

TOWN OF THORNTON PLANNING BOARD MEETING MINUTES

Meeting Date: May 24, 2012

APPROVED

The Planning Board met and held a public meeting on Thursday, May 24, 2012 6:00 PM at the Thornton Town Hall.

6:05 p.m. Vice Chairman Phillips opened the meeting with the flag salute.

Board Members Present: Gloria Kimball, Russ Gilman (alternate, voting), Frank Freeman, Steve Babin, Tyler Phillips, Vice Chairman, Steve Morton, Selectboard Representative, Fred Gunter (alternate, voting).

Please see attached sign in sheet

Vice Chairman Phillips opened the meeting and stated that he is filling in for the vacant chairman position until the planning board elects a new chairperson. Mr. Phillips recommended the board discuss filling that position at the end of the meeting. Russ Gilman will be a full voting member for this meeting.

The board agreed that they recessed the previous hearing so that the board could hear new information from Jennifer Gilbert, OEP Representative, regarding the flood ordinances at the meeting held on May 22, 2012 with the selectboard.

Steve Morton explained that Ms. Gilbert reviewed the building permits submitted by the Benton's and did not see a problem with the selectboard approving the permits. The town is following the correct process, but they will be working on making it more efficient.

Beverly Chappell stated that Ms. Gilbert commented that the site plan and subdivision regulations were out of compliance with the flood ordinance. Mr. Gunter explained that there are some amendments that need to be made to the ordinances but they were minor and the planning board is going to work with Ms. Gilbert to update them. The board discussed the permitting process for development in the flood plain.

6:00 PM APPLICATION FOR SITE PLAN REVIEW

Campground -Route 175, PID 10-03-37-Applicant: Brad Benton and Helen Steele. Surveyor/Engineer: Tom Duffield

The board discussed the permitting process of development in a flood area. Mr. Duffield stated that he has received a tracking number on the LOMA that was submitted and should be received within two weeks. Mr. Phillips stated that the LOMA is equivalent to a base flood elevation, and is provisional until it is received. Mr. Phillips stated that the town has a requirement to provide off setting area if there is a creation of new impervious surface of ½ acre that there are basic measures to be taken. Mr. Duffield does not believe that this requirement applies; he feels that the moat is sufficient for infiltration. Mr. Phillips stated that he would rather not set a precedent with a moat, as

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this would not be allowed with other applicants. Mr. Phillips asked if the project is subject to the town or DES drainage requirements and is a settling area needed. Mr. Duffield agreed that he would address if needed.

Mr. Duffield stated that there has been no new clearing or stumping. There is no proposed work within the Shoreland requirements of RSA 483-B. Mr. Duffield explained that they had met with the fire chief and received his input regarding road width and emergency signs for campsites. A copy of the fire chief's response is in the file. They are also going to create a general hazard evacuation plan for campers and they will install markers that will indicate where the road is in the event of a flood to prevent people from driving into the drainage ditches.

Mr. Phillips asked if there would be a map issued to all campers. Mr. Duffield replied that there will be a handout of the layout of the campground and the roads.

Mr. Freeman asked what the buffer would be for the four campsites abutting the neighbors. Mr. Duffield stated that there would be trees planted along the river, as well as a fence. Mr. Phillips feels that the accessory items, such as fencing and privacy screens, should be indicated on the plan and does not require an itemized list.

Ms. Chappell stated that at the November 18, 2010 meeting he had agreed to provide a 100 foot tree buffer and that was not done. There is not enough buffer, even with a fence, to eliminate the noise. She does not feel there is an adequate buffer for the six sites abutting her property. She feels that the removal of these sites would resolve a huge problem. The board continued to discuss the buffer.

Mike Benton stated that according to a previous statement by Ms. Chappell, the removal of those six sites would "go a long way" with her concerns, if the Benton's were to temporarily take the sites away and build a buffer, if it is adequate then they would add the sites back in. Ms. Chappell stated that she does not understand why they have to keep the sites abutting her property. Mr. Duffield stated that the Benton's are proposing to absorb the sites in another area of their campground and once the screening buffer is grown in then they could revisit the planning board to add them back onto the plan. Mr. Phillips stated that there would be no prior approval of these sites. They would have to re-apply to add those six sites. Ms. Chappell stated that she would be overjoyed to have them removed from this application and appreciates their willingness to remove them. Mr. Benton further asked if they do remove these sites, and the campground is approved, will Ms. Chappell agree to not appeal the decision to the ZBA. Ms. Chappell stated that she will not waive her right to appeal however, her biggest concern is the six sites. Her other concern is that the plan at DES and the one received by the town are not the same. Mr. Duffield explained that the approval was received from the state for 45 RV sites, and the town has required the applicants to specify RV sites and tent sites which are not required by DES. He does not feel that this violates the approved plan at the state.

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Ms. Chappell stated that the other issue she has is the separation of the campground use and the special event use. Mr. Benton stated that the campers will have private access to the facilities during special events. Mr. Phillips stated that the planning board is considering the application as a campground, if there is to be a special event, then the selectboard must address the issues pertaining to special events.

Mr. Phillips asked where the six sites will be moved to on the plan. Mr. Benton stated that the relocation of the sites can be shown on the map before the end of the night. The fence will remain on the plan, but will not be erected unless the Chappell's feel that the lights from vehicles are a nuisance and then they can request the Benton's install the fence.

Mr. Phillips asked if the RV's would be stored during the winter. The Benton's agreed that they would be removed during the off-season. Mr. Demeritt asked where the RV's would be placed in a flood emergency. Mr. Duffield stated that the RVs would be moved to higher ground along with the portable toilets. Mr. Duffield stated that the emergency plan be implemented on the local level. Mr. Phillips asked for more information regarding the road waiver request. Mr. Duffield stated that the campground road names and safety lighting will be addressed in the all hazards plan. Mr. Phillips requested that they include a note that there is to be an all hazards plan that will address the safety concerns. Mr. Duffield agreed to make a note on the plan. Mr. Phillips stated that a letter from the fire chief after the conditions have been met indicating his final approval of the safety concerns would be a good idea for a conditional approval.

Russ Gilman stated that finally there is cooperation with all the boards and the regulation changes and resolutions to zoning problems are being worked on. He spoke with Mike and his wife regarding the flooding, and most problems can be resolved. He feels that the planning board should vote on approving the campground. He commended the Benton's on the amount of work they have done and in addressing flooding concerns. He feels that it would be to everyone's advantage to have two entrances/exits to the campground. Currently there is one road, with two bridges that must be crossed to exit the campground.

Mr. Gilman stated that he understands that Mr. Rand has resigned, and asked Steve Morton to explain. Mr. Morton stated that he heard Mr. Rand took a medical leave due to a family sickness, and then heard that there was a resignation. Mr. Gilman feels that the resignation will set the planning board and the selectboard back. He thinks that the campground should not be approved if there is no enforcement. Mr. Morton stated that the position will be filled, and there will be enforcement. Mr. Gilman is concerned with flood issues and the safety of people. He stated that he will support the campground but has real concerns with flooding.

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The board discussed the proposed conditions to approve the campground including, notes regarding the road safety concerns along with a final letter of approval from the fire chief confirming that all safety conditions have been met and the receipt of the LOMA. Mr. Duffield stated that they will need to meet DES permitting requirements when they phase in the septic system. Portable toilets will be used for now, and when they phase in the septic system they will meet with the planning board again and obtain state permits.

Mr. Demeritt asked if there is screening in the dumpster area. Mr. Duffield stated that the area can be done by the bathhouse area with fencing to keep animals out. Mr. Duffield agreed to show the dumpster area on the plan outside of the flood zone.

Mr. Freeman asked if the planning board wants to have the Benton's come back in front of them to make sure that the conditions are met. Mr. Phillips stated that if the conditions are not met, then it would change the approval, but if there are new issues then they could meet with planning board. The LOMA should be received by the next meeting, and the proposed septic will be approved with the state when applicable.

Mr. Phillips stated that the agreed changes to the plan need to be made this evening such as the relocation of the six camp sites. The application can be approved conditionally with the submission of the LOMA and the safety concerns of the fire chief being addressed and having the fire chief confirm the meeting of these requirements.

Mr. Gunter stated that typically a subdivision approval can be approved with conditions and it does not get signed and sent to recording until the conditions are met.

****Motion****

8:50 p.m. Mr. Gunter motioned that given these conditions and the changes to the plan to relocate the six sites that the board approves the campground plan. Gloria Kimball seconded. Mr. Gunter confirmed the conditions of approval to include, satisfactory of approval of the LOMA as shown on the plans at elevation 572, an all hazardous plan approved by Chief Tobine and Chief Moller, as well as satisfying any other safety concerns of Chief Tobine and Moller, map must indicate the relocation of the six sites in the vicinity of the trout pond reflecting the agreement between the applicant and the planning board, the letter regarding the Town's storm water and drainage standards. If it is triggered then the standards must be met, and a dumpster screening and location indication on the plans. Roll call, Frank Freeman-yes, Fred Gunter – yes, Gloria Kimball-yes, Steven Babin-yes, Steve Morton-yes, Russ Gilman and Tyler Phillips abstained. Motion passed, 5-0-2.

Mr. Duffield will submit a Mylar if needed for recording.

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Other Business

Mr. Phillips stated that he came to the town hall last night to learn how to run the recorder, and learned that Clint Rand had submitted his resignation. Most urgently, they need to appoint a chairman. He can help out, but his job has requirements that will not allow him to be consistent. He would like the board to consider a new chairman and feels that he does not have the time to adequately serve that position. Mr. Gunter feels that the chair position does have to keep in contact with the town office and the board of selectboard and needs to plan out what changes need to be made to the ordinances. Mr. Freeman also stated that he does not have the time to donate as chairperson either. Mr. Phillips offered to continue as the chairman until the next meeting so the board can think about it. Mr. Freeman also stated the one of the alternates needs to be appointed to a full board member to replace Bart Dutto. Mr. Phillips suggested that the board schedule a workshop soon to address the changes needed for the regulations and ordinances. Mr. Gunter stated that the master plan needs to be worked on again. Mr. Demeritt asked what the planning board needs to review the master plan, and to have final review before it goes to print. The board agreed that they need to review it and approve it before implementing. The document needs to be retyped or scanned to have an electronic copy so that the board members can review and vote.

The board agreed that the master plan committee should move forward with having an electronic copy of the master plan.

Steven Babin stated that the zoning regulations need to be cleaned up. Mr. Phillips stated that amendments are approved at town meeting, and zoning proposals are usually done in October. The regulations can be changed at a posted public hearing. Mr. Phillips does not feel that the planning board developed a description of what they need in the planning assistant position. If the planning board is funding half that position, then the board should have input as to what they need. Mr. Freeman was under the impression that Clint Rand was to assume the administrative duties that Marianne Peabody was doing. He asked if there is a chance Mr. Rand would reconsider his resignation. Mr. Freeman would like to see the selectboard address any issues to get Mr. Rand to change his mind; if not then a job description needs to be done to include the planning board's needs. Mr. Demeritt would like to see the planning board provide the committee with their needs to include in the job description. The board discussed the position.

Mr. Phillips stated that he received the planning board court papers. It is his understanding that the subdivision the planning board approved, the selectboard was forced to appeal the approval. He understands that there is an agreement being worked on that would make the appeal not apply. Since the selectboard had to act on the notice. Bart Mayer has a conflict and cannot represent the planning board in this case. The planning board must file a written appearance form with the court by June 5, 2012. Steven Babin stated that all the court needs is acknowledgement that the planning

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board received the notice. The board agreed to have Steven Babin submit the required notice.

****Motion****

8:49 p.m. Mr. Phillips motioned to have Steven Babin contact Bart Mayer to receive feedback on submitting the notice and act on the feedback given. Fred Gunter seconded. Mr. Babin will contact the chairman before acting officially. Motion passed 7-0.

****Motion****

8:51 p.m. Mr. Phillips motioned to adjourn. Fred Gunter seconded. Motion passed 7-0.

Respectfully submitted,

Jessi Fleury
Board Secretary
Draft posted 5/31/2012