

TOWN OF THORNTON PLANNING BOARD

Approved on: July 17, 2014
PB Initials: TJP
Rec'd by Town Clerk on: 7/22/2014
Town Clerk Initials: 2/2

Planning Board Meeting Minutes Thursday, June 19, 2014

CALL TO ORDER – SALUTE OF FLAG:

T. Phillips called the meeting to order at 6:01pm and led the pledge of allegiance.

ROLL CALL: The following members were present:

T. Phillips, Chairman	J. Paul-Hilliard, Alt Ex-Officio	
F. Freeman, Member	S. Macintosh, Member	B. Regan, Member
G. Kimball, Member	F. Gunter, Alternate	R. Gilman, Alternate

F. Gunter was appointed to be a voting member in place of S. Babin.

Sign Permit: Pope Auto Sales

N. Decoteau stated a concerned citizen form had been submitted regarding non-permitted signs for Ed Pope Auto Sales on NH Rt. 175.

N. Decoteau stated the Selectmen, as the enforcement agents for the town, sent a letter to the property owner requesting that they attend the June Planning Board meeting and obtain permits for the signs.

E. Pope and R. Tice were present to request a permit for their signs.

The Board reviewed the information presented and found two signs needed to be considered:

8' x 2' sign on the auto sales lot

Combination of a 2' x 4' sign and 12 inch x 56 inch sign on the abutting parcel

The Board reviewed the 8' x 2 sign on the auto sales lot and found that it complies with the sign regulations.

The Board reviewed the combination sign of a 2' x 4' sign and 12 inch x 56 inch sign on the abutting parcel.

T. Phillips asked if the sign was located on the property of the auto sales owner.

R. Tice responded that the combination sign is located on the abutting parcel and that he had received verbal permission from his neighbor to place it there.

T. Phillips requested a written statement from the abutter be submitted for the record.

F. Freeman noted that #8 of the Sign Regulations requires off-premise signs to be directional in content....with a maximum square footage not to exceed 10 square feet.

F. Freeman stated the 2' x 4' portion of the combination sign is directional as it points people to the office.

F. Freeman noted that the 2' x 4' portion of the combination sign is within the 10 square feet requirement but that adding the 12 inch x 56 inch portion of the combination sign puts it over the 10 square feet limit.

R. Tice agreed to remove the 12 inch x 56 inch portion of the combination sign.

MOTION: "To approve the 8' x 2' sign on the auto sales lot, Map 16 Lot 7-62, and the 2' x 4' directional sign on the abutting parcel, Map 16 Lot 7-7, with the following conditions:

- 1. A written statement from the property owner of the abutting parcel, Map 16 Lot 7-7, confirming permission for the 2' x 4' sign to be placed on the property be submitted, and**
- 2. The 12 inch x 56 inch portion of the combination sign be removed.**

Motion: B. Regan

Seconded: G. Kimball

Discussion: None

Motion Passes: 7 – Yes, 0 - No

Multi-Family: R. Rodgers Map 16 Lot 4-3

N. Decoteau explained that R. Rodgers inquired what the process would be to add an apartment to an existing building on her property located at 13 Rodgers Drive identified as Map 16 Lot 4-3.

N. Decoteau stated that the property is located in the General Residence zone and is a 4.61 acre lot with an existing 3 bedroom home and an existing garage on the parcel.

N. Decoteau stated the existing garage has a one-bedroom apartment on the upper level and the applicant is interested in converting the lower level, which is currently a garage, into a second one-bedroom apartment.

T. Phillips confirmed that there would be two residential units in one building and another residential unit in the second building.

T. Phillips noted that the proposal does not align with the definition of "Dwelling, Multi-Family" which is defined as "a dwelling occupied by three, but not more than ten, families living independently of each other in individual dwelling units".

T. Phillips clarified that the proposal would not comply with the criteria to meet the definition for an Accessory Apartment.

T. Phillips stated the density standard of one acre of usable land per dwelling will need to be met.

T. Phillips asked the applicant if there are 3 acres of usable land.

D. Rodgers indicated his opinion that there are 3 acres of usable land.

F. Freeman stated that the Board needs to clarify the Town's position on whether or not to permit more than one dwelling structure on a single parcel of land.

F. Freeman stated there is no language in the Zoning Ordinance that would prohibit it from being permitted.

R. Gilman suggested that the applicant may want to consider subdividing the parcel to create a separate parcel for each residential building as the Selectmen in the past have withheld building permit issuance when an applicant has proposed a new dwelling unit on a single lot that is already occupied by a dwelling unit.

The applicant asked if they could apply for a ZCA without subdividing the parcel.

The Board agreed that there is nothing that would prevent them from submitting a Zoning Compliance Application to the Board of Selectmen.

Outdoor Wood-fired Heaters: A. Magowan

A. Magowan was not present to discuss her concerns regarding outdoor wood-fired hydronic heaters which are regulated via RSA 125-R: 7.

PUBLIC HEARING:

T. Phillips opened the Public Hearing at 6:30pm.

6:30pm: Amendments to the Thornton Campground Regulations

Public Hearing to consider proposed amendments to the Town of Thornton Campground Regulations which were adopted by the Planning Board in August of 2000. The full text of the document under consideration is available for review at the Town Office and the town website: <http://www.townofthornton.org>.

Document for consideration at the June 19, 2014 meeting was available to all Board members and members of the public present.

N. Decoteau stated that the changes made at the last meeting are reflected in the document posted for this hearing and that the changes were mainly grammatical/typo corrections.

T. Phillips asked regarding the following statement under the title of the document: "*RSA 485 Env-Ws-1005.12 requires that campgrounds have subdivision approval for all campsites.*"

N. Decoteau explained that the statement is included on the existing regulations.

T. Phillips suggested that the applicability of the statement needs to be verified with NH DES.

T. Phillips asked if any members of the public present had comments.

G. Perry, owner of Goose Hollow Campground asked a question regarding the "camping cabins are not permitted" provision because he had previously been approved for two camping cabins.

T. Phillips stated that going forward the limitation of no camping cabins would apply, but that it would not affect prior approvals.

G. Perry asked about the maximum length of stay being only 90 nights as that is only one half of the defined season and there are patrons who desire to stay for the entire season.

G. Kimball reminded G. Perry that the regulations apply to new campgrounds.

A general discussion followed regarding the term of the maximum length of stay.

F. Freeman suggested that a campground's season should be defined as a six-month period; the start and end dates of which can be determined by individual campground owners.

T. Phillips explained that in order to keep the use of campgrounds temporary the Board has attempted to define the length of the camping season, the length of time a patron can stay at the campground and the length of time a campsite can be occupied by any type of camping apparatus.

T. Phillips indicated that the purpose is to prevent campgrounds from becoming a more than temporary use.

G. Warren, owner of Pemi River Campground stated his concern regarding limiting the maximum stay to 90 days.

G. Warren stated that patrons value the option of being able to leave a camper on site more than 90 days because of the costs associated with towing the camper in and out.

F. Gunter stated that the campground owners will bear much of the responsibility to see that the Campground Regulations are adhered to.

F. Gunter stated his opinion that the maximum length of stay should be changed to the same length of time as the camping season.

T. Phillips stated that if the maximum length of time a patron can stay at the campground and the length of time a campsite can be occupied by any type of camping apparatus is the same period of time as the camping season it would make it easier for the campground owner and the town code official to verify compliance.

T. Phillips stated that the Campground Regulation state "Off season storage of vehicles, trailers or personal property is not allowed in the campground" will require that all personal property will not be allowed to remain on the campsite year round but added that nothing prevents a campground owner from developing a business that provides recreational vehicle storage either on the same parcel or elsewhere if they submit a site plan for a separate safe storage outside of the functioning campground.

B. Regan stated his opinion that the length of time a patron can stay at the campground and the length of time a campsite can be occupied by any type of camping apparatus should be the same period of time as the camping season. After some further discussion the T. Phillips suggested changing III. Special Conditions E. to read, "Campsites are for temporary occupancy only and are not to be utilized as the basis of claiming residency. The maximum length of stay for an individual is the Campground Season."

R. Gilman suggested leaving the second sentence off due to the fact that the season is clearly defined in the regulations and that would preclude any patrons staying outside of the dates indicated.

R. Gilman stated that not allowing off season storage at the campground would preclude having any camping units on sites outside of the defined camping season.

F. Gunter suggested removing the sentence "The maximum length of stay for an individual is the Campground Season" from III. Special Conditions: E.

The Board agreed to remove the sentence.

F. Gunter suggested changing the sentence in III. Special Conditions: F. to read, "RV's, tents, trailers, or any occupancy of a campsite by a vehicle or camping apparatus has a maximum stay of the Camping Season."

The Board agreed to change the sentence.

G. Perry stated that a storage area goes hand in hand with a campground as many owners of large camping trailers do not have the necessary equipment to move the trailer and the campground owner ends up moving the trailer to a storage area after the camping season.

T. Phillips stated that the regulations will prohibit off season storage of camping trailers on the campground but that would not preclude an owner from obtaining separate site plan approval for an off season storage area.

T. Phillips pointed out the spelling of 'fireplaces' needed to be corrected.

The Board agreed to the change.

S. MacIntosh stated a comma needed to be added in front of the word however in II General in the definition.

The Board agreed to the change.

G. Kimball noted that the letter H. which has no language attached to it should be removed from Section III: Special Conditions.

The Board agreed to the change.

C. Schofield asked why certain portions of RSA 216 are noted if it is expected that all of the RSA's relative to campgrounds would need to be adhered to.

F. Gunter suggested that Section I: General B. should be changed to read as follows: "Compliance with New Hampshire RSA 216-I and 485A is required.

T. Phillips asked if there was any further input.

MOTION: "To close the public hearing."

Motion: F. Gunter

Seconded: B. Regan

Motion Passes: 7 – Yes, 0 – No

The Board determined to be prepared to adopt the revised Campground Regulations at the next regular meeting.

N. Decoteau stated she will make the changes as directed and post the final document which will be considered for adoption.

APPROVAL OF MINUTES:

MOTION: "To approve the regular meeting minutes of May 15, 2014 as amended."

Motion: F. Freeman

Second: G. Kimball

Discussion: Changes were made to correct the spelling of MacIntosh.

Motion passes: 4 – YES, 0-NO Abstained: T. Phillips, B. Regan, J. Paul-Hilliard

OTHER BUSINESS:

1. G. Warren: Pemi River Campground

G. Warren asked what would be required to elevate and anchor the 4 rental recreational vehicle units to comply with the floodplain regulations.

T. Phillips stated that the 4 units were conditionally approved and read the following portion of the Notice of Decision: *"To approve the placement of a rental recreational vehicle on sites 11, 12, 13 and 14 of Recorded Plan # 14303 with the condition that they will be moved off site in compliance with the Floodplain Ordinance with the allowance for reconsideration of that requirement if new floodplain elevation information is provided."*

T. Phillips stated that the intent of the Notice of Decision was to allow new elevation information to be submitted showing that there is a location above the floodplain on G. Warren's property where the units could be moved to in the off season so that the units would not have to be moved off his property.

T. Phillips stated there is a problem with changing the units into less than temporary structures by anchoring them to sona tube structures. The units were approved as temporary, movable structures that must be moved off of a campsite at the end of the season.

F. Freeman agreed that the original approval was based on the understanding that floodplain location on the units is temporary and that the units would be relocated to higher non-flood ground at the end of each camping season.

T. Phillips stated that G. Warren would be required to submit an amended site plan requesting a change to the 4 units if he wanted to make any changes to them.

G. Kimball agreed that there is a problem with converting the 4 units to permanent structures.

G. Warren stated his opinion that the Notice of Decision provides for the option of complying with the floodplain by elevating and anchoring the units on the campsite so they do not have to be moved.

B. Regan stated his disagreement with the way G. Warren is reading the Notice of Decision and stated that the language provides an opportunity for new flood elevation to be submitted showing that there is a location on G. Warren's property where the units can be stored instead of having to move the units off the property.

T. Phillips clarified that the Notice of Decision does not guarantee approval of releasing or changing the requirement to move the 4 units off the property, only that it would reconsider the requirement if the information is submitted showing there is a portion of the property outside of the floodplain.

T. Phillips stated that the Board would consider an amendment to the approved Site Plan if the new floodplain elevation is submitted.

2. Driveway Permitting Process:

N. Decoteau stated the Selectmen responded in writing regarding the two following questions:

1. Is it within the current regulation to allow more than one driveway on a parcel of land, and
2. Does the Board of Selectmen agree that the Road Agent has the authority to review/approve a driveway permit application for more than one driveway access on a single parcel of land?

N. Decoteau stated the response of the Board of Selectmen to the questions is as follows:

1. There is no regulation that would prevent more than one driveway on a single parcel of land.
2. The Road Agent does have the authority to review/approve a driveway permit application for more than one driveway access on a single parcel of land.

3. Sign Conditional Release of Note #2 on Gilman plan

N. Decoteau presented a Notice of Decision which F. Freeman signed as he was present at the May 15, 2014 meeting where the issue was discussed.

N. Decoteau indicated the document will be recorded with the deed at the time of transfer of the property once the driveway permit and septic plan have been submitted.

4. Sign plat for Gazder & Rebeiro

N. Decoteau stated the final mylar was delivered to the town office for the Boundary Line Adjustment approved at the May 15, 2014 meeting and presented it for signature.

T. Phillips signed the plat.

5. Sign NOD Franklin

N. Decoteau presented the Notice of Decision ready for signature for the 2 Lot Subdivision conditionally approved at the May 15, 2014 meeting.

F. Freeman signed the Notice of Decision for the Board.

6. HB 573

N. Decoteau presented NH RSA CHAPTER 126-X which is a new law that defines the use of cannabis for therapeutic purposes and asked the Board is there is any intention to create a specific zone in which alternative treatment centers will be permitted.

The Board indicated there is no plan to identify such a zone at this time.

7. General direction regarding the request for waivers.

N. Decoteau stated a surveyor working on a 2-lot subdivision has requested a consensus from the Planning Board on what waivers they may consider granting for a project with the following conditions:

- A 62 acre parcel being divided into two parcels: a 20 acre and a 40 acre parcel.
- Both lots have frontage on an existing road.
- It is an estate settlement with no current plans for future subdivision.

N. Decoteau stated the surveyor wants to know if the Board would consider the following:

1. Waive the requirement to survey the 41 acre parcel in entirety. The new line between Lots 2 and 3 will be marked on the ground. The lot corners for the division points already exist.
2. Waive the requirement for contours for both parcels.
3. Waive the soil testing requirement. There is an old sand pit on what will become Lot 3, so there is adequate area for any future septic system if warranted for a future home on that lot. The surveyor is also very familiar with what will become lot 2 and knows there are multiple places that a septic system could be installed on that piece of property as well.

N. Decoteau stated the surveyor wants to know if the Board would consider granting waivers for the following items on the Preliminary Plan Application Submission Checklist items identified below:

1. **Items 19 - 22:** would normally be located as part of the topographic survey – asking for waiver of that requirement
2. **Item 25:** obviously relative to the river and there are no plans for anything to happen on that parcel
3. **Item 29:** unknown for lot 2 and N/A for Lot 3.
4. **Item 30:** unknown for lot 2 and N/A for Lot 3.

The general consensus of the Board was that a request for any of the waivers listed would be within reason and would be considered.

T. Phillips asked if there were any concerns from the Board members.

R. Gilman asked how long does an approval last if nothing is done to build what was approved.

T. Phillips stated that if a length of time is not specified in the decision then an applicant has five years to complete the project.

R. Gilman stated his concern that Planning Board members should go and look at things that have been approved to verify they were done in accordance with the approval granted.

S. MacIntosh asked if any property transfers have come in for parcels in the Barron Mountain Development.

N. Decoteau reported that none have come in.

ADJOURNMENT:

At 9:15pm the following motion was made:

MOTION: "To adjourn."

Motion: G. Kimball

Second: F. Gunter

Discussion: None

Motion passes: 7 – YES, 0-NO

Respectfully Submitted,
Nancy Decoteau

TOWN OF THORNTON PLANNING BOARD

AGENDA

Thursday, June 19, 2014

6:00PM

A. CALL TO ORDER – SALUTE OF FLAG:

B. ROLL CALL:

T. Phillips, Chairman
F. Freeman, Member
G. Kimball, Member

S. Babin, Vice Chairman
S. Macintosh, Member
F. Gunter, Alternate

M. Peabody, Ex-officio
B. Regan, Member
R. Gilman, Alternate

C. E. Pope: Sign Permit

D. R. Noonan: Multi-family Informational 16/4-3

E. A. Magowan: Wood burning furnaces RSA 125-R:7

F. PUBLIC HEARING:

6:30pm Amendments to the Thornton Campground Regulations

Public Hearing to consider proposed amendments to the Town of Thornton Campground Regulations which were adopted by the Planning Board in August of 2000. The full text of the document under consideration is available for review at the Town Office and the town website: <http://www.townofthornton.org>.

G. APPROVAL OF MINUTES:

May 15, 2014 Regular Meeting

H. OTHER BUSINESS:

- a) G. Warren – process to change the 4 rental units
- b) Selectmen letter re: driveway permit process
- c) Sign release of Note #2. Gilman plan
- d) Sign plat for Gazder & Rebeiro
- e) Sign NOD Franklin
- f) Minor subdivision: request of possible waivers
- g) HB 573

I. ADJOURNMENT

PLANNING BOARD
June 19, 2014
SIGN IN SHEET (Please Print)

- 1 Becky Rodgers
- 2 Dean Rodgers
- 3 Robert J. Tice Robert J. Tice
- 4 Elvira Pope Elvira Pope
- 5 Justin Osgood Justin Osgood
- 6 Wendy Schofield Schofield
- 7 [Signature]
- 8 Aileen Steele
- 9 JERRY WARREN
- 10 Jesse Silvia
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