

**TOWN OF BEDFORD**  
**June 19, 2018**  
**ZONING BOARD OF ADJUSTMENT**  
**MINUTES**

A regular meeting of the Bedford Zoning Board of Adjustment was held on Tuesday, June 19, 2018 at 7:00 PM in the Bedford Meeting Room, 10 Meetinghouse Road, Bedford, NH. Present were: John Morin (Chairman), Kevin Duhaime, Len Green (Alternate), Neal Casale (Alternate), Dave Gilbert (Alternate), and Karin Elmer (Planner I)

Chairman Morin called the meeting to order at 7:00 p.m. and introduced members of the Board. Vice Chairman Gigi Georges, regular members Melissa Stevens and Sharon Stirling were absent. Mr. Green, Mr. Casale, and Mr. Gilbert were appointed as voting members.

**Approval of Minutes:**

**MOTION by Mr. Casale to approve the minutes of the May 15, 2018 meeting of the Zoning Board of Adjustment as submitted. Mr. Gilbert duly seconded the motion. Vote taken; motion carried with Mr. Duhaime abstaining.**

Chairman Morin reviewed the rules of procedure and swore in members of the public.

**Applications:**

- 1. Manchester Boys & Girls Club/Camp Foster – Request for a variance from Article III, Section 275-21.A (1) and Table 2 for the expansion of an existing non-conforming use of a day camp plus rental of the facility for special events such as intermural sports, corporate retreats, weddings and other functions at 36 Camp Road, Lot 39-19. Zoned R&A.**

Brian Pratt of CLD Fuss & O'Neil and Ken Neil Chief Operating Officer of the Manchester Boys and Girls Club were present to address this conceptual review.

Mr. Pratt stated as you said we are here to request a variance for the expansion of an existing non-conforming use of Camp Foster, which is totally going to be redone. The facilities there are quite old and really need a lot of work. I will now hand it over to Mr. Neil to give you some history on the camp.

Mr. Neil distributed items reviewing the history of the camp. Camp Foster has been there as a camp in one form or another since 1925 and the buildings that exist on site now were rebuilt in 1941, so they are 77 years old. In 1963 the Boys and Girls club took deeded ownership to the site from, it was Dr. Foster originally that owned the property, and then it was the Lion's Club and then it was another organization and the Boys and Girls Club operated the camp for that group, we took ownership in 1963 of what was once a residential camp for 125 boys as a summer day camp and we now have expanded programing to service 410 children and 55 counselors each week out there during the summer. All of the kids are transported from the Boys and Girls Club in Manchester for the most part, I would say 98 percent of them, there is a small number of children who are dropped off by parents, who either live in Bedford or it is more convenient for them to do so, but they can't be dropped off until the buses arrive, which is around 8:45 a.m. each day. We provide supervision at our Union Street clubhouse in Manchester for the kids starting at 6:30 a.m., we bring them out there for about 8:45 a.m., we are offsite every day during the summer by about 3:45 p.m. Every week there is no school we run the summer day camp session out there. As you know, we are one of three camps on the road one of which is Camp Kettleford that I was reading about in the Bedford Bulletin, the Girl Scout camp is the first camp in on the road, then it is us and then there is Camp Allen, which is a camp for physically and mentally challenged adults and children. That is a residential camp; ours is simply a day camp, which is just daytime use. We also are and have historically on weekends and during the evenings rented out the site for use, softball or family outings on a weekend and we are looking to continue that as well with the buildout. As Mr. Pratt said, the buildings are 77 years old, they are hurting, the biggest issue we have onsite to be honest is the erosion so this renovation is going to remediate that and take care of erosion on site, so that is one of the exciting things about it.

Mr. Neil continued one interesting thing I will point out if you look at the history book, in 1991 it said that for 15 structures it cost \$15,000 to build; it is going to cost a little bit more than that this time around. I would be happy to answer any questions about the use of the camp if you have any, and then I can turn it over to Mr. Pratt regarding the buildout.

Mr. Casale asked can you get into a little bit more about historically mainly it is used for the day camp and you said that you have opened it up for families and softball and now on this paperwork you are mentioning weddings. Can you explain exactly what the kind of off-purpose use has been and what you are looking to do? Mr. Neil replied I started at this camp in 1978, so I have been there this September for 40 years and my familiarity with the program, and 40 years ago we had more use of the facilities but because it is in the state that it is now, it is less and less. This past summer we had one social club outing and one family reunion that rented the site, and then we rent to a law firm one night a week the associates in the firm use it to play softball. Our hope is to expand on that to supplement the organization's financial stream of cash in that it will have a caterer's kitchen, which will have basically grills with kitchen sinks and that kind of stuff and have a dedicated caterer. We anticipate small weddings perhaps, corporate outings. We are in the midst of a capital campaign obviously to raise money for this so

an organization such as Fidelity Investments might come and have an outing as a perk of their support of the Boys and Girls Club in general. So that would be the kind of outing we would have out there. All of the parking, which I know Mr. Pratt will allude to, will be onsite for any outing. It won't be any more than our parking can accommodate, we have a staff member out there when there is an outing who is out there the full time they are there, we have had initial conversations with My Social Sports about perhaps having some softball leagues or beach volleyball leagues out there, but, again, it will be staffed with a club staff member who will open and close the facility and supervise any event.

Mr. Casale stated you may address this later; the capacity that you see for events such as weddings, and I assume you are going to be asking for a liquor license in conjunction. Mr. Neil replied no; traditionally what we have done with respect to events that have alcohol, is that the event renter has to get the liquor license and in our rental agreement they also have to contract Bedford police officers to be onsite, so whenever there is any alcohol at an event, there has to be Bedford police officer on site. They contract them directly with that and get the liquor license directly. Mr. Pratt stated with regard to capacity, it is going to be parking based. Mr. Neil stated we are thinking no more than 125 folks there for any kind of wedding. Mr. Pratt stated the parking lot that we have laid out we have approximately 60 – 62 parking spaces that we could fit and the average wedding usually you have two people per car, so that kind of fits right in with that.

Mr. Pratt stated what I have posted on the screen is just a colored version of existing conditions so you can kind of get a feel for what the camp looks like today. Camp Road is off the page at the top as shown and then the existing driveway that comes down into the site. It is a gravel drive, and like Mr. Neil mentioned, it has some erosion issues. The low point is down here and what happens is when there is a rainstorm, the water comes down the road and it picks up some gravel and then that gravel kind of fills up in this area and then eventually it kind of spills out and some of the banking into the pond gets kind of eroded away. There is Spear Hall, the pool, some little cabins, a playground, a sand pit, a bathhouse, the existing multi-use field for softball and soccer, an outdoor amphitheater with a stage and some bench seating. They have an area for a tent where they can set up tents and then they have a house down by the lake for boat storage and life jackets, etc.

Mr. Pratt stated the general plan is to keep the program similar. Posted now is the new rendering that Lavallee-Brensinger did a really nice job with. We are going to widen the road but it will be in the same location, we are going to put some formal parking in, about 22 spaces, this is for the bus drop-off because as Mr. Neil mentioned; all of the kids come on seven buses every day. Some of those buses do leave and some actually stay so we have six formal parking spaces for them. Spear Hall exists by the pool and what we are going to do is move the main hall, which is about 5,000 square feet, to the center of the camp, there is going to be kind of a gateway with these nice arches, there are smaller outdoor classrooms. Everything is open air except for the pool house there are no enclosures and small portion where the bathrooms are in the

main hall. As you come down there is a central gathering area, this path will be either stamped concrete or pavers, and then all of the other trails through the site will be just gravel to give it that camp feel. From the gathering area they will break into smaller groups and then go to the different outdoor classrooms and there will be some sort of different activity with the counselors. Now shown is the playground that is going to be rebuilt and then there is a basketball court and beach volleyball court. The pool is going to remain but we are going to put a nice new pool house with good changing rooms, nice new bathrooms that meet code, and then we have a couple of larger open air pavilions, similar to the smaller outdoor classrooms, then down in this area there are two sites where they could put up tents with possible future pavilions in those spots, and then up here we are going to keep the same field but make it a little bit bigger to meet softball regulations and we are going to irrigate and light it. We are going to rebuild the pavilion stage and put a roof over it and we are probably going to rebuild this will probably a retaining wall kind of step system. Right now everything kind of erodes away under those benches that are really wobbly and the heights are all different, so they really want to create a nice long-term solution there. The boathouse is going to be renovated where they are going to keep the structure and just fix it up. Behind the main hall will be a big patio with a fire pit and benches, they are going to have some potential seating out here and a flagpole.

Mr. Pratt stated as we mentioned earlier, it is a variance for the use to expand the existing non-conforming uses. We have been dealing with people from the Town, we met with TRC the technical review committee, and we met with Police, Fire, Planning and Zoning. One of the main concerns everyone has is the road. It is a gravel road; it has always been gravel and that is about 2,000 to our entrance from Back River Road. There are concerns for safety that it would get pot holes so we really did a good job, but I credit Mr. Neil and the other property owners for working together. Mr. Neil was able to get everybody to sit down and talking about the road, talk about a maintenance schedule, and actually came up with a memo of understanding so everyone has agreed that three times a year they are going to regrade the road, they are going to do it at the beginning of the season at May 1<sup>st</sup>, the beginning of July 1<sup>st</sup> and again September 1<sup>st</sup>. Mr. Neil stated we did the first one and added calcium chloride dust control, we are going to do the second one the first week of July and we are going to repeat the calcium chloride dust control on it as well. In addition, kind of separately, this opportunity presented itself kind of early on in the process but I just received communication today from 338 Platoon of Army Corps of Engineers and they indicated that this would be the kind of project that they would look for for IRT they call it, but basically they will reengineer the road for us as a training exercise for their battalion. They are sending me information for applying to be accepted as an approved site. That would improve the road even better at this point but since this most recent grading the road is in quite good condition, and like I said, for 40 years I have been out there I've driven busses out there, we have passed Girl Scout busses out there on the road, so two busses can pass each other on most of that road, so we are really working hard to address concerns with respect to that road. Our use, to be quite honest, is in no conflict with the other large use, which is probably the soccer programs use of the road because we are generally gone by 3:45 p.m. and their vehicles aren't showing up until later than that. I will

emphasize again that we provide and have provided a valuable summer camp experience for a number of kids for the most part normally wouldn't have that opportunity to have this kind of experience. We have 22 acres out there, a pond where they do boating and canoes and rowboats and softball and soccer, capture the flag in the woods. All of that kind of stuff that kids need to do, a lot of free-range activities, and we are not just a camp for Manchester. It is for any child from any town. Last year we had 39 Bedford residents attending the program; to date this year we have had 18 registered, we have had a long relationship with the Bedford School District where for the month of July where the Bedford School District would have anywhere from 15 to 20 high-functioning Autistic kids out there with paraprofessionals getting mainstreamed into a summer camp experience for summer learning and we are willing to have conversations with any entity in Bedford as well from Bedford Jaguars to any group that might be looking for practice fields because we are out of there by 3:45 p.m. every day.

Mr. Pratt stated the posted photos are from about a month ago, maybe a few days after they did the regrading, and as you can see, it is in really good shape. My Honda Accord had no problem making it down there. I know last week they had three ambulances in one day and from my understanding they had no issue getting through the site. Mr. Neil stated they weren't for our program. Mr. Pratt stated like I said, they are going to do this three times a year formally. About 10 years ago I helped Camp Allen do their master plan upgrade and then the request was to try to get the owners together and try to come up with this maintenance agreement. They have tried multiple times, and the fact that they were actually finally able to get everybody together, have everybody agree on a cost sharing, and everybody signed agreement, which I forwarded to Ms. Elmer today. Chairman Morin stated it is in the file. Mr. Pratt stated that is a huge step forward. There have been some comments from Planning and other Town departments that they would like to see the road paved. Unfortunately it is 2,000 feet and as you can see from these photos the road itself is in really good shape but if we were going to pave it, we would have to do some shoulder work, we would have to drainage, this would trigger a AoT permit so we would have to go and get the stormwater management so we would have to dig retention ponds, infiltration so my estimate is about \$1 million. To ask Camp Foster to pay \$1 million to pave the road would kill the project honestly. There is just no way they can afford that. They are a non-profit; everything is done with fund raising. The road has been there since 1924, it works, they have a great agreement with the abutters, they are going to maintain it three times a year, and I really think that the road issue has been solved. As Mr. Neil said, he is trying to get the Army Corps of Engineers to come out and do some of that engineering and some of that regrading. We are not exactly sure what they would provide, but I assume they would probably come out and design it, grade it, permit it, I'm not sure about the paving or not, that's probably not something they do and when I emailed Ms. Elmer earlier, I wasn't sure of the exact scope of that. Mr. Neil stated we are not sure exactly. These have been initial conversations, I have never worked before with an Army Corps of Engineers group on something like this, so it will be an adventure and learning experience for everyone; I am sure for the Town as well. I don't know if they have done anything in Bedford before.

Mr. Pratt stated we went to the Planning Board last week for a conceptual hearing; we will be on again for our formal hearing on July 16<sup>th</sup> and we are in the process of submitting to the Town Council as well. This is a Class VI road so in order to get a building permit on a Class VI road you need Town Council approval. We have a liability waiver that we have created and have sent it to the Town for their legal review. If they are willing to sign that, it would release the Town of any liability of granting a building permit on that road.

Mr. Pratt proceeded to review the criteria for this variance request. **1. Granting the variance would not be contrary to the public interest: (1) Whether granting the variance would alter the essential character of the locality: (2) Whether granting the variance would threaten public health, safety and welfare:** The camp has been for decades been used for a day camp and for rentals for other events. The expansion is for a renovation of the camp to provide a safer, more modern, user friendly camp. Agreements to the main roadways are being formed with the abutters to keep safe access to the camp. Those documents have been executed. **2. The spirit of the ordinance is observed:** The camp has been used for decades and is ideally located to continue to use the camp as it has for years as a day camp and for events. **3. Granting the variance would do substantial justice:** The camp has existed in its current capacity for years, renovating and expanding the camp to provide a safer, modern, user friendly facility and would allow the camp to provide exception benefits to children. **4. The values of the surrounding properties will not be diminished for the following reasons:** The usage of the camp will remain fundamentally unchanged, it is a private setting surrounded by similar uses and will have no adverse effect on the surrounding properties. **5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Special conditions of the property distinguish it from other properties in the area:** The camp is simply seeking to continue to use the camp as it always has, denying the variance would prevent the camp from making much needed repairs and upgrades and reduce the ability to provide a safe place for children and there events that support their programs. **A. Denial of the variance would result in unnecessary hardship: i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property:** Denial would prevent the camp from being able to upgrade the aging facility. I don't believe the Town has a use at all in their ordinance for a day camp. **ii. The proposed use is a reasonable one:** It is reasonable to repair existing deficiencies and provide a safe, functional, modern camp. **B. If the criteria in subparagraph A are not established, explain why the property cannot be used in strict conformance with the ordinance and why the variance is therefore necessary to enable a reasonable use of it:** The Town doesn't have a specific ordinance for a day camp with events, though it is not a specific use allowed in town anywhere by the strict compliance with the ordinance without a variance.

Mr. Green stated I saw a lot of nice steps into the building. Would I be safe to assume that all of the buildings and bathrooms are ADA compliant? Mr. Pratt replied yes. Mr. Green stated I see the steps but I don't see the cuts for ramps. Mr. Pratt stated the 3-D rendering might not show them all. The simulation posted shows what is typical and

there will be ADA access to everything and we do have ADA access routes through the camp. There are some areas that have steps but we did provide an alternate route.

Mr. Casale stated there are two issues for me. Aside from the road, and you already addressed that, and one you probably can't address too much. I have a concern about the expanded use, which is going to include alcohol and not only do you have camps there, but you have soccer teams, particularly on weekends, which is when you are going to allow these events to take place, events that you really haven't had in the past because of the way the facility is. You probably can't address the alcohol point but that's a concern for me safety-wise. How about the noise from a wedding event with DJ's, where this is an open building, bands or a DJ? Mr. Neil responded my understanding was that the Town ordinance was 10:00 p.m. shutdown, so we would shut down all music and noise at 10:00 p.m. The events would end by 10:00 p.m. Mr. Casale asked is there an ordinance? Ms. Elmer replied no there is not. Mr. Neil responded there may not be an ordinance but that was our understanding, so we shut it all down at 10:00 p.m. Ms. Elmer stated the Planning Board does have the tendency to put hours of operations on a commercial property. Mr. Neil stated as far as the alcohol goes, that was our intention with requiring, and I am not sure that we had to do this or if we chose to do this, but we require that any event with alcohol has a Bedford police officer onsite. It is our understanding that it would be their responsibility to ensure that anyone driving off the site is able to drive off the site. Chairman Morin stated that is the same when renting the Town Hall. If someone is going to rent the Town Hall and they have alcohol, they have to have a police officer there. Mr. Gilbert stated that is right, and we have had events in the past at the schools also and you hire a police officer to be there for that, so it is covered.

Chairman Morin stated personally I don't have an issue with the traffic. I think the traffic issue there is the soccer fields, not any of the camps. After living in that area for so long and utilizing that road, it is the soccer organization that is out of control on that road. They are the ones who should hire the police officer every weekend to make sure they comply with the parking and speed and everything else. Mr. Neil stated and that was one of the things negotiated honestly with this Memorandum of Understanding, it wasn't specifically stated in there, but the director of the Camp Allen program would not sign the MOU unless GPA agreed to put a stop sign at the exit of their parking area because cars just fly out of there onto the road as other cars are coming down. So the director of their program has agreed to do that.

Chairman Morin asked the public for those wishing to speak in favor, in opposition, or for those having comments neither for nor against this application.

Lowell McPherson, 22 Bixby Farm Lane, stated I live on the cul-de-sac that appears due west of the camp. I moved in in 2010 and haven't had many issues with the Boys and Girls Club. There has been one occasion where there was a DJ that played late, for some reason he was screaming, and with the topography and power lines that kind of echoes through. I was on that road for a lot of years by myself and it was very loud. We have a pool in the back of the house and we could still hear the noise. I drove over

to ask them to stop, someone came out and met me, they quieted down for a little while, but it is very loud. I think there has to be some sort of soundproofing or barriers to prevent that. It just echoes right through. The other concern I have is that intersection coming out onto Back River Road. If you are going to increase the weekend activity at the camp, you are going to increase cars coming through entering and exiting. Right now being on that road pretty much five or six times a day, we run into the occasional people who are late for practice who are making that turn. We have had people who are making that left turn heading south so I am surprised there hasn't been any serious accidents to date. I think that intersection should be looked at for improving, I understand the concerns with the dust, I see the dust, but I think it is time that that intersection has to be fixed so it is not at such a sharp angle. Other than that, the day use I have no issue with, I think it is just the weekend activity is where I start to see the problems coming, and if we don't get ahead of making the necessary changes, then you are always going to be playing catch up.

Ms. Elmer stated to let you know, you will be getting another certified mailing when the next Planning Board hearing is coming up, so you will have another opportunity with the Planning Board. Or you can check the website for the agendas or call us and we can let you know when they are on the next agenda.

Annette Parker, 164 Back River Road, stated obviously we live very close to the road to Camp Road. Yes, there is a lot of dust, there are a lot of cars, obviously when GPS went in, it increased the traffic amazingly, and as you know there have been countless problems with people parking on the sides of the roads even though it is posted not to park there. I am all for the Boys and Girls Club, we have never had an issue with them, but everything you are doing though I have to ask this question. Why do you need a variance to continue what you are already doing? Chairman Morin replied the variance is for the reconstruction of the buildings and stuff like that because by the ordinance a day camp now is not allowed in town. It is grandfathered. Ms. Parker stated okay; this is just justifying what is already there and allowing them to improve what is already there. Chairman Morin responded yes. Ms. Parker replied thank you very much for that. My concern is that this is just kind of a money grab in that now you can have all of these other activities there, and I don't mind supporting the Boys and Girls Clubs and I am all for them having the money to improve things to make kids happier in the summer and that, it is kind of going to ruin the outdoorsy experience, I think, when this is all cleaned up and polished where you go to this beautiful camp, where I am more of the rustic type person and I think the Girl Scouts camp back there kind of epitomizes that. There are lean-tos and camp fires and running around at night with flashlights and things like that. They have a blast out there. I am worried that some of the activities that they are proposing are going to impact that, that these kids aren't going to have a good experience out there. Ten o'clock at night, like I said, they are running around at night playing flashlight tag and they are going to have a wedding next to them that is all loud and stuff. I don't think it is fair to them. Also, GPS was told that they couldn't have any type of sound system. They don't have a PA system out there; it was not allowed when they came before the Board. So I don't think there should be excess sound coming from this either; it doesn't seem right to deny one and then not deny another.

Ms. Parker continued as far as the road goes too, like I said, there is a lot of dust. It could use some improvement. If you are going to improve that road, could you kind of cut it in further and then maybe make an actual corner so that it doesn't go through my neighbor's yard? Is that a possibility? I am just throwing that out there. Chairman Morin replied we don't really have control of the creation of how the road is set up or something like that. Ms. Elmer stated the Planning Board will look at that. Ms. Parker replied good, because if you are going to improve the intersection anyway, do them a favor and cut it up and cut it over. Chairman Morin stated the Planning Board deals with a lot more of the specific items like where a road is and hours and that kind of thing. We are looking at the overall property and the changes and we have a certain set of criteria that has to be met, and that is what we go on. Ms. Parker responded I understand. Thank you very much for your time.

Rick Larson, 91 Sebbins Pond Drive, stated I just want to mirror the comments. I think the Boys and Girls Club does a great job and they have been good neighbors. I don't have any issues with the day camp thing but the change of use and the commercial aspect, I guess, raises some eyebrows. I can say the same that I have heard the music from my house where I am over on Sebbins Pond, and if you are familiar with the area, the Boys Club is up kind of high and then there is a valley where the brook goes between two ponds and then it goes up again, so it doesn't have like a natural noise barrier. In the staff report it says that they are going to be open for 10 weeks in the summer. Is it going to be the same or are we talking year-round with a full fledge commercial event center? Chairman Morin responded part of it too you have to remember that they have the capability of doing that now if they wanted to. Like he said, they have had different functions there now, so it is really not changing much of that. I remember back when my son was young the Little League used to use that field there for the small kids. That was one of the fields that was used, so there are a lot of things that go on there now and it is being brought up again because they are redoing it, but I can understand your noise level issue. Mr. Larson stated hearing the kids run and play and laugh is all good, no issues with that, but if it is going to go more commercial and more event orientated to raise funds, I would hope that there would be a condition of approval that the music be kept within the building or some type of restraint so that it's not just the wild west out there. Like I said, the Boys Club does a great job out there, I have never had much issue, but I have heard the music and the DJ's, so I hope at some point that gets addressed during the process. Thank you.

Mr. Neil stated honestly, we are not looking to run an event center out there. The use of the camp facility outside of our day camp hours, and our day camp is our number one use for that site and making the site safe for our kids. We have a full-time facilities manager that is a new position at our club that will be responsible for maintaining the site and that is one of the reasons why the camp is in the state it is in now because we haven't had the preventative maintenance that we do have now. But the day camp is our number one use, our organizational feeling is that this is a beautiful wooded acreage out there. Whether it is used for a group for a small wedding, whether it is used by Bedford Little League T-ball league because they can't find field space in

Bedford, we are open to any of that kind of use of the facility when we are not there, and I don't really view it as the amount of money we would generate from that would be not to the degree that it is going to be a make-or-break for us organizationally. As far as the exit out onto Back River Road, my understanding was that GPS when they, I'm not sure at what point along the line, but they were required, I don't know if it was when they put in the artificial fields, but they were required to reengineer the exit out onto Back River Road, they complied with it, DPW approved it, so they paved the apron, they put a stop sign. The only thing I could see that they didn't do in their required plan was it looked like they were supposed to put a berm to the right side to prevent cars from exiting straight out onto Back River Road. Instead they put a stop sign there so you do have to take almost a 90 degree to exit the property. I know that was required of them and they completed to the Town's satisfaction, so I'm not sure in terms of reengineering what more would need to be done.

Mr. Pratt stated the question came up if events would be year-round. The answer to that is no. It will still just be a summer use. Mr. Neil stated the events would just be in the summer. We do hope to bring kids out there during the winter for use more so, but the open pavilions that you see on the plan, right now there are 10 picnic tables out there where the backpacks are put and they get trashed, so now they will be under shelter. Ms. Elmer stated they are also sun shelters that are required for kids. Mr. Neil stated and you saw in one of the drawings we are hoping to put solar on our main hall. The goal is to become net zero for our use during the summer, so our facilities manager is working with Revision with those plans. Once we get final engineering plans it is going to be Vermont Timbers constructing so we are not losing the rustic feeling of the camp. It is going to be rustic. One other thing, the kids are done at 3:45 p.m., so no one is running around at 10:00 p.m. while an event is going on. Our kids are offsite. I believe the Girl Scouts may have one overnight a week out there, but they are a day camp use as well.

Mr. Green stated when you said it is for the summer, are you looking at perhaps renting it out in the fall when it is gorgeous out. People have weddings in September and October and I understand you won't have the camp open. Mr. Neil responded we figured season use would be from May through September most likely. The main hall is not winterized, it is just an open building, it is going to have sliding track doors to enclose it if there is bad weather, but it is still not insulated so anything before May and into October is going to be too cold for any kind of event out there.

Mr. Pratt stated sound was another concern. We are happy to set time limits as a condition of approval with the Planning Board, so we will work more closely with them or if you want to work on some time limits, we are happy to have as part of this decision as well. I have done sound studies before where we actually have a DJ come out and have him crank it all the way up, I don't remember the exact decibels, but we are willing to set a limit on the number of decibels because it really can make a big difference if it is cranked all the way up or a little bit farther down, as far as it spreads, where it still works for the wedding itself.

Chairman Morin asked please post the overall plan. Is there any way of putting some type of additional buffering in the area indicated? Like the gentleman said, it is pretty wide open especially with some of the trees that came down over the winter. There are very few trees up in that area and to put for a buffer in that area anyway. Mr. Neil responded actually there is probably a larger buffer on that side. Those are all woods out from that road out to Camp Road. We have a gate at both entrances so there is buffering there. Chairman Morin stated looking for a sound type buffer. Mr. Neil responded I understand but there are forested trees and then there is the distance. I think another gentleman referred to it on the other side, on the pond side, we are sitting up here and the pond is down here, and there is one house on the other side of the pond that I think just recently changed hands, I'm not sure who owns it now, and I think the Sebbins development is beyond there, so sound probably carries in that direction much more than the other direction. But as far as a sound barrier, I am not an engineer. Chairman Morin stated the only reason I was thinking of that side was because that side towards Camp Road is very tall pine trees, so there is no vegetation except for the tree itself. The other side towards the Girl Scout camp and towards Sebbins, per say, has a lot more variety of trees so there is a lot more bulk. I am just trying to find a happy medium. Mr. Pratt responded so maybe some evergreen type, something at the top of that banking. Is that what you are maybe suggesting? We are going to end up cutting this in a little bit to do the widening and grading of the road. Chairman Morin stated I happen to walk my dogs down there in the winter so I know what it looks like, and yes, it is a pretty heavy berm so there is nothing there anyway, and at the top, like I said, there were three or four trees that came down over the winter due to weather. Mr. Neil stated we had three big oak trees come down last night. Chairman Morin stated I am just throwing some stuff out there. I don't know how to do it or if it is possible. Mr. Neil responded we can work with our general contractor to see if there is any kind of natural landscape soundproof barrier that we could do. I can't imagine that it would be too cost prohibitive to plant some trees or something, but we certainly will have that conversation.

Chairman Morin stated and the other thing about sound is that people are worried about sound from music or whatever, and, per say, if they are limited to that main building, and I know they are not solid walls, but that may help buffer things a little bit if it is only going out one way or however that would be set up.

Mr. Gilbert asked how many types of events do you have now like a wedding roughly? Mr. Neil replied last year we had two. We had a social club and a family reunion and then one night a week we have a law firm that rents the softball field just for a couple of hours for practice. Mr. Gilbert asked if you had a wedding or event out there, if they were going to have liquor, you would have a police officer out there? Mr. Neil replied yes. Mr. Gilbert stated so you have a built-in person to control the sound. Mr. Neil replied yes, and we have a staff member out there. The staff member is part of the rental fees and they would be paid to be onsite for the full rental, so the staff member is the one that would deal with any contact person for an event. Mr. Gilbert stated and like we discussed, there is no ordinance, but I'm not sure, and this is probably something we should check on, not just for this facility but others is, I could be wrong but I think with

the agreement you make with the Police Department, you could specify the time that they are going to be there. Chairman Morin responded yes. They are normally a three to four hour block. Mr. Gilbert stated so I think you can control the sound, hopefully with the police officer, and the time, whatever the agreement is, but I don't know if anything is in writing. Ms. Elmer stated not with the Town. That is a private document. Mr. Gilbert stated so I think we could probably control it that way. Chairman Morin stated we could put a time limit on the property for those events if we wanted to go that far or we could leave it for the Planning Board. It is something we can do for the variance. Mr. Gilbert stated it is an option, but like you said, most of this goes to the Planning Board. I think it is controllable.

Chairman Morin asked for further comments from the applicant and from the public.

Mr. McPherson stated thank you for hearing us out, and they have been good neighbors. Like I said, I only had an issue one time. Most of the time the DJ's play good music.

**MOTION by Mr. Green to move into deliberations on this variance application. Mr. Casale duly seconded the motion. Vote taken – all in favor. Motion carried.**

**1. Granting the variance would not be contrary to the public interest: (1) Whether granting the variance would alter the essential character of the locality:** Chairman Morin stated right now that locality is camps. They are looking to upgrade the camp; I don't think it changes the essential character. It will just be newer structures to protect with a newer main building. Mr. Duhaime stated and they are improving handicap access so more people will be able to enjoy it. Mr. Green asked is Camp Allen the only overnight camp in that area? Chairman Morin replied no; I think the Girl Scouts camp does some overnights. Ms. Elmer stated it is not a full-time overnight camp. Chairman Morin stated Camp Allen starts earlier than the others. I think they have been in session now for two to three weeks and they will probably go into September. **(2) Whether granting the variance would threaten public health, safety and welfare:** Mr. Green stated it is not likely. Chairman Morin stated I think it makes it safer and probably healthier with new areas and cleaned up areas. **2. The spirit of the ordinance is observed:** Mr. Green stated it is a non-conforming use so it is hard to say how it conforms with the spirit, but it has been there long before there were ordinances. Chairman Morin stated that is the biggest piece of it. It has been there well before any of the ordinances went into effect. Mr. Gilbert stated it is grandfathered, per say. **3. Granting the variance would do substantial justice:** Mr. Green stated new construction, safer construction probably is a good idea. Chairman Morin stated it is that balancing act of what is there now, what is coming, how much of a change it is to the people around there, and it has been in that area a long time. I think they are one of the area's better tenants compared to the soccer fields. That is a mess. That is only my personal thinking. Mr. Duhaime stated I think the improvements kind of force it to be a day camp. It is not like they are putting air conditioned spaces in, so it forces it to be a day camp at that point. **4. The values of the surrounding properties will not be**

**diminished for the following reasons:** Mr. Green stated there is no evidence. Chairman Morin stated we haven't heard anything with regard to this. **5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Special conditions of the property distinguish it from other properties in the area:** Chairman Morin stated it is definitely different being a day camp for a residential area. Mr. Green stated you want the buildings to be safe for the occupants to use it and hopefully with the new buildings, this will make it safer and have easier access. **A. Denial of the variance would result in unnecessary hardship: i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property:** Chairman Morin stated the general public purposes of the ordinance provision and of course this was there well before the ordinances were put into effect. I think it is the same with all three camps there. I don't think there is an issue with the way the camp is run and there seems to well. For the most part I would say 90 percent of their business is the day camp, and except for seeing the busses twice a day, you never seem them. **ii. The proposed use is a reasonable one:** Chairman Morin stated it is reasonable to update their camp.

**MOTION by Mr. Green that the Zoning Board of Adjustment grant the variance requested by Manchester Boys & Girls Club/Camp Foster from Article III, Section 275-21.A (1) and Table 2 for the expansion of an existing non-conforming use of a day camp plus rental of the facility for special events such as intermural sports, corporate retreats, weddings and other functions at 36 Camp Road, Lot 39-19, Zoned R&A, per our deliberations. Mr. Gilbert duly seconded the motion. Vote taken - all in favor. Motion carried.**

**MOTION by Mr. Casale to move out of deliberations on this variance application. Mr. Green duly seconded the motion. Vote taken – all in favor. Motion carried.**

**Old Business:** None

**New Business:** None

**Adjournment:**

**Motion by Mr. Gilbert to adjourn the meeting at 8:05 p.m. Mr. Green duly seconded the motion. Vote taken – all in favor. Motion carried.**