

TOWN OF THORNTON PLANNING BOARD

Planning Board Meeting Minutes Thursday, October 15, 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	F. Freeman, Vice Chair	G. Kimball, Member
B. Macintosh, Member	F. Gunter, Alternate	D. O'Donnell, Alternate
C. Schofield, Alternate		

N. Decoteau, Ex-officio member arrived at 7:00pm

Staff Present:

B. Regan, Planning Director

MOTION: "To appoint F. Gunter to the fill B. Dutto's position and C. Schofield to fill the vacant position as voting members for the meeting."

Motion: G. Kimball

Second: F. Freeman

Discussion: None

Motion passes: 4-YES, 0-NO

APPROVAL OF MINUTES:

MOTION: "To approve the Minutes of September 17, 2015 as amended and to include the amendment proposed by C. Schofield."

Motion: G. Kimball

Second: F. Freeman

Discussion: B. Regan indicated that the minor corrections submitted by board members have been made to the document. C. Schofield asked that on page 5 of 8 the phrase "*the equivalent to the draw of 55 individual, single family homes*" be added after the phrase "*16,500 gallons per day*".

Motion: G. Kimball

Second: F. Freeman

Motion passes: 5-YES, 0-NO 1 ABSTAIN (C. Schofield)

OLD BUSINESS:

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

Planning Director, B. Regan reported on the reclamation meeting held with F.A. Crane and M. Johnston on site.

B. Regan presented the reclamation plan to address the \$5,000 bond posted by M. Johnston the former pit operator.

B. Regan stated M. Johnston and F.A. Crane came to an agreement as to what areas M. Johnston will be responsible to reclaim and designated the areas on an aerial site map.

B. Regan stated M. Johnston and F.A. Crane detailed their agreement signed the back of the aerial site map acknowledging their agreement.

MOTION: "To accept the \$50,000.00 bond presented by the applicant for the property identified as Tax Map 15 Lot 4-31 and to issue the requested excavation permit."

Motion: G. Kimball

Second: F. Freeman

Discussion: None

Motion passes: 6-YES, 0-NO

MOTION: "To accept the agreed upon reclamation plan executed by Mark E. Johnston, F. A. Crane Holdings, LLC and the Planning Director as the basis for potential release, or partial release, of the \$5,000.00 surety posted by Mark E. Johnston for reclamation as the previous permittee/excavator."

Motion: S. Babin

Second: G. Kimball

Discussion: The Board noted that after the work is completed M. Johnston will need to request the release of the \$5,000 surety he posted.

Motion passes: 6 -YES, 0 -NO

CORRESPONDENCE:

B. Regan reviewed the following correspondence with the Board:

1. Notice that the North Country Council will be holding meetings relative to "Containing Local Highway Costs by Working Together" in area towns.

B. Regan noted that the closest meeting was scheduled for Plymouth Town Hall and a copy of the notice was in each member's information packet.

S. Babin asked that a copy of the notice be posted in the Town Hall.

NEW BUSINESS:

None

PUBLIC HEARINGS:

Public Hearing: Site Plan Review

S. Babin opened the Public Hearing at 6:30pm and read the notice into the record as follows:

Public Hearing: - 6:30 p.m. Continued by agreement from September 17, 2015 at 7:15 p.m. 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.

B. Regan stated that the applicant requested the Public Hearing be continued to next month and read the email correspondence he received dated October 14, 2015 from the applicant's agent, S. Keach and Cc'd to J. Lopez and D. Anagnost as follows:

"Brian,

Recall that at the conclusion of last month's public hearing regarding the subject application Mr. Anagnost urged his neighbors to provide written comment to your office regarding his current land use application. To date, the only input received is a copy of Mr. Peznolas's letter to the Planning Board received that evening. Given various concerns expressed by some members of the public in attendance that evening, we were hopeful more folks would accept Mr. Anagnost's invitation to provide written comments for his and the Board's consideration in advance of the scheduled October 15th Planning Board appearance. Since this has not happened, Mr. Anagnost would like to provide the public additional time to respond. Attached, please find a copy of correspondence Mr. Anagnost will be mailing to each party identified on the application's abutters list in an attempt to further encourage written input from the public. In order to allow

people who may elect to accept his invitation an appropriated amount of time to respond, Mr. Anagnost has asked me to advise the Planning Board and yourself of his intent to voluntarily postpone the scheduled continuance of last month's public hearing to the Board's November agenda, which we presume to be November 19th. For that reason, neither Mr. Anagnost nor myself plan on attending this Thursday's scheduled hearing. If you have thoughts or questions regarding this matter please contact either Mr. Anagnost or myself at your convenience.

Steven B. Keach, P.E.; President
Keach-Nordstrom Associates, Inc."

B. Regan read the attachment to the email into the record as being on the Anagnost Companies letterhead dated October 13, 2015 as follows:

"RE: Outlook Campground

During our last Planning Board meeting, which took place on September 17, 2015, it was agreed that we would voluntarily postpone any further action by the Planning Board until the October meeting. This was to allow time for all of our neighbors to submit written questions and comments. It appears that was not sufficient time for this to occur whereas we have only received one set of these comments. I will be once again voluntarily extending the application until November so we may be able to have an informative discussion with the Planning Board encompassing everyone's comments. I respectfully request that if you have any concerns that you provide them to the Planning Board Chairman at your earliest convenience.

Sincerely,

*Dick Anagnost, President
Anagnost Companies"*

B. O'Donnell asked if abutters can submit more than one written document.

S. Babin stated that if someone had a document prepared they could submit it and submit another one if that person had additional concerns.

C. Schofield asked if the purpose of the Public Hearing was to discuss concerns during a public meeting.

F. Freeman indicated that receiving written documents allow the applicant more time to consider how to respond to each concern.

C. Schofield asked if it was the applicant who controlled the timeframe of a public hearing or is it the Chairman?

S. Babin advised that the Board controlled that and once the hearing is closed it creates a time certain by which Board action must take place.

F. Gunter stated all concerns raised by the public as well as the responses and issues raised by the applicant would be addressed at the public hearing.

S. Babin stated the written concerns would not take place of the public meeting and noted that the written concerns are directed to the Planning Board and hence become part of the record.

S. Babin asked the Board members if they consider the application to be one of regional impact.

B. O'Donnell noted since the proposal had no river access the nearest water access would be at Mirror Lake in Woodstock.

C. Schofield raised the point that the Highway exits 28, 29 and 30 may be impacted.

B. MacIntosh suggested Woodstock should be notified.

The Board members agreed that the application does not require the regional impact notice to neighboring towns but agreed to send a courtesy letter to Woodstock and Campton inviting input.

F. Gunter suggested the board address the request to continue as it would not be appropriate to address issues without the applicant present.

S. Babin closed the Public Hearing at 6:50pm.

MOTION: "To accept the applicant's request to voluntarily continue the scheduled public hearing until November 19, 2015 at 6:30pm to allow additional time for the public to submit their concerns and questions regarding the proposed site plan."

Motion: F. Freeman

Second: G. Kimball

Discussion: None

Motion passes: 5-YES, 0-NO, 1-ABSTAIN (C. Schofield)

In the time between the end of the 6:30 public hearing and the scheduled opening of the 7:30 public hearing the Board discussed issues relative to the proposed Campground Regulations.

F. Freeman expressed his concern about the limitations of the defined campground season noting it would seem to preclude winter activity.

S. Babin suggested Winter camping differs from what is commonly considered camping (i.e. when the ground is available for camping) and Winter activities could be accommodated by a myriad of option within the Town.

B. Regan briefed the Board as to his conversation with Attorney B. Mayer as to traditional campgrounds and set camping seasons.

C. Schofield asked about the impact of opening a camping season term would you subject the property to "storage" of vehicles, etc.

S. Babin expressed his concern that an open numerical value of days may leave dates of use to the discretion of the campground operator. (e.g. we are closed Tuesday-Thursday).

N. Decoteau, Ex-Officio reported the Board of Selectmen's position is to encourage the Planning Board to consider approving the use of cisterns/water ponds/dry hydrants as fire suppression solutions rather than the use of individual fire suppression systems, such as residential sprinkler systems, even if the applicant offers to include them voluntarily.

N. Decoteau provided some background as to how the issue came up.

N. Decoteau explained that the Board of Selectmen would like the Planning Board to consider that it may be better for the Town/Fire Department to monitor, enforce and keeping in working order the cisterns/water ponds/dry hydrants rather than the individual fire suppression systems as there is no way to assure that home owners with the individual fire suppression system keep them turned on.

S. Babin thanked N. Decoteau and the Select Board for the input and went on to offer his personal opinion as to the public safety value of residential sprinkler systems.

MOTION: "We remove the matter from the table and continue the Public Hearing on the Adoption of Amended Town of Thornton Campground Regulations which were last adopted in August of 2000."

Motion: S. Babin

Second: F. Freeman

Discussion: None

Vote: 7-YES 0-NO

Public Hearing: - Adoption of Amended Thornton Campground Regulations

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

Public Hearing to consider the adoption of the amended Town of Thornton Campground Regulations which were last adopted by the Planning Board in August of 2000.

S. Babin gave an overview of the status and ongoing process of the amendment of the Town's campground regulations.

S. Babin asked for public comment.

S. Babin lead review of the proposed regulations Heading by Heading.

I. General

P. Sutton gave his opinion that set dates of campground operation is preferable.

N. Decoteau asked for clarification as to whether the Board was all in agreement as to define the camping season?

The Board acknowledged their agreement.

II. Site-Specific Details

B. O'Donnell asked if set-backs applied only to the perimeter of the property?

S. Babin noted these regulations encompass town subdivision and site plan review regulations and that the specifics as to individual campsites id controlled by state statute.

III. Special Conditions

N. Decoteau asked if stronger language might be necessary for clarification in "A"?

B. Regan suggested this provision presupposes the campground operator has their own internal rules and regulations.

B. O'Donnell noted a potential resource for operators would be the New Hampshire Campground Association for such things as standardized practices.

F. Freeman commented that may be a good source for accepted practices as referred to in "A".

IV. Waiver of Regulation Request Process

S. Babin asked that the statement in parenthesis be removed.

The Board acknowledged their agreement.

V. Enforcement

B. Regan suggested paragraph V. be separated to separate items as "A." and "B" to be a bit clearer.

The Board acknowledged their agreement.

VI. Penalty

C. Schofield questioned the low value of the fine.

S. Babin suggested the language could be changed to read "each" minor violation which would increase the potential severity of fines.

The Board agreed that the word "each" be added as a point of clarification.

N. Decoteau asked whether the same consideration be given to major violations, suggesting the paragraph should end at ..."major violations."

The Board agreed that the words "...dealing with issues of public safety" be removed from the end of the paragraph.

MOTION: "To continue the Public Hearing on the Adoption of Amended Thornton Campground Regulations to 6:15pm on November 19, 2015 and post the document with the changes made at the meeting and on October 15, 2015."

Motion: N. Decoteau

Second: F. Gunter

Discussion: None

Motion passes: 7-YES, 0-NO

NON-PUBLIC:

Non-Public Session was not necessary.

ADJOURNMENT:

The following motion was made at 8:10pm:

MOTION: "To adjourn."

Motion: G. Kimball

Second: F. Gunter

Discussion: None

Motion passes: 7 -YES, 0 -NO

Respectfully Submitted,

Brian Regan, Planning Director