

**TOWN OF TUFTONBORO
PLANNING BOARD
July 16, 2020
Tuftonboro Town House & Virtual Access
MINUTES**

Members Present (in-person): Roll call: Matt Young, Chairman – yes, Bill Marcussen, Selectmen’s Representative – yes, Carol Bush, Member – yes, George Maidof, Alternate – yes.

Members Present (virtual): Roll call: Gary Qua – yes (acknowledged there is no one 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).

Member Absent: Tony Triolo, Vice-Chairman, Member.

Staff Present: Lee Ann Hendrickson, Administrative Secretary.

Chairman Young opened the virtual meeting at 7:14 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 GoToMeeting 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 logging onto <https://global.gotomeeting.com/join/136356229>. To listen via telephone call 1-866-899-4679, access code is 136-356-229. Please note that the public will be able to interact during the public input the online service however, will only be able to listen to the meeting via telephone.

- 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.jeeann@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.

It was moved by Bill Marcussen and seconded by Carol Bush to appoint George Maidof, Alternate, to sit in for Tony Triolo, Member. Roll call vote: Matt Young – yes, Laureen Hadley – yes, Kate Nesbit – yes, Gary Qua – yes, Bill Marcussen – yes, Carol Bush – yes, George Maidof – abstain. The motion passed (6-0-1).

I. Public Comment

None.

II. Consideration of Minutes

July 2, 2020

Corrections: Page 2, Stephen W. Allen Revocable Trust of 2000, 4th paragraph; to read as follows; "Matt Young stated there should not be an issue if the road is reclassified however, if it is still a Class VI road, it is not subject to Town Maintenance, subject to gates and bars and any work performed has to meet Town road specs with written permission and the Town has to have a release of liability recorded on the deeds."

It was moved by Carol Bush and seconded by George Maidof to approve the July 2, 2020 Tuftonboro Planning Board minutes as amended. Roll call vote: Matt Young – yes, Laureen Hadley – yes, Kate Nesbit – yes, Gary Qua – yes, Bill Marcussen – abstained, Carol Bush – yes, George Maidof – yes. The motion passed (6-0-1).

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).

Seth Kassels, Camp Belknap, stated he is presenting an application for Site Plan Review for four seasonal cottages, two of which will be relocated to this site, the relocation of an air rifle range (transition of a .22 rifle range to an air rifle range) and the construction of an additional bathhouse. He stated the design and safety protocols are based on the American Camp Association, NRA, Boys Scouts of America and Civilian Marksmanship Program. He stated the location of the projects is 130' from a forested wetland; noting the buffer area will not be disturbed. He stated the property is under a conservation easement with the Society for the Protection of NH Forests; noting the easement holder has no objection to the proposal and has submitted a letter stating such. He stated stormwater conditions and calculations have been provided to the Board, water will be accessed via a well on the property in the near vicinity, electric is new and underground and installed by NH Electric CO-OP and septic is proposed from the new leach system. He stated the current use of the area is an open field and consists of lumber and wood chips. He stated there will not be pole mounted lighting and flood lights will be limited to the range and down directed. He stated the proposed parking spaces exceeds the requirements by two; noting ten 9'x18' spaces are proposed. Referencing the air rifle range, he stated a trajectory study was performed; noting that if there was a misfire it would go through wooded cover and over Chase Point Road which would still be Camp Belknap's property and would pass at a minimum height of 16' above the road. He stated the pellets being used are a lead free pellet and the noise from such will go from 88 decibel (.22 rifle) to 33 decibels (air rifle).

Matt Young asked how long Camp Belknap has owned the property.

Seth Kassels replied 1973.

Matt Young stated he believes zoning came into effect in Tuftonboro in 1974 otherwise the proposal would require a Special Exception; noting the use is a permitted use subject to a Special Exception.

Seth Kassels stated the property has been a camp since 1907.

Matt Young stated that in order for a use to qualify as a nonconforming use it has to exist prior to zoning. He stated nonconforming uses do not generally allow for a substantial increase in use. He asked the applicant to explain how the proposal is not an increase in use and asked if the Camp is increasing its capacity.

Seth Kassels replied no, rather program space is being reallocated. He stated that depending upon the type of project and location of such the Codes Officer deems whether a Special Exception is necessary.

Matt Young confirmed Mr. Kassels reviewed the project with Jack Parsons, Codes Officer, who determined a Special Exception was not required. He asked if Mr. Parsons made an administrative decision.

Seth Kassels replied yes.

Referencing the air rifle range, Matt Young confirmed the Camp is currently using .22 rifles.

Seth Kassels replied yes.

Matt Young requested the applicant to show the current and proposed location of the range on the site plan.

Seth Kassels located such on the plan.

Matt Young questioned the distance to the closest abutter from the proposed location.

Seth Kassels replied Peter Worman, Worman family; noting he spoke with Mr. Worman who stated he is comfortable with the proposal. He noted the closest property is 771' He stated the range points towards Camp Belknap.

Matt Young questioned the distance from the proposed air rifle range to Chase Point Road.

Seth Kassels replied 280' to Chase Point Road and noted 250' of such is a wooded buffer.

Matt Young requested the applicant to review the range layout and the ballistics study on the air rifle range.

Seth Kassels noted the range is designed with safety barriers and a backstop, a gun closet that will be double locked, ammunition placed in a different location and an area for campers to sit. He stated the structure itself is a simple structure with a roof and open end. He stated there would be lighting for the targets. He stated a larger perimeter would be flagged. With reviewed the trajectory study.

Matt Young questioned whether the Camp is increasing the rifle program.

Seth Kassels replied no, there is no increase in staff population; noting the program is run with a ratio of 1(staff):8 (camper); noting such is not changing. He stated the number of participants changes each year based on the popularity of the program.

Matt Young asked Mr. Kassels to describe the pellet rifles.

Seth Kassels referenced the specifications provided to the Board; noting the air rifle is an Avanti 887 Gold Medalist single action air rifle. He explained the sequence of shooting an air rifle pellet; place a pellet in the rifle, close the bolt, release the safety and shoot, then repeat. He stated the rifle cannot shoot multiple rounds or pellets. He stated it is a .177 caliber shooting at 500' per second.

Matt Young questioned the type of rifle currently being used.

Seth Kassels replied a .22 rifle with real ammunition and is significantly faster than 500' per second.

Matt Young confirmed that Camp Belknap is currently using a .22 long rifle. He confirmed a sound study has been conducted; noting currently the decibel level is 88 and with an air rifle it will be 33 decibels.

Seth Kassels referenced the information on page 4 (of 5) of the DSK report (dated July 6, 2020), see attached.

Matt Young questioned the collection of the lead free pellets.

Seth Kassels stated the target sheets would come down and laid down flat; noting there is a collection at the bottom. He stated the sheets would be placed in buckets, sorted safely and removed appropriately for waste disposal. He stated such is the current practice as well.

Matt Young verified there is not a substantial amount of dust from air rifles.

Seth Kassels stated there is no gun powder because it isn't ammunition and the inside of the range will be mowed (grass).

Matt Young verified the proposal includes the construction of an additional bath house.

Seth Kassels stated the structure would consist of an outdoor sink and two water closets. He stated the intent of the bath house is to provide campers a restroom that is closer to the program area. He stated the bath house would be tied into the new/updated septic system and leach field.

Matt Young questioned the capacity of the septic system.

Seth Kassels replied 1260 gallons of excess capacity built into the system.

Sean Malone, Oak Consulting Group, corrected Mr. Kassels and stated there is an extra 1560 gallons of capacity.

Seth Kassels stated the design of the system was based on annual use and noted the bath house is seasonal.

Matt Young verified the bath house will service the rifle range and campers in the area.

Referencing the staff houses, Matt Young verified there are two existing cottages and two proposed for the future; noting the reason for additional staff housing is because some of the existing staff housing is not conducive

Seth Kassels stated the first cottage is 23x18' with a 9'x16' porch and the second cottage is 36'x12' with a 9'x16' porch. He noted the reason for additional staff housing is because some of the existing staff housing is not conducive (some staff currently living in tents).

Matt Young asked Mr. Kassels to explain how such is not considered an increase in use.

Seth Kassels stated it is the reallocation of staffing. He stated the additional staff houses proposed for the future will provide relief of a currently cramped situation. He explained that currently there is a family of 3 living in a one-bedroom attached to the health center.

Matt Young confirmed that Camp Belknap is not increasing its number of staff or campers but rather, accommodating existing staff due to marriage and children.

Carol Bush asked if the proposed rifle range is the same size as the existing range.

Seth Kassels stated the length is the same however, the width is wider. He stated the existing range has four firing spots and the proposed range provides 8 spots however, noted that the staff to camper ration will remain the same at 1:8. He stated the program is a fire at will program.

Matt Young asked if the Camp intends to run more campers through the range.

Seth Kassels replied no. He stated the hope is to provide more time at the range and not rush through it.

Gary Qua stated he met with Seth Kassels on site to review the proposal and better understand the physical characteristics of the property. He stated the existing range sits in a cluster of cottages and lies in front of the basketball court. He noted there has been no previous injuries. He reviewed the trajectory of both the existing site and the proposed site. He stated the noise level will drop immensely going from a .22 to an air rifle. He stated the air rifle is 33 decibel and noted 40 decibel is a quiet library. He stated the proposal is good for the neighborhood and camp and appreciates going to a lead free pellet. He asked Mr. Malone to explain how he interprets the Town's Zoning Ordinance with regard to the issue of nonconforming use. He stated he sees the proposal as changing the use to a different manner and utilizing the same use in a different place.

Suzanne Brunelle, Devine Millimet, representing Camp Belknap, stated the proposal is not an expansion but rather, a reallocation of services and campers into places that are better suited. She stated that if the proposal is looked at as an expansion, there are situations where nonconforming uses could be allowed if the expansion reflects the nature and purpose of the original nonconforming use; noting the proposal does reflect the latter. She stated it is merely exercising a different kind of the same use and it is not different in character, nature or kind and doesn't have a substantial effect on the neighborhood. She stated moving the rifle range shows a better technology that is available now than was available when the shooting range was established. She stated the expansion will not have a substantial effect on the neighborhood. She stated the use is not changing rather, the use is being improved.

Chairman Young opened the public hearing.

Matt Young stated the Board received correspondence relative to the application. He read the following email received from Michael Schrage, dated 6/28/2020; *"New letter from Randy Owen. Translation good riddance to gun range. Thank you Chase Point for taking and permitting these hazardous and deafening ammunition in your backyard. 1200 campers and 300 staff in a Town that has 2300 year round residents, school services and many other Town services. It costs about \$25,000 to educate one pupil for one school year. How much is financial consideration does YMCA, Belknap and Tuftonboro, my guess is zero. Why does the camp permit juveniles to shoot live ammunition in total disregard for neighbors and the Town, noise pollution, light pollution and danger from this so called religious based institution. Perhaps we need 12' walls and armed guards. The camp should immediately drop the gun range using live ammunition and start to pay taxes or for town services. I would suggest a minimum payment of \$300,000 to \$600,000 annually. It is not written in the US Constitution that nonprofits are exempt from property or income tax. Thanks, Michael, Andrew & Benjamin Schrage."*

He stated the Board received two emails from Joe Nelson and due to technical issues he requested Staff to read the emails.

Lee Ann Hendrickson read the following email from Joe Nelson, dated 6/18/2020; *"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, Joseph Nelson.” She read the following email from Joe Nelson, dated 6/24/2020; “Dear Town of Tuftonboro Planning Board Members, In reviewing the email that I submitted to the Planning Board regarding Camp Belknap’s proposed plans to add or alter new areas of development, I would like to add the following: It was unfair to both the Planning Board and Camp Belknap to address my concerns via email. I was misinformed regarding the Camp’s Plans and locations of those plans and it was inconsiderate of me to relay my frustrations and opinions in that manner, especially since I did not have accurate information. Camp Belknap has always addressed any concerns we have had regarding past experiences with their septic system. At great expense to them, the septic issue has been eliminated and we have had no issues since the project was completed. The Camp has also addressed the noise issues that affect one or two residents and has assured us that they have it under control and we have no reason to believe otherwise. To my knowledge, no member of our association has voiced any concern regarding either of these two past issues.

Having camp sailboats in our bay is a much better sight than the cabin cruisers and speedboats that fly by and the camp’s access to Farm Island can only be an educational and exciting venture for their attendees. Consider my prior comments as that of a cranky old man who should have known better. I was a bit upset that I did not know about the planned proposals but was informed that Camp Belknap did, in fact, send a copy to our association and did the proper notification via the local newspaper. We have always enjoyed a good relationship with the Camp and I do not want my initial email misconstrued as a negative or critical commentary, it was not intended that way, it was, as I mentioned earlier, based on inaccurate and misinformation and I do apologize for having come across as angry or critical, it was not the case. Thank you for your understanding, enjoy your day, be well and be safe. Regards, Joe Nelson”

Matt Young stated the Board has received emails from Randy Owen, dated 7/11/2020 and 6/23/2020 that have been placed in the public record. He stated he would not read the emails because he feels they are inappropriate.

Randy Owen referenced the tent platforms and groover system stating he has questions regarding such.

Matt Young stated he is referencing a different application.

Randy Owen questioned the distance from the existing firing range to Winni Shores.

Matt Young provided the site plan to Mr. Owen to review, both a large scale plan and an 11”x17” copy of the plan.

Seth Kassels replied 420’.

Randy Owen reviewed the emails from Joe Nelson; noting Mr. Nelson’s first letter is accurate as to how others in the area feel. He stated Camp Belknap is going from 4 to 8 kids firing. He noted the kids are noisy and he observed such from his property on Farm Island. He asked if the staff at the Camp are drug tested; noting the counselors are smoking marijuana on Farm Island at night. He asked if there is drug testing on counselors at Camp Belknap.

Seth Kassels stated this is not about Camp Belknap’s hiring policy. He stated with regard to drugs and alcohol, Camp Belknap is a dry campus and never have they had staff smoking marijuana on the property. He asked that questions be to the technicalities of the project and noted the project area is 3,000 feet away from Farm Island.

Randy Owen stated it’s about counselors supervising kids with ammunition.

Matt Young recommended Mr. Owen contact the Police Chief if he has concerns regarding the counselors smoking marijuana.

Randy Owen verified the maximum in the firing range would be 16.

Seth Kassels stated the maximum ration is 1:8 and noted that if there are two leaders then there are 16 kids.

Randy Owen questioned the maximum number of kids that will be around Don McWhirter and Michael Schrage's properties at any one time.

Seth Kassels stated there are approximately 300 campers on the property and noted that is the number the Camp will continue to have. He stated the maximum number will be up to 300 campers on the property.

Andrew Schrage, 6 North Chase Point Road, stated that from a sound perspective research is clear that air rifles decibels are around 100 decibels, 70 decibels at fifty yards and understands from the proposal that the decibel levels are estimates therefore, he finds it unlikely that it is going to be in the 30-40 decibel range. He stated guns can cause ear damage not only for those shooting the gun but, for those who are within hearing range and without proper ear protection (people, wild animals and domesticated animals). He stated the range is jarring, disturbing, distracting and takes away from the community and calmness of the area in which they live. He stated according to the US Consumer Safety Commission pellet guns and BB guns are responsible for at least four deaths each year in the US. He stated according to the CDC approximately 3,000 people are injured by pellets and BB guns every year in the US. He stated eye injuries caused by BB guns often cause severe damage. He stated the American Academy of Pediatrics states that at least 66% of eye injuries result in permanent, partial vision loss or blindness. He state the Royal College of Pediatrics and Child Health analyzed 41 ocular injuries from air weapons during a ten year period; noting more than 80% of the injuries were in teenage boys. He stated fatalities have also been noted particularly after pellets have penetrated the head, neck and chest. He stated there were two deaths from penetrated cranial injuries. He expressed concern for the young children in the neighborhood. He stated just three weeks ago a man was shot by a woman with an air rifle and the man was pronounced dead. He stated there are elderly, newborns, infants, kids, animals (dogs, cats, chickens), wild deer, etc. in the neighborhood. He continued to provide examples of how the range is a danger to the surrounding community. He stated an Associate Professor of Surgery and Pediatrics at Ohio State University said that "BB guns of old now act like high powered weapons. They're pressurized and can achieve high velocity." Referencing the nonlead bullets, he stated they are certainly better than lead bullets from an environmental perspective but, it can still take 100+ years to decompose and some will never decompose due to their scientific properties. He stated the noise, smoke, discharge pollution from the gun range will cause a drastic reduction in property values which has been asserted by real estate agents in the community who have looked at the area and where the rifle range will potentially be relocated. People, whether individuals or who have children, do not want an air rifle range for all the reasons he has mentioned. He stated the Town needs to consider its private citizens when making important decisions like this that will not only affect people's safety but also the environment we live in and treasure but also, the financial ramifications we suffer for having an air rifle range so close to our house. He stated it will ruin the quiet quaint nature of Chase Point and the community we have built there. He stated the light pollution from the range at 8:30 pm will be disruptive to those who are trying to sleep at that time or people who are trying to stargaze and will have a negative effect on people's health and enjoyment of the area. He stated he feels we have been very tolerant of the camp, the noise, the sounds coming from the land and the water and do not feel that it is fair to be asked to deal with a larger air rifle range and what will ultimately be a larger population area leading to heavy foot, car and water traffic including the cottages that will hold up to 24 people. He stated there is a lot of pollution, environmentally, sound, that comes from aspects outside of the guns and bullets being shot. He stated people from the current Winni Shores community that surrounds the gun range have stated their issues with the noise, lights and the danger of those guns. Referencing Joe Nelson's two letters, he stated Mr. Nelson took a 180 in his opinion that quickly going from extremely angry to extremely supportive, almost congratulatory of the changes. He stated it shows how painful this rifle range is to the present community and the proposal to move it to a new location doesn't seem to be solving any kind of problem other than having a different group of people to deal with the issues. He stated the proposal from the Camp states "the noise can be a nuisance to nearby camp

programming and sleeping quarters and is very close to Winnishores. The new program will be sited at the periphery of the camp.” He asked if such seems like a logical solution to move what they call a nuisance to their own campers and own instructional programming and to the Winnishores community to a different area that will now have to deal with the nuisance bothering people, animals and the environment. He stated by definition the periphery of the camp will now affect all of those located around that periphery and travel nearby that periphery which is a significant number of homeowners and traffic, not just the abutting properties. He stated he feels a problem is being moved from one location to another location and the issue continue to exist for the community. He stated nothing is actually being solved for the Camp or the surrounding communities that have to deal with it. He stated that if the Camp does have to have the range at all, to leave it where it is and if it needs to be enlarged to keep it in what they call the core of the camp where they can maintain the rules, maintain the safety measures where its least likely there will be stray people and animals coming in from the outside that could be in danger rather than to the periphery where there is a more highly likelihood that people nearby will get injured, will have ear damage or simply will be bothered and not be able to enjoy the community. On top of the reduction of property values that is inevitable from the air rifle range being relocated along with some of the buildings being constructed. He stated they are planning to take down trees and even though they are going to plant some new trees, they are doing a lot of things that are not good from an environmental perspective. He stated they are bringing in 30 cubic yards of material which is a significant amount being brought in to grade the land. He stated he feels this proposal is creating new problems in the community that will have to be fixed in the long run and can be avoided by striking down the proposal. He stated there is a lot of benefit that can come from a camp however, not at the expense of the surrounding community. He stated it is important for the community and camp to coexist and feels the community has supported tolerated them with loudness at night or during the day and crowded waters and he does not feel that the courtesy is being returned with this requests and hopes the Board considers the private community when evaluating unnecessary and in many ways, reckless requests as this one.

Michael Schrage stated he doesn’t understand the strategy of the Camp to have live ammunition around juveniles and in a residential area. He asked the number of years that the Camp has had .22 rifles.

Seth Kassels stated nearing 100 years there has been a marksmanship program. He stated there have been no type of issue with the program; noting Camp Belknap keeps safety at the highest regard but, also feels that gun safety and marksmanship is important.

Michael Schrage questioned the number of camps in the surrounding community that shoot live ammunition.

Matt Young replied four, and all of them shoot live ammunition. He asked Chief Shagoury to comment.

Chief Andrew Shagoury stated he believes Camp Lawrence shoots .22.

Michael Schrage stated there are electric rifles with lasers and doesn’t see why the camp is having juveniles shoot live ammunition in a residential area. He stated air rifles are just as dangerous as a .22.

Andrew Shagoury stated an air rifle is not live ammunition and is not considered a firearm because it doesn’t use pyrotechnics for the projectile. He stated air rifles are considered significantly safer due to the significantly lower speed and shorter distance of the pellet. He reviewed the trajectory of a .22 rifle; noting they can go up to 1.5 miles. He stated the air rifles are far safer in many ways than a .22.

Michael Schrage asked if the air rifles are below or above 3J; noting any that are less than 3J are not considered a weapon.

Seth Kassels stated the air rifle proposed is 500’ per second. He stated the rifles are 6.8 grains.

Gregory Wirth, representing Don McWhirter, stated the Site Plan Review application notes the property we are dealing with is map and parcel #39-1-13 only and the plan and supporting documents also show #39-1-13 only. He stated the Board at its June 18, 2020 meeting found that there was an error in notification and

therefore was void. He stated this is a new hearing on a new application. He stated under RSA 676:4 I, the application has to be filed 21 days before the hearing and noted this application was not and is in violation of the statute. He stated under the Town's regulations the application has to be filed 22 days prior to the hearing and was not and is in violation of the Town's regulations as well as the statute. He stated this is not a hearing about a camp rather, it is a hearing on #39-1-13 only so to the extent that things are being moved from one tax map and lot number to this tax map and lot number is an increase and considered an expansion. He stated the only thing the Board can consider in this application is tax map 39-1-13 only; noting the current rifle range is not on 39-1-13. He stated Section 1.2.A. of the Site Plan Review Regulations indicates that you have to deal with noise and groundwater and noted the new application has changed; noting it now states lead free ammunition which is a positive change to some extent. He stated everything discussed at the previous meeting, which didn't happen, about lead applies to the rifles. He stated the specs associated with the rifles have a Prop 65 warning for lead therefore, the ammunition may not have lead now but the rifles do. He stated he couldn't find the composition of the new ammunition therefore, he questioned whether the composition is toxic if it is aluminum or zinc. He stated there are several references in the application to ear protection; noting the applicant on one hand is saying there is no noise issue however, they are getting everyone ear protection. He stated the applicant admits in their application that noise is a problem; noting that right now the problem is on a different lot. He stated the abutters of 39-1-13 now have to worry about the problem if the Board approves the application. He stated Mr. McWhirter states he can hear the noise on Farm Island; noting Farm Island is 1300' away. He stated the study, so to speak, was not a study; noting the applicant did not go off the property and measure the decibel rather, they estimated things and took approximations. He stated USA Shooting notes that nonlead ammunition is "notoriously inaccurate and dangerous because projectiles with the hardness of steel can ricochet back from the target holder and backstops. There have been several attempts to produce air gun pellets from other materials such as kin but, none are satisfactory substitutes for lead." He stated that while lead is toxic, what it is being replaced with is dangerous. He asked what is wanted, toxic or dangerous. He questioned whether the trajectory included wind and humidity. He stated USA Shooting also stated "Most nonlead pellets are in fact so inherently inaccurate that they cannot be satisfactorily used in the earliest stages of youth targeted shooting." He stated Europe has banned steel shots.

Matt Young stated the ban in Europe applies to shotguns.

With respect to the lead, Gregory Wirth stated the EPA, CDC, NHDES all indicated what it does to humans, kids and the environment and doesn't feel anyone will challenge such. He asked why is there a California Prop 65 warning for lead with respect to the rifle.

Bill Marcussen stated we are not in California.

With respect to parking, Gregory Wirth stated the applicant bases the parking requirements on residential use. He stated if it is a residential use then the application should be reviewed as a residence however, it is not being reviewed as such because it is not a residential use. He stated the parking analysis provided is wrong. He stated Section 3.2.1 of the Site Plan Review Regulations require compliance with other regulations including the Zoning Ordinance. He stated the Zoning Ordinance states that for overnight and day camps a Special Exception is required per Section 3.6. He stated there was a lot of discussion as to whether this is grandfathered. He stated the Master Plan for Tuftonboro states that zoning was enacted in 1971; noting the property in 1971 was a Bed & Breakfast with trailers when the property was sold (people in the trailers were evicted) with not much use of the property until 1983 when the perimeter of the road went in. He stated he has a number of letters regarding such, see attached. He stated the Town's regulations state that after 12 months of continuous nonuse the grandfathered use goes away; noting that a Special Exception is required because the camp is not a Bed & Breakfast. He stated there is no reference to a Special Exception in the application and noted he asked the Town to send any Special Exception they could find and to date, has not received any information. He stated Jeff Hansen submitted a letter stating the property was sold and closed in 1973 and no use was made of it until numerous years after the sale. He stated Steve Hunter confirmed the property was sold in the mid 70's and that he (Mr. Hunter) had purchased the farm house, barn and annex properties and removed them in 1980, 1981 & 1982. He stated Russell Nolin stated he worked at Shore Acres during the summer and his family rented a trailer site prior to it being sold and closed. He stated Mr. Nolin

confirmed the property was sold in 1973 and the property thereafter was dismantled and closed. He stated it is clear the property was operated as a Bed & Breakfast prior to 1973 and between 1973 and 1983 there was nothing. He stated there is no grandfathered use and therefore requires a Special Exception. He stated taking anything from another lot and placing it on this lot constitutes an expansion. 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 a rifle with a steel shot would be both injurious and detrimental. He stated Section 4.3.3 of the Site Plan Review Regulations require that the proposed plan include information on pollutant discharge, the estimates of noise generation and a traffic impact analysis. He stated the noise problem from moving the range from one tax map to another has been discussed. In terms of a traffic impact analysis, he stated he has a packet that he will submit to the Board. He stated what we are talking about is low density residential so anytime noise is being talked about you have to be careful about what is being done. He stated the packet he will submit to the Board includes a letter from Peter Cooperdock (see attached letter) who is a Certified Wetlands and Soils Scientist; noting he has reviewed the septic calculations for stormwater and finds that such are incomplete in order to answer his questions and whether they comply with the regulations and are sufficient for this proposed use. He stated Mr. Cooperdock also cites noise pollution and impact on abutters. He stated he also included two letters, see attached, in the packet from Kathryn Aiken, Dow Realty Group Keller Williams, who indicates that the relocation of the rifle range will affect Mr. McWhirter's property value in a negative context. He stated a second letter from Ellen Fallon, an appraiser, who indicated that the addition of a gun range and expansion of the camp in this area will have a significant detrimental effect on the market value and marketability of the property. He stated the proposal is a nuisance creep. He summarized his previous comments.

Matt Young asked Mr. Wirth if he would be submitting his presentation.

Gregory Wirth stated not before next week.

Don McWhirter stated there is a decibel read out of the noise in the You Tube video; noting the level registered at 5.9. He stated it is a significant amount of noise.

Randy Owen clarified that the 5.9 decibel level relates to the noise of the people and there can be 300 people as reported. He questioned the issue of noise and the need for a Special Exception. He stated being on Farm Island the noise is significant and noted the beach has never been approved.

Gregory Wirth stated the issue of noise is addressed in the Site Plan Review Regulations and Zoning Ordinance therefore, if the applicant hasn't received a Special Exception, which they need, then the issue has never been addressed.

Referencing the plan, Randy Owen asked what two sites are.

Seth Kassels replied a wetland and a beach.

Randy Owen stated the beach is a vernal pool. He stated he went through 6 hearings on Farm Island regarding the issues.

Matt Young recommended that if Mr. Owen feels there is a violation to contact NHDES.

Randy Owen stated it speaks to Mr. Kassels credibility and stated he speaks to one thing and does another.

Seth Kassels asked Mr. Wirth to clarify a section of zoning that addresses the relocation of the range to a different lot. He stated the use is a summer camp that has been operating in its location since 1907 and the Camp is reallocating space.

Gregory Wirth stated the point he was making is that the application applies only to TM #39-1-13.

Seth Kassels stated the air rifle range is being relocated to a different location. He stated the property was acquired for residential camping purposes in 1973 and to his understanding the first zoning regulations did not regulate their type of use and that their type of use was not regulated until sometime later than 1973. Therefore, it is his understanding that the Camp is grandfathered as a pre-existing nonconforming use that predated any applicable zoning ordinance.

Matt Young stated there was an original version of the Zoning Ordinance that was then rewritten around 1986. He stated the question is did the Camp own the property beforehand and predated zoning. He stated there are multiple ways that a nonconforming use can exist; 1. If the use predates zoning, 2. If zoning changes following the establishment of the use (the use existing prior to the zoning change). He stated the question is whether the Camp existed prior to 1973/zoning and whether there was a zoning change following the establishment of the use.

Gregory Wirth stated there is an issue relative to the expansion of use.

Seth Kassels stated there was no specific table of uses requiring Special Exceptions in 1973.

Matt Young stated the issues of zoning and Special Exception needs to be resolved.

Don McWhirter stated per Susan Weeks, zoning came into effect in 1972.

Matt Young stated the date of when zoning was enacted needs to be ascertained, what the zoning stated at the time it was enacted, when did zoning change and when the property was put into use by the Camp.

Don McWhirter stated the information he has states that the Camp didn't initiate any activity on lot 39-1-13 until they built the perimeter road in 1983. He stated ten years was spent dismantling the property therefore, the application needs to seek a Special Exception.

Randy Owen stated the Board and public just learned the meeting wasn't properly noticed.

Matt Young stated such would be researched; noting the Board doesn't know if the meeting wasn't properly noticed.

Carol Bush asked if the rifle could be enclosed and insulated to be sound proof.

Seth Kassels stated he could look into such however, noted that the tennis courts are located in the area and have lights and are played on until 10:30 pm. He stated he has never received a phone call from any neighbor about noise. He stated the kids play music, stick ball and have done so for 30-40 years.

Randy Owen stated the application needs a third party review.

It was moved by Bill Marcussen and seconded by Carol Bush to continue the YMCA Camp Belknap Site Plan Review Application, Tax Map 39-1-13, to August 20, 2020; meeting to be both in-person at the Town House, 247 Middle Road and virtual. Roll Call vote: Matt Young – yes, Bill Marcussen – yes, Kate Nesbit – yes, Laureen Hadley – yes, Gary Qua – yes, Carol Bush – yes, George Maidhof – yes. The motion passed (7-0).

**YMCA Camp Belknap
Tax Map #39-2-11, 12 & 13, Chase Point Road
Site Plan Review; Use of Tent Platforms for Overnight Camping
Formal Submission/Public Hearing**

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

It was moved by Carol Bush and seconded by George Maidhof 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).

Jim Rines, White Mountain Survey & Engineering, Inc., reviewed his letter dated 6/10/20, see attached. He noted the applicant has received a Special Exception for the proposed use.

Seth Kassels, Camp Belknap, stated a part of the property is under a Conservation Easement and provided the Board with a letter of support from the easement holder. He stated the closest abutter is James and Martha Driscoll; noting Mr. & Mrs. Driscoll submitted a letter of support for the proposed use.

Matt Young verified a total capacity of 156 and questioned how supplies would be brought to the site. He asked why Mr. Rines feels there is no parking requirement. He asked how emergency services would service the property.

Seth Kassels stated the materials would be walked in.

Relative to the question of parking, Jim Rines stated the campers are already on site so there is no additional use. He stated the campers are already present on the compound and vehicles are not brought to the site. He stated the campers would be walking across the street to the site therefore, parking isn't required. He stated there is no additional vehicles, staff or campers; noting it is the same population of campers.

Matt Young stated the tent platforms are considered structures therefore, questioned the need for a waiver from the parking requirements.

Jim Rines stated the structure itself doesn't generate parking rather the use generates such and it is a camp use and the use presently exists.

Matt Young recommended the applicant request a written waiver.

Seth Kassels stated in order to use the sites the cabin leaders have to submit a request to the Program Director and Health Center 48 hours in advance. He stated the cabin is briefed by the medical staff and all the staff are provided a radio and night kits. He stated the site is hundreds of yards from the closest road and have been doing the activity for a very long time and is highly supervised and regulated. He stated the Police and Fire Departments are aware of the location of the site.

Matt Young questioned the level of disturbance in the construction of the tent platforms.

Seth Kassels replied very little disturbance; noting a couple trees may be removed and the materials include 8x8 pressure treated wood to build the deck platforms; noting he would work with Jack Parsons regarding filing a permit. He stated the structures are low profile.

Bill Marcussen asked if there will be piers.

Seth Kassels replied no.

Matt Young asked if the setback requirements are met.

Jim Rines replied yes.

Matt Young asked Mr. Kassels to explain how the Camp will use the site.

Seth Kassels stated the concept if to allow for campers to sleep under the stars. He stated there are 30 cabins of campers and depending on the weather and other factors impact the use.

Carol Bush verified the campers sleep at the site one night and then return to their cabin.

Seth Kassels stated the campers could go out longer however, it has to be planned.

Matt Young confirmed it is not an effort to expand the number of campers.

Bill Marcussen asked if actual tents are used.

Seth Kassels stated the Camp does have tents however, tarps will probably be used.

Jim Rines submitted and read the following waiver; "On behalf of YMCA Camp Belknap, we request a waiver from parking requirements in Site Plan Review Regulations for Tax Map #39-2-11, 12 and 13. Rationale is because all campers and staff are present on site and generate no parking need since the campers do not have vehicles on site and walk to this location."

Chairman Young opened the public hearing.

Randy Owen, Farm Island, stated Don McWhirter provided video showing access completely impassable and questioned whether emergency access to the site is satisfied. He stated it is his understanding that the Farm Island application is still under appeal; noting the groover system was discussed in that application. He stated one thing that was supposed to be provided but he has never seen is the procedure for Jack Parsons' monitoring of the system. He submitted and reviewed an article titled "How Much Does Poop Weigh in Your Body." He doesn't believe that a 16 year old will be able to take out 156 lbs. of poop. He stated he also heard that it would be disposed of in a dumpster; noting he called waste management who stated such was preposterous. He asked how often the dumpster is picked up. He asked Mr. Kassels why he is resisting drug testing.

Relative to Mr. Owen's comment relative to the road being impassable, Jim Rines stated such occurs only on change days. Regarding comments relative to waste, he stated each camper is responsible for their own waste. He stated if there is a problem the campers can walk across the street to other facilities.

Seth Kassels demonstrated the Groover system.

Carol Bush stated Tony Triolo asked her to make a statement for him. She stated that Tony Triolo spoke to Jack Parsons and Mr. Parsons stated that an actual traditional privy would be allowed therefore, a groover system may not have to be used.

Matt Young stated NHDES has provisions for an additional outhouse. He stated that while it's possible, it may take away from the experience of camping. He stated the applicant is proposing 4 tent platforms on 100 acres and has received a Special Exception. The question is how to maintain safety and sanitary conditions and whether the proposal meets zoning.

Jim Rines noted the acreage is 127.2.

Seth Kassels noted Camp Belknap is the main abutter and objects to restrictive conditions related to the number of campers sleeping under the stars; noting the use is a low impact use.

Matt Young stated the Board should think about 156 campers without infrastructure seven days per week.

Randy Owen asked if there are other camps that exercise this use.

Seth Kassels replied yes, noting it is a normal camping experience.

Randy Owen questioned the type of wetlands on the property.

Jim Rines reviewed such.

Randy Owen confirmed the tent platforms are not located in wetlands.

Matt Young stated he would request Fire Department sign off, stabilization following construction (with wood chips) and waiver request approval.

It was moved by Carol Bush and seconded by Bill Marcussen to grant a waiver to Section 5.3 (complete drainage study). 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). It was moved by Bill Marcussen and seconded by Carol Bush to grant a waiver to the parking requirement. 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).

Randy Owen asked if this application is also subject to being properly noticed.

Matt Young stated every application is subject to proper notice.

Seth Kassels asked that leaf litter be used to stabilize the site following construction rather than wood chips because staff will only have hand tools to construct the platforms.

Matt Young read a letter from James and Martha Driscoll in support of the application; “Dear Planning Board, This letter is in regards to the proposal by Camp Belknap for their property listed on Tax Map 39, Block 2, Lots 11, 12, 13. We are direct abutters to the property and would like to go on record as being in favor of the proposed use. In our opinion, this use is appropriate and has no negative impact on our property. We have owned our property at 162 Governor Wentworth Highway since 2011 and have found Camp Belknap to be very good neighbors. We are bordered on three sides by Camp Belknap and we appreciate their stewardship of open space. Sincerely, Martha and James Driscoll

Matt Young asked if the Board would like to restrict the number of campers.

Seth Kassels requested flexibility regarding such.

Carol Bush questioned the proximity of the tent platforms from one another.

Jim Rines replied 600 feet, 750 feet and 900’.

Bill Marcussen stated the use is not going to be an everyday activity and expects there would be another site plan review application if it were to change. He stated he doesn’t feel there is a need to put a usage restriction on the application.

George Maidhof questioned the number of counselors.

Seth Kassels stated the ratio is 1:8.

George Maidhof asked if the number of staff is included in the 156 figure.

Seth Kassels replied yes.

Andrew Shagoury asked what would preclude a future camp director to extend/increase the 156 camper/staff figure.

Matt Young stated he would be addressing such in the conditions of approval and recommended the following conditions of approval;

1. The Fire Department shall sign off on the site plan.

2. The capacity shall not be construed as an increase in the overall camper capacity.
3. The applicant shall provide confirmation from NHDES that the proposed Groover system is acceptable as a waste disposal system.
4. The Codes Officer shall sign off on the Groover system for its capacity.

Jim Rines asked if a site plan review application would be required if Jack Parsons determines a second privy is required.

Matt Young replied no, stating such is a reasonable field adjustment.

Seth Kassels asked that such be added to the condition.

Matt Young added to condition #4: Should more privies be required they would be considered as part of the overall application.

5. The applicant shall stabilize the construction area with the placement of wood chips or duff like material.
6. The applicant shall submit a copy of the Emergency Action Plan.
7. This approval is subject to all Federal, State and local permits and any conditions attached thereto including ZBA approval.

It was moved by George Maidhof and seconded by Carol Bush to approve the YMCA Camp Belknap Site Plan Review application, Tax Map #39-2-11, 12 & 13, subject to the recommended conditions of approval. 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).

IV. Discussion Item

N/A

V. Other Business

N/A

VI. Public Comment

None.

It was moved by Gary Qua and seconded by Carol Bush to adjourn the July 16, 2020 Tuftonboro Planning Board meeting. Roll Call vote: Matt Young – yes, Bill Marcussen – yes, Kate Nesbit – yes, Laureen Hadley – yes, Gary Qua – yes, Carol Bush – yes, George Maidhof - yes. The motion passed (7-0).

There being no further business before the Board, the meeting adjourned at 10:23 PM.

Respectfully Submitted,

Lee Ann Hendrickson

Lee Ann Hendrickson



WHITE MOUNTAIN SURVEY & ENGINEERING, INC.

1270 ROUTE 16, POST OFFICE BOX 440

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WEB ADDRESS: www.whitemountainsurvey.com

June 10, 2020

Via Hand Delivery

Matthew Young, Chairman
Town of Tuftonboro Planning Board
240 Middle Road
Center Tuftonboro, NH 03816

Re: Chase Point Road Site Plan Application
Tuftonboro, NH
Tax Map 39, Block 2, Lots 11, 12, 13

Dear Matt and members of the Board:

Enclosed please find what we believe to be a completed Site Plan application package for YMCA Camp Belknap for their property located on Chase Point Road in Tuftonboro.

This application is for approval of the overnight camping experience on tent platforms similar to the experience on Farm Island.

Because the property lies in the Low Density Residential District, overnight camps are permitted by Special Exception and subsequent to this submittal, this office will be filing an application with the Zoning Board of Adjustment for that Special Exception

The camp plans to use their property for remote overnight camping experiences for campers. The campers spend one night on the sites and it is a "leave no trace" experience for the campers. Three of the four different sites have been designed to accommodate a maximum of 36 individuals, including camper and councilors with the fourth location designed to accommodate a maximum of 48 individuals.

This "leave no trace" experience is quite literally that. The campers and councilors handle human waste with the carry out system required by the US Park Service in canyon rafting, sometimes referred to as "the Groover" system. All trash is carried out and disposed of on the mainland. One walled privy will be provided for the three sites that are designed for 36 individuals and the one site designed for 48 individuals will have two privies.

Each of the four locations will have a fire ring and the camp will secure a fire permit from the Fire Department for each location. Beside each fire ring will be a five-gallon bucket of water to properly extinguish the fire after each campfire.

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We are seeking a waiver from Section 5.3 Tuftonboro Site Plan Review Regulations which requires "... a properly engineered drainage plan to preclude adverse effect on adjacent properties."

Section X, entitled Waivers requires certain findings in order to be granted any requested waiver. The specific findings are as follows:

A. The granting of the waiver will not be detrimental to the public safety, health, or welfare or be injurious to other property and will promote the public interest.

It is our opinion that granting the requested waiver will not be detrimental to the public safety, health, or welfare or be injurious to other property. This is because the development impact is minimal with an impervious coverage of slightly more than 5,000 square feet of structures on a total of ____ acres. Additionally, no stormwater runoff flows to abutting property owners, so there is no impact to abutting properties and given the limited impervious coverage, it is unlikely that an increase can be measured, even if a theoretical increase can be computed.

B. The waiver will not, in any manner, vary the provisions of the Zoning Ordinance or Master Plan.

According to the purpose of the Low Density Residential District outlined in Article III, Section 3.4.1, "...is to provide for predominantly low density residential and agricultural development on individual lots or in cluster developments, which can be accommodated on the land without major disruptions of the natural terrain, vegetation, watercourses or surface drainage and which would not have Town water or sewers." Based upon this purpose, it is difficult to imagine a use on this property that would be more in keeping with the purpose of the district and we do not believe waiving the properly engineered drainage plan will vary this provision of the ordinance.

C. The waiver will substantially secure the objectives, standards, and requirements of these regulations.

As outlined in the responses above, given the minimal impact to the site it is my professional opinion as a Licensed Professional Engineer, that the increase in runoff based upon the requested use is virtually immeasurable even if it can be computed and therefore the objectives, standards and requirements of these regulations will be substantially satisfied.

D. A particular and identifiable hardship exists, or a specific circumstance warrants the granting of a waiver. Factors to be considered in determining the existence of a hardship shall include, but not be limited to:

- 1. Topography and other site features.***
- 2. Available alternative site locations.***



3. Geographic location of the property.

The minimal lot development coupled with the geographic location of this property make it ripe for a waiver. Because of the geographic location of the property, there are no downstream abutters to harm (the camp is the abutter), and due to the site features (minimal impervious), increased runoff is essentially immeasurable. For these reasons, we believe we satisfy this finding.

E. The size/magnitude of the project being evaluated, and availability of colocation shall be considered, particularly with regard to telecommunication facilities.

The size/magnitude of this project is miniscule when compared with a typical application triggering site plan review. For this reason, we believe that the requested waiver is reasonable and satisfies this finding.

We are of the I believe this package, including this letter provides the Planning Board with the information needed to understand the request and we look forward to presenting the application at your July 2, 2020, public hearing if one is held at that time.

If you have any questions or concerns, please feel free to contact me directly at 603-539-4118, extension 315. In thanking you for your attention to this application, I remain

Sincerely,
White Mountain Survey & Engineering, Inc.

James F. Rines, P.E., L.L.S., C.P.E.S.C.
President

7-16-20

ON BEHALF OF YMCA CAMP BELKNAP, WE REQUEST
A WAIVER FROM PARKING REQUIREMENTS IN SITE
PLAN REVIEW FOR TM 39, B2, L11, 12 & 13.

RATIONALE IS BECAUSE ALL CAMPERS & STAFF ARE
PRESENT ON SITE, AND GENERATE NO PARKING
NEED SINCE CAMPERS DO NOT HAVE VEHICLES
ON SITE, AND WALK TO THIS LOCATION.

30 Monument Square
Suite 200B
Concord, MA 01742
978.371.7500

280 Elm Street
South Dartmouth
MA 02748
508.999.0440

www.dskap.com

Camp Belknap – Air Rifle Range Overview

11 Chase Point Road
Tuftonboro, NH 03853

| | |
|-------------------|---|
| Date: | 06 July 2020 |
| Architect: | DSK Dewing Schmid Kearns Architects + Planners 30 Monument Square, Suite 200B Concord, MA 01742 |

OVERVIEW

YMCA Camp Belknap is developing a portion of West Camp to enhance Staff Housing and Programming. As part of this development, Camp Belknap is relocating and redefining their Riflery program. The current Riflery program utilizes .22 Rifles and is conducted in the core of camp, where the noise can be a nuisance to nearby programming and sleeping quarters. In addition, the existing range sits very close to neighbors residing at Winnishores. Though all proper protocols are met for safety, the colocation of this program to others is a constant safety consideration. The new Riflery program will be sited at the periphery of camp, and will transition to the use of Air Rifles, in lieu of .22s. This is intended to satisfy all concerns of safety and sound. The new Air Rifle Range will be constructed in a manner that supports the design criteria and Safe Operation Protocols (SOPs) that are set forth by the American Camps Association Accreditation Process Guide (ACA), Boy Scouts of America National Shooting Sports Manual for BB Gun Shooting (BSA), and recommendations from the Civilian Marksmanship Program (CMP). See compliance of ACA guidelines below. Please also refer to the architectural drawings, dated 07.06.20.

COMMUNICATION

Camp Belknap understands that safety is paramount in the conduct of the Riflery program, and therefore ensures that safety procedures are well communicated and documented. At camp orientation, prior to any programs commencing, camp leadership will convey to campers a series of safety guidelines to adhere to. For example, the archery and riflery ranges are off-limits to campers, without the permission and supervision of leaders. Both ranges are surrounded by colored flags, which shall not be crossed at any time. The guidelines below related to the Riflery program are also verbally communicated, if not also written, to campers prior to engaging in activity. These guidelines were written for a Riflery range that uses .22 Rifles. Camp Belknap will maintain these guidelines in the transition to Air Rifles, a safer alternative.

1. Campers should wait on the bench near the range until a leader arrives.
2. Campers are not allowed within the range flags without a leader's permission.
3. Campers should be quiet on the range, while waiting to shoot and while shooting.
4. Campers and leaders must strictly adhere to prescribed commands.
5. Campers should not shoot rifles or retrieve targets unless instructed by a leader.
6. Rifles should be fired only at targets, not at animals, or other objects.
7. When a rifle is not being fired, it should be placed bolt down and open on the mat.
8. Rifles should be treated as loaded at all times.

Campers must sign up to attend Riflery periods. Camp Belknap always meets the ACA guideline of (1) staff person per (8) campers for running the period. In addition, always at minimum, Belknap will always have (2) staff persons supervise the Riflery program, regardless of class size. If the class does exceed 16 in any particular period, Belknap will adjust their staffing to ensure a 1:8 staff:camper ratio is met. When campers are signed up for a Riflery period, the Riflery leader will instruct the campers to show up to the range at the allotted time and wait outside until supervision arrives. There will be a "CLOSED" sign across the entrance to the range when not in use. This sign is in line with the colored flags that surround the Air Rifle Range.

COMPLIANCE

The American Camps Association Accreditation Process Guide, Section PD.9 Rifle, Pellet Gun, and Air Gun Safety ensures compliance with the following questions. Camp Belknap's responses are below.

PD.9.1 When not in use, all rifles, pellet gun, and air guns are stored in a locked cabinet or closet, within a locked room or inaccessible area for redundant safety; and all ammunition is stored in either a third location or container requiring a separate key or access system? Yes or No?

Yes. Guns are locked in a gun safe that is inside one of the storage rooms. Each storage room is locked by a combination lock (each lock has a different combination). In order to access the guns, one would need the combination to open the room and the combination to the gun safe. A small amount of ammunition is locked in a second storage room, which requires a third combination. The ammo itself is locked in a fire safe. The rest of the ammunition is stored in the basement of Clark Lodge, located away from the range. The spare ammo is always kept locked in a fire safe. The ammunition for the pellet gun is a lead-free pellet.

PD.9.2 Shooting range design that includes:

- A. A bullet trap or a supplementary backstop and specific safety zone behind the targets;*
 - B. Clearly delineated rear and side safety buffers, known to the entire camp population; and*
 - C. A clearly defined firing line? Yes or No?*
- A. Yes. A high-density ballistic nylon curtain will be hung behind the targets, and a marked safety zone behind both, outside of the firing range enclosure. The safety zone is designed to comply with the Surface Danger Zone for Small Arms Firing at Fixed Ground Targets, as shown in the U.S. Department of Energy Range Design Criteria.**
 - B. Yes. Colored flags create the safety zone on all four sides, outside of the firing range enclosure. Campers are informed of these at all camp orientation, which happens each session during the first night.**
 - C. Yes. The firing line is marked at the edge of the floor of the Air Rifle Range.**

PD.9.3 Clear safety signals and range commands to control both the activity at the firing line and during the retrieval of targets? Yes or No?

Yes. The range commands are posted on the range. They are reviewed before each period begins. These commands are given for every round of shooting. They are as follows:

- 1. You may lay down or stand next to your gun.**
- 2. You may put on your safety glasses and ear protection.**
- 3. You may pick up your gun and sling up/sight in.**
- 4. You may lock and load your first pellet, but do not fire. Do not touch the trigger.**
- 5. Is the line ready? (Campers are told the correct response is silence)**
- 6. You may fire when ready. Shoot five bullets at each target.**
- 7. Cease Firing (and if needed a tap on the leg, in the event that firing needs to stop. To re-commence firing, the leader will run through commands from beginning)**

Additional safety measures are taken with guidance from the ACA Accreditation Process Guide, Section PD.13 Safety Apparel.

PD.13 SAFETY APPAREL Does the camp require campers and staff to wear the following safety gear and apparel when appropriate to the activities offered:

PD 13.2 For firearm activities, the use of ear and eye protection? Yes or No?

Yes. Each camper that is on the firing line is required to be wearing safety glasses and ear protection specific for rifles. At no point will a camper be shooting a rifle without either item.

DESIGN AND SPECIFICATIONS

Please refer to the floor plan and perspective views of the Air Rifle Range for detailed information regarding the design. The equipment specifications are in the Materials List.

In addition, please refer to comparison chart below that illustrates the sound difference between the current and proposed range scenarios. Notably, “an increase or decrease of 10 dB in the sound pressure level will be perceived by an observer to be a doubling or halving of the sound. For example, a sound at 70 dB will sound twice as loud as a sound at 60 dB.”¹ Also by the Inverse Square Law, “a doubling of the distance from a noise source will reduce the sound pressure level with 6 decibel.”² The resultant dB level of the Existing Range as heard from the nearest abutter equates to a sound between a “motorcycle at 25 ft (90 dB)” to a “chainsaw (121 dB)”. In comparison, the resultant dB level of the Proposed Range as heard from the nearest abutter equates to the sound of a “quiet rural area (30 dB)”.³

| DECIBEL COMPARISON BETWEEN EXISTING AND PROPOSED RANGES | | | | | |
|---|------------------------|----------------------------|-------------------|--------------------------|---|
| | TYPE OF GUN | SOUND POINT BLANK (dB) | NEAREST ABUTTER | DIST. TO NEAREST ABUTTER | EST. SOUND AT NEAREST ABUTTER (dB) ⁶ |
| EXISTING RANGE | .22 Rifle | 140-175 dB ⁴ | Wlunnishores | 420'-0" | 88-123 dB (-52 dB) |
| PROPOSED RANGE | Air Rifle (spec below) | Approx. 91 db ⁵ | ?? Chase Point Rd | 771'-2" | 33 dB (-58 dB) |

¹

https://www.fhwa.dot.gov/Environment/noise/regulations_and_guidance/polguide/polguide02.cfm#:~:text=Secondly%2C%20an%20increase%20or%20decrease,the%20distance%20from%20the%20source.

² https://www.engineeringtoolbox.com/inverse-square-law-d_890.html

³ <https://www.iacacoustics.com/blog-full/comparative-examples-of-noise-levels.html>

⁴ <https://www.asha.org/public/hearing/Recreational-Firearm-Noise-Exposure/#:~:text=A%20small%20..produce%20sound%20over%20175%20dB.>

⁵ <http://www.straightshooters.com/decibel-ranking-of-airguns.html>

⁶ <http://www.mcsquared.com/dbframe.htm>

Lastly, refer to the Air Rifle Range Trajectory Study to see the possible minimum and maximum trajectory paths for air rifle pellets that are not contained within the range enclosure. The maximum trajectory is limited to a 63.5 degree angle off horizontal from the firing line due to the overhang of the pavilion roof. The minimum trajectory for a pellet that exceeds the height of the range enclosure is 11.16 degrees off horizontal from the firing line. Due to the specified muzzle velocity of the selected air rifle (500 fps) and the topography at Chase Point Road, all pellets that are not contained within the range enclosure will pass over Chase Point Road, at minimum 60'-3" above the road.

PACKAGE SUBMITTED BY
GREGORY WITTH ON
7/16/20

Matt,

I listened with interest regarding the latest Camp Belknap application to move their gun range and build more cabins on the former Shore Acres property.

You affirmed the applicant's position that the property was formerly a campground.

I thought it would be helpful to provide some historical informative about the Shore Acres property. I grew up next to the trailer park and was employed by the Whitten family for several years prior to the sale of the property.

-The Russ Whitten family sold the property to the YMCA Camp Belknap in 1973.

-At that time, a seasonal park allowing mobile trailers, stationary manufactured homes and some stick built cabins was the primary use of the property.

-A marina was also operated at the waterfront.

-For a few years after the sale in 1973, John Redmond Sr. assisted with operation of the trailer park as Camp Belknap began to evict long standing seasonal customer.

-There was also a large farmhouse that was operated as a boarding house by Mrs. Theo Whitten.

-There was also another home known as the Pratt House.

-In 1981, Steve Hunter moved the Pratt House to a location on Rt. 109A. Steve also demolished the farm house the same year.

-By 1983, the new perimeter road was built for Chase Pt. property owners to use. This new road had quite the rough start. The National Guard sent their equipment to Tuftonboro to cut the new road in, on behalf of Camp Belknap. The National Guard ended up building part of the road on property the Camp did not own. It was quite the mishap! I have vivid memories of all those

bull dozers and construction equipment building that road. I also remember the big helicopter landing in the field with National Guard brass showing up to survey the damage.

-It was not until after the new road was built in 1983 that the camp began to actively use the former Shore Acres property.

-From the time the camp bought the Shore Acres property in 1973, the only use they made of it was to house staff in the old Fred Brown house that was in the field.

I hope this information is helpful with some factual background. Further, as the camp continues to develop the property, I hope the Planning Board will require the same scrutiny Camp Belknap advocated for with regard to the ongoing Farm Island saga. I think it is prudent for the Planning Board to force upon Camp Belknap all the same requirements placed on the Farm Island applicants?

Signed Electronically

Bob McWhirter 07-14-20

Dear Planning Board Members,

My name is Jeff Hansen. My father had a trailer at the Shore Acres property that Camp Belknap purchased back in 1973.

The year after the purchase, the camp evicted all the season people that had trailers and campers.

The camp took several years to develop the property after all the trailers were removed a couple of years after the purchase was made.

The camp did not use that property for several years after that.

Jeff Hansen

July 2020

TO WHOM IT MAY CONCERN,

THE FOLLOWING IS A BIT OF INFORMATION CONCERNING THE HISTORY OF THE CHASE POINT FARM, TUFTONBORO N.H. THE HOUSE, BARN AND ANNEX (PRATT HOUSE), WERE PART OF SHORE ACRES AND WAS PURCHASED BY CAMP BELKNAP IN THE MID 1970'S.

THE FARM HOUSE, BARN AND ANNEX BUILDINGS WERE PURCHASED BY MYSELF, STEPHAN HUNTER, IN 1980, AND TO BE REMOVED. THE MEDIATOR FOR THIS PURCHASE WAS JOHN REDMOND

THE ANNEX WAS MOVED IN JULY OF 1981 TO WHAT IS NOW 309 MIDDLE ROAD. THE "OVER THE ROAD" MOVE WAS JULY 11TH 1981, AFTER THAT I DISMANTLED THE FARM HOUSE AND BARN AND CLEANED UP THE SITE IN 1982

THERE ARE MANY PLACES THAT THE VARIOUS MATERIALS ARE NOW A PART OF.

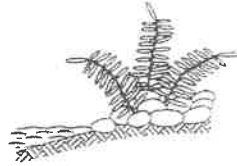
THANK YOU

STEPHAN HUNTER

On Tuesday, July 14, 2020, Russell Nolin <rsnolin49@gmail.com> wrote:

back In 1959 our family spent 2 weeks camping at the shore the next year we rented a seasonal site for the summer after a couple of seasons my father worked out an lease on a plot to put a small camp on part of the deal was that the camp was to be able to be moved if or when needed ,just like the trailers that were going in at the time.during that time i worked at the campground summers cleaning rest rooms camp sites colecting garbage also the opening of new campng and trailer sites also tripes to the main house to give theo a hand with the chores at the bed and breakfast and sample some of the leftover goodies after my farther died In 1973 the family sold the camp and it was moved off not longafter russ w. sold out shore acres and It was dismantled and closed as a campground @the mid 70,s i did so enjoy the time i had and the friends i have made those years ttfn russ

**Peter Cooperdock, CSS
Fernstone Associates
360 Castine Road
Castine, ME 04421**



July 12, 2020

Don McWhirter
10 North Chase Point Road
Mirror Lake, NH 03853

RE: Review of Camp Belknap West Camp Improvements Plans

Dear Don,

As requested, I've reviewed the plans and documentation provided to me, concerning the West Camp Improvements of the YMCA Camp Belknap on Chase Point Road in Tuftonboro, NH. These improvements have been outlined in a letter from Oak Consulting Group to Lee Ann Hendrickson dated April 24, 2020. The intent of this review is to assess the utilization of the recently installed septic system (eCA2018121103) by the improvements within the context of sewage disposal use on the property in its entirety. Prior to any detailed review, an understanding of the operation and utilization of YMCA Camp Belknap will be helpful. Based on the nature of this review, certain information is currently unavailable to this reviewer that others might be able to provide.

Based on a review of YMCA Camp Belknap land holdings on the Town of Tuftonboro tax maps, there are 4 units of contiguous properties under this ownership. The definition of contiguous, in this case, is described as physically touching properties. The proposed area of improvements is part of a unit comprised of various lots on Tax Map 39, including 39-1-13 (72.27 Acres), 39-2-11 (103 Acres), 39-2-12 (9.0 Acres), 39-2-13 (15.71 Acres), and 39-2-16 (6.44 Acres). These lots are separated from the rest of YMCA Camp Belknap by Rollins Way, Chase Point Road, and Lake Winnepesaukee.

The YMCA Camp Belknap apparently has three major utilizations, in reference to sewage loading capacity. There is (1) the seasonal camp activities, which involve both campers and staff, (2) the year-round maintenance activities, which involve employees and camp officials that reside off site, and (3) year-round on-site residents.

Your private conversation with the camp director revealed the use within the first category as 300 campers plus 117 staff. Based on the above referenced septic system, this category has been rated at 60 gallons per day (GPD) per person, which is consistent with the 60 GPD seasonal

use figure as outlined in NH Code of Administrative Rules Env-Wq 1008.03 Daily Flow Volume. This requires a daily flow septic system capacity of 25,020 GPD. Utilizing the formula outlined in the above referenced administrative rules, that flow volume requires approximately 20 acres of dedicated area of upland soil, exclusive of wetlands and well radii, with a water table between 15 and 40 inches of the soil surface. This water table has been recorded on recent septic system designs available online.

The septic system designs available online date from approximately 1987 and, for YMCA Camp Belknap, include a design for an office building with a flow of 300 GPD from 2011 (installed 12/19/2012), a design for various seasonal and year-round buildings with a flow of 14,000 GPD from 2018 (installed 08/06/2019), and the design under review with the proposed expansion with a flow of 2,750 GPD from 2018 (installed 11/21/2019). These installations accommodate 17,050 GPD out of the total property use which includes the seasonal use of 25,020 GPD plus the unstated year-round maintenance and residential use. Other state approved septic systems, dating prior to online records, may be installed on this property. That information should be easily accessible and outlined in formats not available currently to this reviewer. Also, any agreements with NHDES concerning the cross-over parcel usage by seasonal and year-round activities beyond the unit adjacency is unknown at this time. This refers to the movement of individuals across Rollins Way, Chase Point Road, and across the lake to Farm Island.

Concerning the proposed expansion of use under current consideration, there does not appear to be a challenge of physical space available to accommodate sewage loading. There appears to be questions about accuracy of some statements, which can be easily corrected, as well as the presentation of more precise information regarding use. As presented on Underwood Engineers 'West Campus Wastewater Disposal' Dwg No. GI Sheets 1-6 of 7, the third septic system listed above accommodated an existing use of 14 persons at 60 GPD, additional capacity of 26 persons at 60 GPD, and 1/1 allowance of 350 GPD. The allowance is unexplained on this document.

The plans state the existing use is attributable to the Chipmunk and Loon Cabins, although these documents do not state the number of persons using these cabins. Perhaps this information is available elsewhere. These plans also show a proposed connection of the new septic system to UTC cottage, without any stated usage or capacity. Clarification is needed.

Another set of plans, prepared by the Oak Consulting Group, labeled West Camp Improvements, outline additional changes to the area. These include new parking, the relocation and improvements to the existing Johnson Cabin, building plans showing 2 bedrooms, and the existing Kitchen Corps Cabin, shown as 1 bedroom on accompanying building plans. The number of persons utilizing these cabins is not stated. Perhaps this information is elsewhere, as well.

Additional proposed changes include 2 future buildings, with unstated usage, a new restroom building, and a rifle range. If the number of beds existing and proposed in these 6 buildings is designed to accommodate equal to or less than 40 persons, and the proposed rest

Certified Soil Scientist 603-323-7507 Certified Wetland Scientist
Site Evaluation Septic System Design
Natural Resource Inventory

room is for the individuals residing in those cabins, then the recently constructed septic system is appropriately sized. The additional, unexplained 350 GPD is perhaps available for occasional outsiders use, as by users of the proposed rifle range.

Other points of observation concern the statement of 'no building within 100 feet of the proposed leachfield.' (General Notes #7) The Rifle Range appears to be some kind of building and is within 100 feet of the leachfield. While it doesn't appear there will be any direct impact to the leachfield by the Rifle Range, it represents an inaccurate statement. Continuing with the Rifle Range location, the April 24 letter states 'The project area will be at least 130 feet from this wetland...' Again, an inaccurate statement as the plan clearly outlines the Rifle Range as within 130 feet of the wetland.

A review of the information provided revealed that YMCA Camp Belknap has invested significant resources to understanding the make-up on their holdings, at least north of Chase Point Road. The provided plans outline the buildings, roads, and activity centers on which the camp relies, as well as the topography, utilities, wetlands, and extent of vegetation on this portion of the property. Perhaps there is a master plan which outlines the scope of existing approvals and usages that have been pointed out in this letter as deficient. The information should be easily forthcoming, and it is reasonable to expect it as part of any proposed expansion of use.

Other considerations, beyond the scope of septic system review, that need to be highlighted within the project expansion are noise pollution, impact on abutters, and light pollution. Noise pollution is especially important for abutters as no time restrictions or constraints have been proposed on the Rifle Range. There may be other noise pollution concerns, as some tent platforms have been reported approaching abutter residences. Light pollution has been under emphasized, with a single sentence dedicated to a important issue revolving around safety as well as dark sky interests. Concerns of abutters, such as yourself, should be of paramount concerns for an organization that, as a non-profit, relies on community support. I trust this letter outlines your concerns in a manner that the YMCA Camp Belknap will find beneficial to fostering their mission statement of 'community responsibility' and 'good stewardship.'

I appreciate the opportunity to offer this review of the information presented to me for review. I trust additional information will be forthcoming to address the outlined concerns. If you have any questions or concerns, please don't hesitate to contact me.

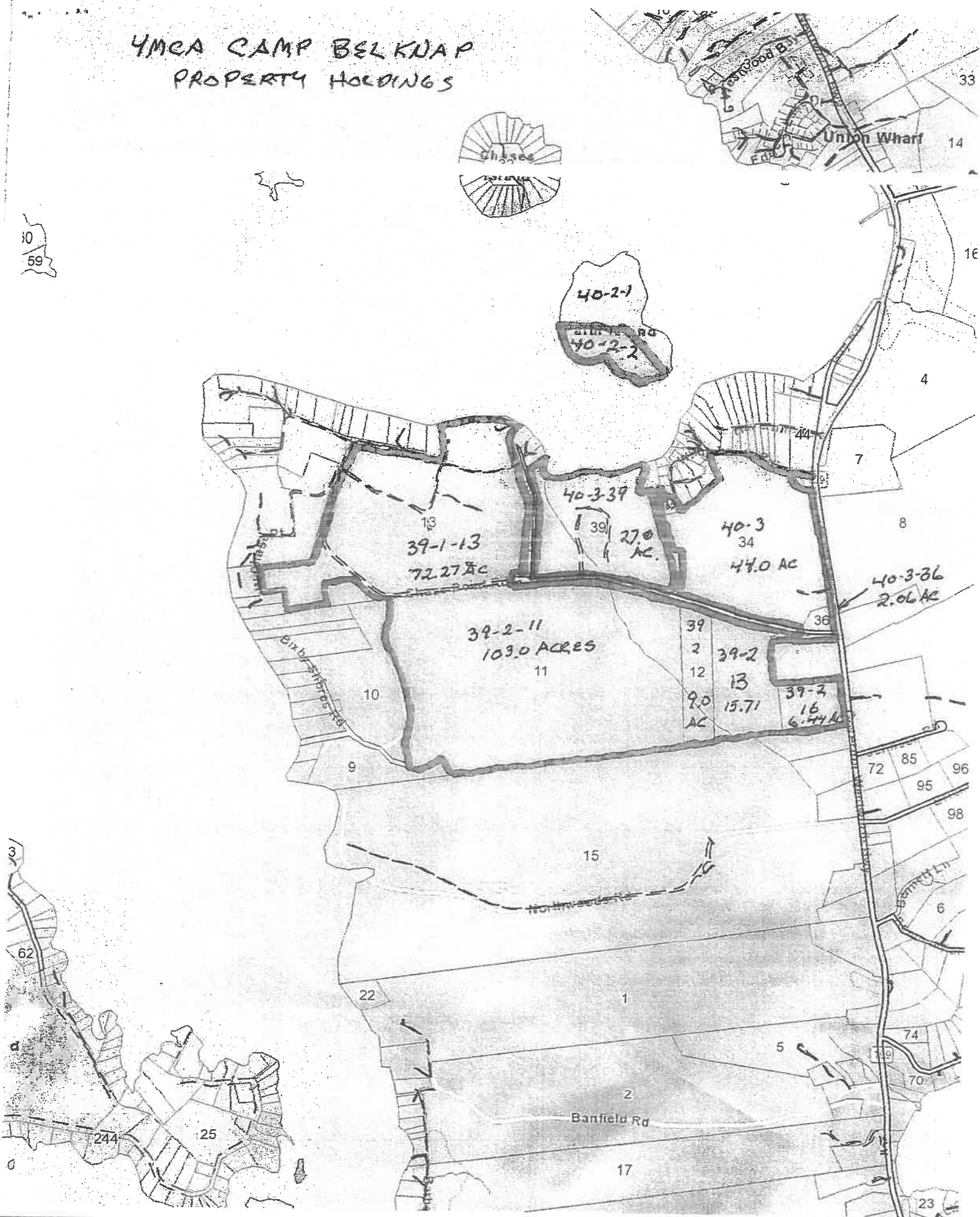
Sincerely,



Peter Cooperdock

Certified Soil Scientist 603-323-7507 Certified Wetland Scientist
Site Evaluation Septic System Design
Natural Resource Inventory

YMCA CAMP BELKNAP PROPERTY HOLDINGS



On Thursday, June 18, 2020, Kathryn Aitken <kathrynaitken83@gmail.com> wrote:

To: Donald McWhirter

Re: Issue regarding the relocation of the gun range at Camp Belknap, Chase Point, Tuftonboro, NH

Yes, relocating the gun range behind your property at Chase Point will affect your property's market value in a negative context.

At issue will be safety and noise which adversely affects your right to "quiet enjoyment" as a homeowner and any subsequent purchasers of the property.

Best Regards,

Kathryn Aitken

Realtor/Property Manager



kathrynaitken83@gmail.com

Mobile Phone: 603-496-5989

Office Phone: 603-569-HOME

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Ellen Fallon
9 Clark Avenue
Amherst, NH 03031

July 10, 2020

Donald McWhirter
10 North Chase Point Road
Tuftonboro, NH

Dear Donald,

After review of your property located at 10 North Chase Point Road in Tuftonboro, NH, in my opinion, the expansion of Camp Belknap and the addition of a gun range would significantly affect the market value as well as the marketability of your property and surrounding properties of the Camp. The added boat traffic and noise would be a significant external obsolescence and would cause a decline of properties in the Camp's market area. In determining the impacts of the camp expansion and gun range from an appraisal stand point, I have implemented the quantitative survey method as well as matched paired analysis. I have been in the Real Estate Appraisal industry for over 20 years and have experience with waterfront properties as I grew up on Baboosic Lake in Amherst, NH and have owned a waterfront home there for 18 years. We also have a summer camp on our lake, Camp Young Judaea. I am very aware of the constraints, noise, and excessive activity that this camp brings. The daily canoeing, kayaking, sailing lessons, and water skiing, take over a large cove at the end of the lake make it very difficult for boaters to pass at all hours of the day, 8 weeks out of the year. Because of this, keeping a 150 foot legal boating distance is almost impossible, and most boaters are forced to avoid this area. I believe that the property values of homes located near the Camp are negatively affected by the noise and congestion of boats as compared to homes that are not in close proximity to the camp. Fortunately, Camp Young Judaea has remained relatively consistent and has not attempted expansion that would compromise any more of our rights of quiet enjoyment. If you have any questions, feel free to call or email me any time. Thank you.

Ellen Fallon
Licensed Real Estate Appraiser
NHLR-600
603-582-3234

One minute twenty two second (1:22) YouTube Video showing excessive noise, congestion and traffic at Camp Belknap (2019).

<https://youtu.be/AcM9Eh4r-90>