

TOWN OF THORNTON PLANNING BOARD

Approved on: Oct 15, 2015
PB Initials: SB
Rec'd by Town Clerk on: 10/20/15
Town Clerk Initials: [Signature]

Planning Board Meeting Minutes Thursday, September 17, 2015

CALL TO ORDER – SALUTE OF FLAG:

S. Babin called the meeting to order at 6:00pm and led the Pledge of allegiance.

ROLL CALL:

Members Present:

S. Babin, Chair	N. Decoteau, Ex-officio	B. Macintosh, Member
F. Freeman, Vice Chair	G. Kimball, Member	
D. O'Donnell, Alternate	C. Schofield, Alternate	

Staff Present:

B. Regan, Planning Director

MOTION: "To appoint D. O'Donnell to the fill B. Dutto's position as voting member for the meeting."

Motion: N. Decoteau

Second: G. Kimball

Discussion: None

Motion passes: 5 -YES, 0 -NO

APPROVAL OF MINUTES:

MOTION: "To approve the Minutes of August 20, 2015 as amended."

Motion: G. Kimball

Second: F. Freeman

Discussion: B. Regan indicated that the minor corrections submitted by board members have been made to the document.

Motion passes: 6-YES, 0 -NO

OLD BUSINESS:

Waterville Birches-Weeping Birches Lane: Informational Note

B. Regan updated the Board regarding the Waterville Birches-Weeping Birches Lane Site Plan.

B. Regan noted that it was recently discovered that the road known as Weeping Birches Lane is owned by deed by Waterville Estates Village District (WEVD) and that as the result they were apparently not included as an abutter to received notice of the application.

B. Regan continued that the Board of Selectmen had considered holding a joint meeting regarding the matter but determined it was not in their purview at this time.

B. Regan further stated it was his understanding that Corey Smith, Manager of the WEVD would like to meet with the Planning Board to further discuss this matter. B. Regan said he expects to hear from C. Smith in the regard.

B. Regan also stated he is now more aware of the potential number of owners of roads in the WEVD and would therefore be attentive to the issue as regards future projects in the WEVD.

CORRESPONDENCE:

B. Regan reviewed the following correspondence with the Board:

1. NHDES Wetlands permit by Notification for Tax Map 8 Lot 4-10 (Lot 10 Wanosha Road) Property Owner: Craig Smith.
2. NH DOT & North Country Council: Notice of GACIT Hearings – 10 Year Transportation Improvement Plan public hearing at Plymouth Town Hall on October 26, 2015.
3. The new edition of the Land Use Laws for New Hampshire is available at a reduced rate through the North Country Council.

The Board directed B. Regan to order two (2) books with a CD and three (3) books without the CD.

NEW BUSINESS:

D. Cluff, agent for F.A. Crane Holdings, LLC with a Public Hearing scheduled for 6:45pm was allowed to begin a presentation regarding the Excavation Permit application for Map 15 Lot 4-31. D. Cluff proceeded to apprise the board about the details of the proposed pit as well as the reclamation plan.

F. Freeman asked about the commencement of the reclamation of existing excavation that had been carried out prior to the purchase by F.A. Crane.

B. Regan notified the board that notice had been issued to the prior permittee to come forward with evidence of reclamation.

PUBLIC HEARING: Subdivision Approval

S. Babin opened the Public Hearing at 6:30 and read the Notice into the record:

Public Hearing: Continued from August 20 2015 at 6:30 as continued from July 16, 2015 at 6:45 p.m. **Application for Subdivision Approval-6 Judges Road at Upper Mad River Road, Thornton, NH (Map 13 Lot 6-22):** Public Hearing to consider an application for a Subdivision Approval submitted by John March d/b/a Mountain Mapping as agent for property owner Harry George.

J. March presented the board with the final plat making note that approval had been received from the NH DES and noted on the plan.

S. Babin asked if anyone from the general public in the audience had any question. There was no response.

B. MacIntosh asked what was the legal status of "the woods path" and how far does it extend.

J. March indicated it was not a legal easement and to his knowledge it was an old access to Welch/Dickie Mountains and went as far as what is now or formally known as the "Weld" lot.

B. Regan stated that at the July hearing the preliminary plan was reviewed in relation to the appropriate checklist, but since the final plan was not yet submitted he had not been able to fully review it.

N. Decoteau requested that the agreement to supply water to the new Lot 2 be made part of the record.

J. March produced a copy of the letter of approval from Lakes Region Water District confirming water tie in.

MOTION: "To accept the application for a Subdivision Approval -6 Judges Road at Upper Mad River Road, Thornton, NH (Map 13 Lot 6-22) submitted by John March d/b/a Mountain Mapping as agent for property owner Harry George as complete."

Motion: F. Freeman

Second: G. Kimball

Discussion: None

Motion passes: 6-YES, 0-NO

S. Babin closed the public hearing at 6:46 p.m.

MOTION: "To approve the application for a Subdivision Approval-6 Judges Road at Upper Mad River Road, Thornton, NH (Map 13 Lot 6-22) submitted by John March d/b/a Mountain Mapping as agent for property owner Harry George with the following conditions:

- 1. Recording fees for the Grafton Country Registry of Deeds be submitted.**
- 2. A driveway permit be approved by the Thornton Road Agent for Lot 2 on the plan."**

Motion: G. Kimball

Second: F. Freeman

Discussion: The Board determined the plans would not be signed until the two conditions were met.

Motion passes: 6-YES, 0 -NO

PUBLIC HEARING: Permit to Excavate

S. Babin opened the Public Hearing at 6:49 and read the notice into the record:

Application for an Excavation Permit submitted by F.A. Crane Holdings, LLC for property owned by F.A. Crane Holdings, LLC of Campton, NH and identified as Tax Map 15 Lot 4-31 located off US Rte. 3 in the vicinity of the exit ramp from I-93.

D. Cluff presented the applicant's plans for the proposed excavation as well as the proposed reclamation of the excavation site. With regard to processing materials and more specifically crushing D. Cluff explained this would not be a continuous operation but would be on an as needed basis.

B. Regan asked whether or not there was any plan in place to close of the access road from the abutting property to cut off through traffic?

D. Cluff explained no specific plan was in place but the applicant intends to contact the abutters and address the issue.

D. Cluff further explained all access and exit from the property would be from the existing entry way on Rte. 3.

A. O'Haire noted the one exit is preferable because access via Laundromat Road would have to go across the Dirt Designs property and would add significant truck traffic passing his property.

MOTION: "To accept the application for a Permit to Excavate submitted by F.A. Crane Holdings, LLC for property owned by F.A. Crane Holdings, LLC of Campton, NH and identified as Tax Map 15 Lot 4-31 located off US Rte. 3 in the vicinity of the exit ramp from I-93 as complete."

Motion: F. Freeman

Second: D. O'Donnell

Discussion: None

Motion passes: 6-YES, 0 -NO

MOTION: "To approve the application for a Permit to Excavate submitted by F.A. Crane Holdings, LLC for property owned by F.A. Crane Holdings, LLC of Campton, NH and identified as Tax Map 15 Lot 4-31 located off US Rte. 3 in the vicinity of the exit ramp from I-93 with the following conditions:

- Hours of operation to be 7a.m to 5 p.m. M-F and 8 a.m.-12 p.m. on Saturday.
- Any processing machinery to be removed upon permit expiration.
- Reclamation Bond in the amount of \$50,000.00.
- No blasting permitted.
- No crusher processing during Saturday operations.
- No onsite storage of solid waste.
- Any material brought to the site shall be processed and removed.

Motion: F. Freeman
Second: D. O'Donnell
Discussion: None
Motion passes: 6-YES, 0 -NO

General discussion ensued regarding the status of the surety posted by the prior permittee/excavator Mark E. Johnston. As the result the board directed the B. Regan, M. Johnston and F.A. Crane meet to formulate a mutually agreeable plan of action.

PUBLIC HEARING: Site Plan Review

D. O'Donnell recused herself from board discussion and actions but did participate in the Public Hearing for the Site Plan Review Application submitted by Route Three Thornton, LLC as she is an abutter to the property.

C. Schofield, an Alternate board member, stated she is an abutting property owner and recused herself from participating in the board discussion and actions but did participate in the Public Hearing for the Site Plan Review Application submitted by Route Three Thornton, LLC.

S. Babin apologized in the delay of the start of the Public Hearing scheduled for 7:15pm.

S. Babin opened the public Hearing at 7:30pm and read the notice into the record:

Site Plan Review Application submitted by Route Three Thornton, LLC for the development of a 267 site nonresidential campground on property on US Rte. 3, formerly known as the "Ham Farm" and identified as Tax Map 10 Lot 8-8.

S. Keach introduced himself as a professional engineer and agent for the applicant.

D. Anagnost introduced himself as manager and member of Route Three Thornton, LLC and owner of the property in question.

S. Keach, acknowledged that he had represented CDBA Development, LLC in a previous project proposed for site now owned by the applicant. He made note that the previous proposal featured "park model" units that would be owned by individuals and placed on sites rented or leased for periods of time. S. Keach stated the current proposal does not include "park model" units.

"S. Keach presented the plans and gave an overview of the site plan describing the 267 site campground with a target audience being "largely transient". He further stated:

- the campground would consist of 37 sites to the north of a wetlands complex on the property and the balance of the sites on the south side of the existing barn and wetlands complex.
- the sites would vary in size from 200 sq. ft. to 1000 sq. ft. and the majority would accommodate "hook ups" (e.g. water, sewer & electric).
- the site is separated from the Pemigewasset River by railroad tracks owned by NH DOT
- the site sits in two zoning districts, part in Commercial and part in Industrial I both allow campgrounds as a use.
- the site has a 100 ft. wide electric company easement "bifurcating" it.
- no camp sites would be situated within the 100 yr. flood plain.
- a Storm Water Management Report was submitted and he anticipated the board would want to have it reviewed and he encouraged such review.
- NH DES issued approval for "advancement" of two wells on the site.
- the site would be accessed from two entry/exit points, one to the north of the existing barn and the other across from Peaked Hill Pond Road.
- a Community Center of approximately 5,800 sq. ft. is proposed to house a store, laundry, showers, rainy day space, and management office.
- an in-ground pool, bath houses and two boat/trailer parking areas are also proposed.
- seven septic systems would accommodate waste at full build out.
- fire protection would be from a 30,000 gallon cistern on the south side and a 15,000 gal cistern on the north end.

- landscaped berms would be built along the Rte. 3 frontage.
- internal roadways would be paved at the entry ways and the balance would be constructed of “chip seal”.

S. Babin asked if chip seal allowed water to penetrate.

S. Keach stated it does not.

In further presenting the proposal S. Keach stated:

- site is well drained and very little water would actually leave the site given the soils make-up.
- a traffic study addendum was prepared by Stephen G. Pernaw & Co., Inc. noting a slight increase in trips due to the change in nature of the use (i.e. being more transient).
- that Mark Fougere, AICP prepared an impact statement for the proposal.

S. Keach summarized the application and its components then deferred to S. Babin and opened for questions to himself and D. Anagnost.

F. Freeman raised the point that a number of components to the applicant’s proposal were documents issued to CBDA a former applicant and being a different entity cause some confusion as to what is being presented.

F. Freeman stated for example the Alteration of Terrain permit issued to CBDA.

S. Keach stated some of the technical submittal were, in fact, produced for a prior site plan for the same parcel.

S. Keach stated there is a process for amending or transferring such submittals and that process had commenced.

S. Babin asked S. Keach if proposal is “similar but not identical” how is the difference quantified?

S. Keach answered it “does not involve park models RV’s whereas the other proposal was built exclusively around that”.

S. Babin asked about the length of time the sites might be used?

D. Anagnost answered there would be no long term rentals or leases it would be transient, I believe the statute controls the season but if someone wants to rent for a month or a season they would not be turned away. The number of days a person wanted to rent would control. D. Anagnost stated he understood “the statute would control”.

F. Freeman asked if it was anticipated under this proposal that camping vehicles would remain on site at the end of the camping season?

D. Anagnost stated he was still uncertain as to what the end of the camping season would be but he anticipated use in different seasons of the year e.g. foliage, winter sports, etc.

S. Keach noted that perhaps the section that contains 37 sites would remain available while the balance would be unavailable.

B. Sylvester noted the last proposal was “voted out because of density” and asked what has changed?

S. Keach responded in his opinion the prior proposal was not turned down because of density.

F. Freeman noted his opinion that in the prior plan the town was seeing housing as opposed to camping due to the involvement of “park models”.

B. Sylvester further expressed a concern about drilling the two proposed wells and the impact on the water table.

S. Keach answered that his concerns would be addressed via the NH DES process for permitting and testing.

S. Keach stated the proposed wells would have to be evaluated both qualitatively and quantitatively.

S. Babin noted that the length of stay may impact whether the wells are considered community or transient systems.

C. Schofield pointed out that the proposal says the wells would draw 16,500 gallons per day, the equivalent to the draw of 55 individual, single family homes.

D. Anagnost said he understood the permitting and testing is the same for community and transient systems.

S. Babin said there may be an affect on the septic systems.

S. Babin expressed an appreciation of the report of increased property tax but noted that public safety concerns and such services could be impacted significantly.

S. Babin asked whether this campground would be owner operated like others in town.

D. Anagnost stated there would be on-site management.

B. O'Donnell questioned the "visual impact versus Article II of the town"? He stated in his opinion the visual impact would be great and would negatively affect his business both visually and monetarily.

S. Keach offered his opinion that "any monetary impact would be favorable".

S. Keach stated "Article II sets the tone" for the zoning ordinance.

F. Freeman asked for clarification as to which campground regulations would be applied to this proposal as the plan notes the year 2000 version.

B. Regan responded by saying:

- Legal notices had issued on amended regulations.
- Public hearing had been held on amended regulations.
- The current proposal was filed subsequent to such notice and hearings.
- This proposal would be subject to the amended regulations once adopted.

S. Keach expressed his agreement with B. Regan's statements.

S. Keach further stated, note 15 on the proposed plan references the year 2000 campground regulations and if proposed regulations are adopted the note 15 on the plan would reflect the campground regulations "as amended".

S. Keach noted his opinion that the campground regulations were not a land use ordinance or regulation but "rather a local ordinance" subject to change from time to time. S. Keach asked B. Regan if he agreed?

B. Regan responded "generally speaking yes, as a regulation it can be amended periodically" without the rigorous time table necessary to amend the Zoning Ordinance which can only be done once a year.

c. Schofield asked about the phasing of "build out"?

S. Keach described how build out could be phased and pointed out that for each phase to be built the infrastructure for that phase had to be in place.

T. Ham questioned whether anything was "planned for the lower field except for the wells?"

S. Keach answered that within a 200 foot radius of each well any development is prohibited. He noted casual recreating (e.g. throwing Frisbee, walking a dog etc.) would be allowable.

T. Ham expressed her concern that the "northernmost entry, as planned, would be dangerous".

S. Keach responded the developer intends to change the grade at that location and further stated the NH DOT requires a 400 ft. all season safe sight line in both directions or a state driveway permit will not be granted.

G. Michetti also expressed his concern about safety on the roadway at that location.

T. Ham asked if the applicant was saying there will be no "park model" units on this campground".

S. Keach replied he understood "they are not allowed".

T. Ham emphasized her worry about liability if campers attempt to cross her property to access the river. She further stated her feeling the "people migrate to water" and asked how the applicant planned to prevent campers from crossing over?

S. Keach answered that "Route Three Thornton, LLC does not have license to cross the railroad grade" and "cannot authorize guests to cross the railroad grade".

S. Keach proposed that the site may be posted to prevent crossing.

S. Keach offered to T. Ham, since she has a concern about how to protect her property, why not tell the applicant how they may be able to help her do that.

T. Ham stated she "would love to have that conversation".

B. O'Donnell raised the issue of existing or proposed (internal) campground regulations and whether such would prevent "additions to campers" (such as porches) "would be allowed"?

D. Anagnost responded stating their campgrounds rules and regulations had not yet been developed and that the applicant was in the process of gathering facts to assist with developing such rules.

S. Keach answered that "nothing would be left behind" by camping guests.

S. Babin noted structures are not permitted under regulation.

General discussion ensued about the number of campsites proposed versus the number of campsites that could have been proposed for the site legally.

S. Babin asked if the applicant was aware the proposed regulations call for a limit on the number of days a campground may be open.

S. Keach responded that, since the proposed regulations had not yet been adopted, it would be hard to say just what the camping season is.

F. Freeman stated his understanding that the applicant has indicated an intent to comply with regulations.

S. Keach acknowledged agreement with F. Freeman.

B. O'Donnell again expressed concern over the visual impact of the project and made a comparison to "River View" in Rumney where RV's are "stored for a fee".

F. Freeman noted the proposed regulations do not allow storage.

P. Sutton asked the question "Do you (the applicant) have guidelines in place now for the campground?"

S. Keach stated "after fact-finding such regulations are to be developed".

P. Sutton reiterated his concern that the applicant have rules and regulations for the campground.

D. Anagnost stated he fully intends to develop rules and regulations for this campground noting the public hearing process and additional fact-finding greatly assist the creation of such rules and regulations.

J. Ham noted his concern that the prior applicant started out the same way and then proposed "park models".

F. Freeman responded saying the prior applicants plan proposed "park models from day one".

S. Keach noted his agreement with F. Freeman.

J. Ham expressed further concern about campground use in excess of 180 days.

T. Ham stated she felt a "traditional campground" to be preferable to "a corporate run trailer park".

P. Sutton asked about the landscaping plans for the site.

S. Keach described the general plan for landscaping the site and noted the voluminous site plans submitted, suggested P. Sutton visit the Town Office and review the full plan detail, at his convenience.

J. Peznola introduced himself as a professional engineer and an abutter by way of a recent purchase of property on Rte. 3. He presented the board and the applicant with a letter detailing 16 questions and/or concerns he has relative to this proposal. He asked the board and the applicant to address his questions/concerns.

J. Peznola continued to touch on the "high points" of his letter.

S. Keach acknowledged that J. Peznola had contacted his office directly to request copies of the plans and that his office had, in fact, provided J. Peznola with such copies.

H. Vollmer commented as to the concept that a campground may not be the "best use" of the property and suggested a "market study" may suggest something different as to density.

D. Anagnost advised, although a market study had been done for the CBDA proposal no such study had been done for this project.

D. Anagnost pointed out his long standing ties to New Hampshire and his commitment to New Hampshire and now Thornton and stated, with this proposal he "is here to work with you (the public)" and the Planning Board.

S. Babin acknowledged a lot of work remains to be done in review of this proposal and asked for agreement that the public hearing be continued "fact finding" and continued dialog.

D. Anagnost stated he welcomed written comments and volunteered to continue the hearing specifically asked that the board "to not accept the proposal tonight" in order to gain benefit from comments and have an opportunity to address them.

C. Swartz noted his concern, as a frequent traveler of Rte. 3 about traffic safety at the northernmost entrance as planned.

C. Schofield aired her concerns about water and property values being negatively impacted and questioned whether the proposal was a "legitimate business venture".

MOTION: "To continue the public hearing on the Site Plan Review Application submitted by Route Three Thornton, LLC for the development of a 267 site nonresidential campground on property on US Rte. 3, formerly known as the "Ham Farm" and identified as Tax Map 10 Lot 8-8 to October 15, 2015 at 6:30 pm."

Motion: N. Decoteau

Second: F. Freeman

Discussion: None

Motion passes: 5-YES, 0 -NO

NON-PUBLIC:

Non-Public Session was not necessary.

ADJOURNMENT:

The following motion was made at 9:22pm:

MOTION: "To adjourn."

Motion: N. Decoteau

Second: S. MacIntosh

Discussion: None

Motion passes: 6 -YES, 0 -NO

Respectfully Submitted,

Brian Regan, Planning Director

TOWN OF THORNTON PLANNING BOARD

AGENDA

Thursday, September 17, 2015

6:00 PM

A. CALL TO ORDER – SALUTE OF FLAG:

B. ROLL CALL:

S. Babin, Chair

F. Freeman, Vice Chair

B. Dutto, Member

G. Kimball, Member

N. Decoteau, Ex-officio

B. Macintosh, Member

R. Gilman, Alternate

J. Piehn, Alternate

F. Gunter, Alternate

C. Schofield, Alternate

D. O'Donnell, Alternate

C. APPROVAL OF MINUTES:

- August 20, 2015 Regular Meeting

D. NEW BUSINESS: See E 2. & E 3. below.

E. PUBLIC HEARINGS:

1. **6:30 Public Hearing:** Continued August 20 2015 at 6:30 as well as from July 16, 2015 at 6:45 p.m. Application for Subdivision Approval-**6 Judges Road at Upper Mad River Road**, Thornton, NH (**Map 13 Lot 6-22**); Public Hearing to consider an application for a Subdivision Approval submitted by John March d/b/a Mountain Mapping as agent for property owner **Harry George**.
2. **6:45 Public Hearing:** September 17, 2015 at 6:45 p.m. **Excavation Permit** – Application for a Permit to Excavate submitted by **F.A. Crane Holdings, LLC** for property owned by **F.A. Crane Holdings, LLC** of Campton, NH and identified as **Tax Map 15 Lot 4-31** located off US Rte. 3 in the vicinity of the exit ramp from I-93.
3. **7:15 Public Hearing:** -**Site Plan Review Application** submitted by **Route Three Thornton, LLC** for the development of a 267 site nonresidential campground on property on US Rte. 3, formerly known as the "Ham Farm" and identified as **Tax Map 10 Lot 8-8**

F. OLD BUSINESS:

1. Waterville Birches-Weeping Birches Lane: Informational Note

G. NON-PUBLIC:

None

H. CORRESPONDENCE:

1. NHDES: Wetlands Permit By Notification-Re **Tax Map 8 Lot 4-10** (Lot 10 Wanosha Road). Owner Craig Smith.
2. NH DOT & North Country Council: Notice of GACIT Hearings-10 Yr. Transportation Improvement Plan.

I. ADJOURNMENT:

Planning Board
September 17, 2015

SIGN IN SHEET (Please Print)

1	Robert Schmitt	25
2	David Clark	26
3	Cynthia Schepel	27
4	Mark John	28
5	Jerry Womer	29
6	Jay St	30
7	Duane R. Johnston	31
8	Alfred E. Alford	32
9	John March	33
10	Steve Knoch	34
11	DICK AWAGNOST	35
12	Scott Womer	36
13	Byron O. Danyell	37
14	Gilbert M. Chetti	38
15	PATRICK SUTTON	39
16	Corey Swartz	40
17	Jamaa Ham	41
18	Jon Ham	42
19	JOE PEZNOGA,	43
20	Hannah Vollmer	44
21		45
22		46
23		47
24		48