

**TOWN OF TUFTONBORO
PLANNING BOARD
June 18, 2020
MINUTES**

Members Present: Roll call: Matt Young, Chairman – yes (acknowledged there is someone present with him), Tony Triolo, Vice-Chairman – yes (acknowledged there is someone present with him), Bill Marcussen, Selectmen’s Representative - yes (acknowledged there is someone present with him), Gary Qua – yes (acknowledged there is someone present with him), Kate Nesbit – yes (acknowledged there is no one present with her), Laureen Hadley – yes (acknowledged there is no one present with her), Carol Bush - yes (acknowledged there is someone present with her), Members, George Maidof, Alternate - yes (acknowledged there is someone present with him).

Staff Present: Lee Ann Hendrickson, Administrative Secretary.

Chairman Young opened the virtual meeting at 7:05 PM.

Matt Young read the following preamble to the meeting:

As Chair of the Planning Board, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor’s Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor’s Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

- a) *Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:*

We are utilizing Open Voice for this electronic meeting. All members of the Planning Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone #:409-231-183.

- b) *Providing public notice of the necessary information for accessing the meeting:*

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting telephonically.

- c) *Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:*

If anybody has a problem, please call 603.486.2692 or email at: hendrickson.leeann@gmail.com.

- d) *Adjourning the meeting if the public is unable to access the meeting:*

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

I. Public Comment

None.

II. Consideration of Minutes

May 21, 2020

Correction: Page 5, Farm Pond Subdivision/AI Greymont, 1st paragraph; add the following to the end of the paragraph “Staff will inform Mr. Greymont of such.”

It was moved by Tony Triolo and seconded by Gary Qua to approve the May 21, 2020 Tuftonboro Planning Board minutes as submitted. Roll Call vote: Matt Young – yes, Tony Triolo – yes, Bill Marcussen – yes, Kate

Nesbit – yes, Laureen Hadley – yes, Gary Qua – yes, Carol Bush – yes, George Maidhof - yes. The motion passed (8-0).

III. Scheduled Appointments/Public Hearings

YMCA Camp Belknap

Tax Map #39-1-13, Chase Point Road

Site Plan Review; Air Rifle Range, Bath House & Relocation of 2 Staff Houses

Formal Submission/Public Hearing

Matt Young reviewed the Site Plan Review process and stated the application has been deemed complete.

It was moved by Gary Qua and seconded by Tony Triolo to accept jurisdiction of the application. Roll Call vote: Matt Young – yes, Tony Triolo – yes, Bill Marcussen – yes, Kate Nesbit – yes, Laureen Hadley – yes, Gary Qua – yes, Carol Bush – yes, George Maidhof - yes. The motion passed (8-0).

Matt Young asked Seth Kassels to review the proposed project.

Seth Kassels provided an overview of the proposal and noted the project is located on the western side of the site. He stated the project includes the relocation of two staff cabins internal to the camp to the periphery with optionality for future expansion. He stated water would be drawn from the existing well on the property and the new staff houses would have a new septic system approved by the State.

Randy Owen asked that Mr. Kassels start over because he has not heard anything clear.

Matt Young stated Mr. Kassels would be coming into the building and begin his presentation again (Seth Kassels had called into the meeting while sitting in his vehicle outside the building).

Randy Owen stated he would object to Seth being able to come into the building and he and others not being able to. He stated such is not reasonable or fair.

Seth Kassels repeated his statements made previously. He stated a small bath house is proposed to add more bath facilities closer to camp programs. He stated the air rifle range is currently located in the center of camp and is a .22 rifle range however, proposes an air rifle range. He stated the air rifle range is designed to meet code per the American Camping Association and the Civilian Marksmanship Program. He noted he submitted today the trajectory study, Air Gun Shooting Sports Safety Guide, specifications and schematic for the range. He stated per the American Camping Association there will be a flagged perimeter around the range.

Randy Owen asked what tax map is being discussed.

Matt Young stated it is not the public hearing.

Randy Owen stated the wrong tax map is being discussed. He stated the whole meeting is about the wrong tax map.

Seth Kassels stated a trajectory study was analyzed and reviewed such. He stated the closest house and property from the range is 770 feet. He stated there is no change in population relative to the additional housing proposed. Rather, he stated the housing accommodates situations where staff get married; noting there have been 3 staff that have gotten married in the last three years and the housing will allow for housing the staff onsite.

Matt Young confirmed there will not be an increase in the number of campers.

Seth Kassels stated there is no additional campers or camper beds proposed rather, only the relocation of camp programs out of the central part of the camp. He stated the camp underwent a risk management

study; noting it was determined that for both the camp and abutters it would be safer to go from a .22 rifle range to an air rifle range. He stated it is a matter of safety and the range is being moved further from the property line.

Matt Young questioned the location of the existing .22 rifle range on the property.

Referencing the Camp Belknap West Camp Improvements plan cover sheet, Plan T-100, Seth Kassels stated the existing location of the range is between the letters "N" and "A" of "Camp Belknap" on the map. He noted the existing range is directed toward Winnishores Road. He stated the range has been in that location for almost one hundred years.

Matt Young asked the proximity of the range to the closest residential property.

Seth Kassels replied 100 yards max. He stated it is located 200 feet from the Adams property and 300 feet to the Winnishores property. He stated there has not been any incidents to date that have occurred in the existing location.

Referencing the proposed location of the range, Gary Qua questioned the distance to the nearest residence.

Seth Kassels replied 770 feet to the closest property line; noting there is an additional 30-50 feet to the residence.

Bill Marcussen asked Mr. Kassels to speak to the difference between the noises of a .22 rifle versus an air rifle.

Seth Kassels stated the noise is extremely less with an air rifle because there is no gun powder rather, it is a BB pellet. He stated the pellet is 7.4 gram projectile; noting the noise is a ping rather than an explosion from a .22 rifle.

Gary Qua questioned the difference between the existing and proposed rifle range other than the installation of walls. He asked if the proposed rifle range structure is better sound proofed. He asked if the distance for shooting is 40'.

Seth Kassels stated the distance is the same. He stated the proposed range has a curtain rather than the existing metal back where the pellet hits; noting the noise from such would be quieter.

Matt Young stated a .22 is anywhere from 900-1200 feet per second and shoots a 40 gram projectile versus a 500 feet per second and 7 gram projectile. He noted the noise of an air rifle is considerably less than a .22 rifle.

Seth Kassels stated he spoke to the closest resident; noting there was no objection to the proposal.

Matt Young stated the proposed range is substantially further away from abutters and noted a 7 gram pellet is much safer.

Seth Kassels stated safety is the Camp's focus and such is the reason for the proposed air rifle range. He stated the Camp no longer wants .22 rifles on the property and believes in teaching gun safety without risk.

Matt Young questioned which lot the proposal addresses.

Seth Kassels stated Camp Belknap owns several lots; noting the property is the former Shore Acres lot which consists of 60-75 acres.

Matt Young stated the use of the property is clearly being used as a camp and confirmed the property and area was previously used as a camp also.

Seth Kassels stated the prior to the installation of the leach field the area was used for games. He stated in the area that trees were cleared for the leach field is the location of the air rifle range. He stated the former Whitten home was on the property and burnt down in the 1920's or 1930's; noting the cleared area where the home sat is used for lumber storage and machinery equipment for the last 25+ years.

Matt Young asked how long the property has been used as a camp.

Seth Kassels replied since Camp Belknap purchased the property in the late 1960's.

Matt Young confirmed the camp has been in existence prior to 1972.

Seth Kassels stated previously to Camp Belknap purchasing the property the lot was used as a campground (Shore Acres).

Matt Young confirmed the proposed use is consistent with past use and predates zoning in the Town of Tufonboro.

Gary Qua verified the proposal includes the relocation of two buildings and the construction of a bathhouse. He questioned the number of bedrooms in the buildings.

Seth Kassels stated new staff houses will contain bathrooms. He stated one of the existing staff houses is an open room that houses 8 people however, will be renovated to include a bathroom and will house four people. He stated he has spoken to the Codes Officer regarding such.

Matt Young confirmed one of the staff houses will be rebuilt. He confirmed the houses will be used by staff/employees with families and that the two additional buildings to be constructed in the future is for a similar use.

Seth Kassels provided examples of camper and staff housing.

Matt Young verified the septic upgrade has the capacity to cover future buildings.

Gary Qua stated the capacity of the system is for an additional 26 people.

Seth Kassels noted a new wastewater treatment plant was also installed which was overbuilt. He stated the capacity for an additional 26 people will not be exceeded.

Sean Malone, Oak Consulting Group, stated the leach field that was installed had an additional capacity of 1,560 gallons which equates to 26 persons at 60 gallons per day. He stated there is ample room and capacity in the system to accommodate the proposal.

Matt Young asked how the construction of an additional bathhouse will affect the capacity of the system.

Seth Kassels stated there remains a capacity of eight additional beds beyond the proposed relocation and renovated staff houses and bathhouse. He stated the bathhouse will be used for campers who are participating in a program nearby; noting it is not a primary facility that will be used for showering.

Matt Young confirmed that the four proposed structures is for staff housing and not campers. He stated a gravel parking area to service the houses is proposed and asked how the number of parking spaces needed were determined and how the parking calculations comply with the Site Plan Review Regulations.

Sean Malone stated nine 9'x18' parking spaces are proposed. He stated the spaces would serve the proposed and future staff housing. He stated the use is a camp and therefore, wanted to minimize the amount of driveway width, gravel and disturbance and proposed a 14' drive aisle; noting such is smaller than a typical commercial parking area.

Matt Young stated the regulations require two parking spaces per residential dwelling which would require eight parking spaces. He asked if the proposed parking is servicing any other use and requested assurance that the parking meets the square footage for the parking spaces that are required to service four residential units. He stated the square footage is not delineated on the plan.

Sean Malone stated the parking spaces are proposed to be 9'x18' and the driveway is proposed to be 14' wide.

Matt Young requested the parking be delineated on the plan. He stated he has visited the site and noted that quite a bit of impervious surface is being added; noting he doesn't see any stormwater treatment for the gravel parking area on the plans.

Sean Malone stated that currently the area consists of exposed areas of gravel and soil; noting trees will not be removed to accommodate for the parking area. He stated the parking area will sheet off to the south and noted there is 150'-200' of a wooded forest buffer that would filter any potential pollutants. He stated the stormwater treatment is a natural treatment.

Matt Young confirmed there have been no provisions made for stormwater.

Sean Malone stated stone drip strips around the building roofs is proposed to protect against erosion around the building; noting such is not specific to the plans.

Matt Young stated the applicant will either need a waiver for the parking lot drainage or, a drainage system for the parking lot will have to be presented (vegetative swales, stone, etc.). He stated calculations will be required to show that runoff from the parking area is taken care of. He questioned exterior lighting.

Ben Herter, DSK Architects, stated Camp Belknap is compliant with the American Camp Association's regulations for lighting at the Air Rifle Range; noting even light across the range is required. He further explained the lighting; noting such would be full cut-off lighting. He stated there is a single exterior light at the porch area of the staff houses and a single light underneath the overhang of the bathhouse by the drinking fountains. He noted minimal interior lighting.

Bill Marcussen asked if the lighting is dark sky compliant.

Ben Herter stated the lighting underneath the overhangs will be dark sky compliant however, there are no current specifications for the lights at the firing range. He stated lighting that would have a cut off to be dark sky compliant could be considered for the latter.

Bill Marcussen asked if lighting the range is an anticipation of use after dark.

Seth Kassels replied no and stated that lights are required during the day if shooting activity occurs.

Bill Marcussen confirmed the lighting is fill-in light during daytime hours.

Matt Young confirmed Camp Belknap is not intending to extend its hours of operation by lighting the range.

Seth Kassels stated between the hours of 7 pm- 8:30 pm during the summer natural lighting changes (additional lighting may be required in the month of August) and assured the Board there is no change of use proposed. He noted the tennis courts however, are often used until 10 pm.

Gary Qua confirmed there will be no shooting during the night time hours.

Seth Kassels stated there may be shooting up until 8:30 pm.

Matt Young confirmed there is no change in the hours of the firing range.

Gary Qua questioned the height of the walls of the firing range.

Seth Kassels replied 7'.

Gary Qua confirmed there are interior lights where shooting occurs.

Seth Kassels replied yes, down directed. He stated there is no sky lighting.

Ben Herter stated the lighting on the eve of the roof facing the firing range is also down directed. He stated the lights are mounted low minimizing light spill.

Matt Young reviewed the grade of the staff housing area and confirmed the area would no longer be used to store material.

Bill Marcussen asked if all structures are at grade.

Seth Kassels replied yes.

Ben Herter stated it is a 6'x12' slab on grade; noting the overall roof is 12'x12' however, half of such is a permeable surface.

Matt Young questioned the ground cover around the houses.

Seth Kassels replied wood chips.

Matt Young confirmed underground utilities is proposed.

Seth Kassels stated the electric will be buried; noting such is seasonal in nature therefore the water line may be buried under wood chips. He stated there would not be trip hazards.

Matt Young verified the grade would be restored following the installation of the utilities. He asked if any easements or rights-of-way exist on the road.

Seth Kassels replied no, no one has the right to access the internal drive.

Matt Young asked if any easements or rights-of-way exist on the lot itself.

Seth Kassels stated the Chase Point Road Association has a right-of-way to access homes.

It was moved by Gary Qua and seconded by Tony Triolo to open the public hearing. Roll Call vote: Matt Young – yes, Tony Triolo – yes, Bill Marcussen – yes, Kate Nesbit – yes, Laureen Hadley – yes, Gary Qua – yes, Carol Bush – yes, George Maidhof - yes. The motion passed (8-0).

Matt Young stated the Board received an email from Joe Nelson and proceeded to read the following email; "Message: I am very concerned, as are many of my neighbors, regarding Camp Belknap's plans for various additions and alterations to their property. We have lived with the horrendous odor of their septic system which took over 55 years to rectify, we now live with a noise level that is deafening at times from their addition of a new building within the last 2 years. We enjoy the peace and serenity of the lake and welcome the camp's attendees as we have for many many years but the ever encroaching plans to add, move, alter etc. and the acquisition of Farm Island has caused many safety concerns not only with our boaters but many boaters that have visited our bay for a hundred years to enjoy the wildlife, especially the loons and bald eagle that occupy our islands. The more land we develop leaves less land for our wildlife, and these requests for changes, additions, etc. never seem to stop and it is causing one to think that someday Tuftonboro may not be the best town in NH to

live. It is very unfair to have a virtual meeting that many of the wise and older members of the community cannot participate in and it is unfair to request this at a time when health concerns pre-occupy our lives and many older townspeople are afraid to leave their homes. This request should be postponed until the current health concerns are at a point where it is acceptable to do this in the proper manner. We need to see plans and locations of these requests and it is not possible for us to voice an opinion until that happens. Respectfully yours."

Andrew Schrage, 6 North Chase Point Road, stated the proposal is very unnecessary and causing issues within the quietness and quaintness of the neighborhood. He stated the decibel of air rifle guns are close to 100 decibels. He stated there will be stray shells and could pose a danger to people walking or driving. He stated there are newborns, infants, young children and senior in the community dogs, cats who could be danger or could be injured by a bullet. He stated his wife is an audiologist and ear, nose and throat doctor and talks constantly about the damage that guns can cause not only to those who are shooting the guns but also for those who are in hearing range that do not have the proper ear protection. He stated according to the US Consumer Safety Commission, air guns are responsible for at least four deaths each year in the US and according to the Center for Disease Control and Prevention approximately 30,000 people per year are injured by pellets and BB guns in the US. He stated eye injuries are caused by air rifle guns and can cause severe damage to victims whether it's the campers themselves or the surrounding community. He stated according to the American Academy of Pediatrics 6% of eye injuries result in permanent or partial vision loss or blindness. He stated the pellets can travel at 100-200 miles per hour and even though there is no gun powder they are a deadly weapon and can cause harm to those nearby including the shooter, children who don't have their parents around or a dog that is loose and running around. He stated there is huge potential danger in addition to the noise pollution, light pollution and smoke that affects the community. He stated from a financial perspective the camp reduces property value and all the abutters are affected by such. He stated that although Seth (Kassels) stated they are not trying to increase capacity, that it is exactly what they are doing. He stated the increase in capacity should not be at the expense of the community and recommended seeking off campus housing for their staff. He stated he feels that overall the quiet and quaint nature of Chase Point is being ruined. He noted issues regarding the parking lot and stormwater in addition to sound and light pollution. He stated the Royal College of Pediatrics and Child Health analyzed 41 ocular injuries over a period of ten years; noting more than 40% included teenage boys. He stated four of the victims had to have their eyes enucleated and 40% had a final visual acuity of less than 6 out of 60. He stated fatalities were also described after pellets penetrated the head, neck or chest; 2 deaths from cranial injuries. He stated with guns anything could happen with kids, dogs and cats being on the loose or a bullet could come in the way of a car. He stated it is not a fair request of the private community and feels they have been more than tolerant of the camp.

Gregory Wirth, representing Don McWhirter (property owner of Tax Map 39-1-12), provided his business mailing address and noted he emailed Lee Ann Hendrickson which contains his contact information. He stated the Site Plan Review application pertains to parcel 39-1-13 and in reviewing the plans and supporting documentation for the application it also references parcel 39-1-13. He stated the virtual meeting access information and notice sent out to the public and abutters states the application pertains to parcel 40-2-2. He stated his review of the tax maps indicate that 40-2-2 is Farm Island; noting it is his understanding that Farm Island has nothing to do with this application. Therefore, he stated the notice fails to comply with RSA 676:4 which requires that the location of the proposal be included in the notice, and it is not. He stated Site Plan Review Regulations, Section 4.4.1.B., stated the location of the development be included in the notice and it is not. Therefore, the notice violates statute and Site Plan Review Regulations. He stated Section 4.2.2.B. of the Site Plan Review Regulations require notice to the Bell Family Trust, professionals and the Society for the Protection of NH Forests; noting the latter holds a conservation easement on the property. He stated those individuals were not included in the abutters list and are required to be noticed by statute and therefore the notice is not compliant with either the statute or the regulations. He stated the plans submitted as part of the application are draft and not complete and are not stamped; noting such is contrary to Section 4.3. From a procedural perspective, he stated the notice is contrary to the statute and regulations and the plans attached to the application for the site plan are not complete and therefore, is not compliant with the regulations. He stated Section 1.2.A. of the Site Plan Review Regulations require provision for the safe and attractive development of the site and guard against such conditions as would involve danger or injury to

health, safety, or prosperity by reason of: (subsection 2) adequate protection for the quality of groundwater. He stated supporting documents attached to the application by the applicant show lead associated with both the air rifle and the ammunition. He stated lead is a known contaminant and a threat to the quality of groundwater such would be contrary to the regulations. He stated Section 1.2.A. 3 indicates that provisions must be made to guard against danger or injury to health, safety, or prosperity by reason of: (subsection 3) Undesirable and preventable elements of pollution such as noise, smoke, soot, particulates, or any other discharge into the environment which may prove harmful to persons, structures, or adjacent properties. He stated we have already been discussion at some length the noise and danger from lead, both in violation of Section 1.2.A. He stated the supporting documents provided to the Board by the applicant acknowledged the current problem with noise and acknowledged the problem with noise as proposed. He stated Section 1. 2.H. of the Site Plan Review Regulations requires the inclusion of such provisions as will create conditions favorable for health, safety, convenience and prosperity. He stated both the noise from the air rifles as well as the lead from the ammunition violate Section 1.2.H. He stated page 1 of the Air Rifle Range Overview acknowledges “noise can be a nuisance to nearby programming and sleeping quarters.” He noted such is currently being dealt with on the site; noting they want to move that nuisance to a different quieter portion of the property which will affect more people in a low key residential zone of the Town of Tuftonboro. He stated they are speaking to an Avanti 887 Gold Medalist air rifle; noting such has a California Prop 65 warning associated with that air rifle; noting the warning is for lead. With regard to the information submitted with regard to the ammunition, he stated that also California Prop 65 warning for lead. He stated what they have attached to their application acknowledges the toxicity of what they would like to do in an area that has not been home to a rifle range in the past. He stated Wikipedia states lead toxicity was recognized in the late 19th Century and its use has since been phased out of many applications. However, many countries still allow the sale of product that expose humans to lead including some type of paint and bullet. Lead is a neurotoxin that accumulates in soft tissue and bone and damages the nervous system and interferes with the function of biological enzymes of a neurological disorder that causes brain damage and behavioral problems. He stated the Department of Environmental Protection Agency has indicated that lead “can be toxic to humans and animals causing health defects.” He stated the EPA has gone on to indicate that federal and state regulatory standards have helped to reduce the amount of lead in air, drinking water and soil in occupational settings. He stated the application does not describe a situation in which they are trying to reduce the amount of lead rather, they are going to increase it. According to the CDC, “the most important step parents, doctors and others can take is to prevent lead exposure before it occurs.” He quoted the following from the EPA: “Lead can affect almost every organ in the system in your body.” He stated with respect to children the EPA states the following; “Even small levels of lead in the blood of children can result in behavioral and learning problems, lower IQ and hyperactivity, slowed growth, hearing problems and anemia. In rare cases, ingestion of lead can cause seizures, coma and even death.” He stated the EPA, with respect to adults, state “Lead can be harmful to other adults. Adults exposed to lead can suffer from cardiovascular defects, increase blood pressure, incidents of hypertension, decreased kidney function, and reproductive problems in both men and women.” He stated the NH Department of Environmental Services state “Lead can be poisonous to humans and animals causing health problems from high blood pressure to nervous system disorders.” He stated NHDES has also indicated that “lead rarely occurs naturally in NH’s drinking waters, namely groundwater and surface waters.” He stated what we are talking about here is introducing lead into a portion of the property where it has not been introduced before and it will get into the groundwater and surface water. Referencing Section 3.2.1 of the Site Plan Review Regulations, he stated such requires compliance with other regulations including the Zoning Ordinance. He stated that as this is a special exception in this zone the increase in the use or the expansion of the use or the moving of the use to a different part of the property requires a Special Exception. He stated Section 1.1.4 of the Zoning Ordinance states any accessory use, in this case would be a rifle range, may neither be injurious or detrimental to the neighborhood. He stated the applicant themselves have acknowledged that this is injurious to the neighborhood; noting they have acknowledged the lead factor and that the noise is going to move to a different spot on the property. He stated Section 4.3.3 of the Site Plan Review Regulations require that the proposed plan include information on pollutant discharge, in this case the lead, the estimates of noise generation and a traffic impact analysis. The congestion on the property will increase in addition to moving to another location on the property. He stated Mr. McWhirter, who is an abutter within 700’ of where the rifle range is going to be placed in accordance with this application, currently is affected from the noise of Farm Island which is one quarter mile away. He stated the development proposed in this application is closer to Mr. McWhirter’s property than Farm Island and will be

affected by the movement of the rifle range and increase in noise level. He stated Section 3.4.1 of the Zoning Ordinance indicates that all of the premises is in the Low Density Residential zone; noting the proposed use is not that. He stated it is a permitted use with a Special Exception and the requirements of such should and must be adhered to. He stated Section 5.2 of the Zoning Ordinance prohibits “Nuisances: Any use that may be obnoxious or injurious by reason of production or emission of odor, dust, smoke, refuse matter...”; noting this application addresses such with the lead toxicity. Referencing the septic system, he stated the capacity is for up to forty people; noting it is difficult to imagine that it won’t be used. Therefore, to say there isn’t going to be any increased congestion is not looking at reality. He stated Section 17.8.2 of the Zoning Ordinance addresses Special Exceptions; specifically 17.8.2.A.(2) - No hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials. He stated there are toxic materials with the lead therefore, the application is in violation of Section 17.8.2 of the Zoning Ordinance. He stated the section goes on to state “No detriment to property values in the vicinity or change in the essential characteristics of a residential neighborhood.” He stated today Kathryn Aiken, a realtor and property manager for Keller Williams provided Mr. McWhirter with a statement that the relocation of the gun range adjacent to his parcel will negatively affect his property’s market value. He stated the notice for this hearing is in violation of RSA 676:4 and Section 4.4.1.B. of the Site Plan Review Regulations, the abutter list is incomplete and the septic plans are drafts only. Therefore, he stated the application requires a Special Exception and the presence of lead requires a denial of the Site Plan application. He stated the issue of noise requires a denial of the application and added increased congestion and noise in this low density residential neighborhood will impact the quality of life and property values. He stated lead is environmentally hazardous and dumping or burying materials that are environmentally hazardous violates the conservation easement deed of the Society for the protection of NH Forests that was entered into by YMCA Camp Belknap in 2002. He requested the application to be denied.

Matt Young requested Attorney Wirth to submit his presentation to the Board.

Gregory Wirth stated he would put it in email format and forward it to the Board tomorrow.

Matt Young stated that when there is an issue regarding notification the meetings are null and void and if it is determined that there was an error in the notification process this meeting would be considered null and void.

Referencing the lead and noise, Seth Kassels stated the noise is equivalent to a light duty stapler on a piece of wood. He stated ammunition is not being used rather, pellets are being used. He stated the Society for the Protection of NH Forests is aware of the proposal and has no objection to such.

Staff confirmed there was an error in the notification process.

Gary Qua suggested the Board verify the comments made and seek legal counsel to review the data.

Matt Young stated the application will be re-noticed and scheduled for July 16th.

IV. Discussion Item

Farm Pond Subdivision / Al Greymont; HEB Engineers Field Report

Matt Young noted the Board received a field report from HEB Engineers.

Bill Marcussen noted the road would be accepted as a Town road once it meets Town road specifications. He stated the road may not be accepted this year.

LRPC Master Plan Contract

Bill Marcussen stated he spoke with Jeff Hayes, LRPC, and made the Board’s displeasure known.

Staff informed the Board that she received an email from Jeff Hayes, LRPC, following Bill Marcussen’s conversation with him. She stated Mr. Hayes stated the Board would be receiving a new contract from Susan Slack within the next week (from the email dated June 4th); noting she has yet to receive the contract.

The Board requested Staff contact Justin Pasay for referrals of organizations that could assist with the completion of the Master Plan update.

Mountain Shadows/Fenton Varney

Matt Young stated HEB Engineers was unable to produce a field report for tonight's meeting however, stated they would submit the report by Monday. He stated there are quite a few people who are concerned about the status of the subdivision and work that needs to be done.

V. Other Business

N/A

VI. Public Comment

None.

It was moved by Tony Triolo and seconded by Gary Qua to adjourn the June 18, 2020 Tuftonboro Planning Board meeting. Roll Call vote: Matt Young – yes, Tony Triolo – yes, Bill Marcussen – yes, Kate Nesbit – yes, Laureen Hadley – yes, Gary Qua – yes, Carol Bush – yes, George Maidhof - yes. The motion passed (8-0).

There being no further business before the Board, the meeting adjourned at 8:57 PM.

Respectfully Submitted,

Lee Ann Hendrickson

Lee Ann Hendrickson