken to Counsel regarding the Town of Wolfeboro's use of the property that was purchased from Tuftonboro; noting there is a big issue with cyanobacteria and that it can flourish at half the legal level.

Matt Young stated municipalities are exempt from zoning within their own town. That being said, the property is not in their town (referring to the Town of Wolfeboro) and it is my belief it would be subject to Tuftonboro zoning. He stated if the BOS would like to file a Right To Know request he would recommend they contact a land use attorney.

Bill Marcussen stated there has been some discussion with counsel.

Jack Parsons stated cyanobacteria doesn't always bloom and could be present.

It was moved by Tony Triolo and seconded by Bill Marcussen to adjourn the February 21, 2019 Tuftonboro Planning Board meeting. All members voted in favor.

There being no further business before the Board, the meeting adjourned at 8:24 PM.

Respectfully Submitted,

Lee Ann Hendrickson

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