

# TOWN OF THORNTON PLANNING BOARD

Approved on: 4/19/2018  
PB Initials: SB  
Rec'd by Town Clerk on: 4/24/18  
Town Clerk Initials: BR

## Planning Board Meeting Minutes Thursday February 15, 2018

### CALL TO ORDER – SALUTE TO THE FLAG:

Chairman S. Babin led the Pledge of Allegiance and called the meeting to order at 6:03 p.m.

### ROLL CALL:

Members present: S. Babin, J. Gaites, D. O'Donnell

Alternates present: G. Kimball, J. Piehn

Members/Alternates absent: B. Dutto, F. Freeman, R. Gilman, L. Hoyt, C. Schofield, F. Gunter

Others present: Brian Regan, John March, Stephen Tower, Thomas Garceau, Tom Devane, Michael Corcoran, Jon Warczoka, Helene Anzalone, Laurie McKenna, Adrienne Michaud, Charles Rowley, Robert Murray, Karen Florio, William Doucette, Deb Doucette, Una Harrington, Dick Linck, Sandy Linck, Rebecca Farnsworth, Ron Farnsworth, Derek Farnsworth, Deb McKinnon.

-----  
After call of the roll, Chairman S. Babin appointed Alternate J. Piehn to sit in place of absent member F. Freeman and Alternate G. Kimball to sit in place of absent member B. Dutto.  
S. Babin then acknowledged that a quorum was present.

**APPROVAL OF MINUTES:** Upon distribution and review the members took the following action:

**MOTION:** "To accept and approve the Minutes of January 18, 2018 as amended."

Motion: G. Kimball

Second: J. Piehn

Discussion: B. Regan noted some edits were made to the draft after board input.

Motion passes: 4-YES, 0-NO, 1 ABSTAIN (D. O'Donnell)

### PRELIMINARY BUSINESS:

1. **Voluntary Merger (RSA 674:39a) by Stephen P. Hyle & Doloretta A. Hyle for properties at 187 Upper Mad River Road (Map 16 Lot 7-44A), (Map 16 Lot 7-44B).**

B. Regan presented an overview of the proposal coming forward to merge two contiguous lots in the common ownership of the applicants. He further stated, since there is a dwelling on one lot and its driveway across the other, the owners seek to merge the parcels for convenience and tax purposes.

B. Regan also noted the applicants have submitted a notarized document certifying that no mortgage or other liens affect the properties.

He also noted the proposed merger would not result in any zoning violation or non-compliance.

**MOTION:** "To approve the application for Voluntary Merger filed by Stephen and Doloretta Hyle for parcels located at 187 Upper Mad River Road and further identified as Map 16 Lot 7- 44A and Map 16 Lot 7- 44B.

Motion: G. Kimball

Second: J. Gaites

Discussion: None

Motion passes: 5-YES, 0-NO

## 2. March Meeting:

B. Regan again reminded the board he would not be available for the March meeting but would see that all necessary steps would be taken, in advance, to assure the meeting would be held in his absence at the appointed time.

**COMMUNICATIONS:** None

## REPORTS:

1. Update on Voluntary Merger (RSA 674:39a) by LCJ Holdings, LLC for properties at "Sunrise at Owls' Nest".  
B. Regan informed the board that the merger application he was authorized to sign, as board designee, had been completed.
2. Update on C@R Auto Sales and Services, LLC: Minor Site Plan review [Map 6 Lot 3-14] at 6 Conkey Road.  
B. Regan informed the board he had been in contact with the parties involved and that they were still in the process of completing an application to be submitted in the near future.

**UNFINISHED BUSINESS:** See H1. and H3. below.

## HEARINGS:

1. APPLICATION/PUBLIC HEARING - 6:15 pm: (continued from December 21, 2017) Application for **Site Plan Review**-Amy, Charles & Linda Pitman property at **3447 U.S. Rte. 3**, Tax Map 6 Lot 5-1 for development/change of use for operating a "**boutique**" winery, **café & gift shop** in and upon the property.

S. Babin read the foregoing and re-opened the matter at 6:15 pm. He made note that a Planner Review had been submitted for this matter.

B. Regan advised the board of the applicant's additional request to continue this matter, this time due to "we will be out of town and not be able to be there that night".

B. Regan further noted, despite the board's request at the last meeting and the applicant's representative's assurance that documentation from the State of NH would be forwarded for review, none had been forthcoming.

In his Planner Review B. Regan summarized the status of the matter and made the following recommendation:

*"In light of the number of requested continuances to date, coupled with the lack of production of documents and/or information to complete the application I would recommend that the matter be tabled until the applicant is able to supply sufficient data to allow the board to make an informed decision.*

*It would be my further recommendation that, if the applicant fails, neglects or refuses to supply sufficient data within six (6) months, the application be denied."*

After brief discussion amongst board members S. Babin asked for the wishes of the board.

**MOTION: "To suspend hearing and table the discussion of the application and the public hearing until such time as the applicant submits documentation sufficient to complete the application, but no later than for the regular meeting scheduled for August 16, 2018. If such documentation is not submitted by then, the application will be denied as incomplete."**

Motion: G. Kimball  
Second: J. Gaites  
Discussion: None  
Motion passes: 5-YES, 0-NO

2. APPLICATION/PUBLIC HEARING - 6:20 pm: **Boundary Line Adjustment** submitted by Sabourn & Tower Septic Design & Surveying, PLLC. on behalf of **Richard W. Tuttle, John & Shelly Robello, and Gloria Kimball, et al** regarding their properties at Mill Brook Road and Sleepy Hollow Road, **Tax Map 11 Lot 03-05 and Tax Map 11 Lot 03-04 and Tax Map 11 Lot 03-01** respectively.

S. Babin read the foregoing and opened the public hearing at 6:23pm.

G. Kimball recused herself from participation in the matter at hand.

B. Regan presented a summary of the status of the application documentation as submitted to date.

S. Babin recognized S. Tower as representative of the applicant's.

S. Tower introduced himself as a registered land surveyor and presented the background and need for the requested boundary line adjustments. He went on to describe building and/or structure encroachments on the Tuttle property. He stated there would be "equal area land exchanges" and that "none of the parcels would change in total area".

S. Babin noted the adjustments appear to make a "geometrically more conforming lots". S. Tower agreed.

T. Garceau asked how the changes may affect his property. Upon review of the proposed plan T. Garceau indicated he was satisfied that his property would not be affected.

B. Regan noted he had heard from Judith Parks, an abutter concerned with any affects she may have.

B. Regan further stated, after exchange of information with J. Parks, she understood there would be no impact on her property.

S. Babin closed the hearing at 6:29 pm and asked for the wishes of the board.

**MOTION: "To accept the application as complete".**

Motion: D. O'Donnell

Second: J. Gaites

Discussion: None

Motion passes: 4-YES, 0-NO

**MOTION: "To approve the application submitted by Sabourn & Tower, PLLC for Boundary Line Adjustment of properties identified as Tax Map 11 Lots 3-4, 3-5 and 3-1 located at Mill Brook Road and as depicted on the final plan as submitted for recording."**

Motion: D. O'Donnell

Second: J. Piehn

Discussion: None

Motion passes: 4-YES, 0-NO

S. Babin and D. O'Donnell signed the paper copies and Mylar plan on behalf of the board.

G. Kimball returned to sit as a voting member for the balance of the meeting.

3. APPLICATION/PUBLIC HEARING - 6:30 pm: Application for two-lot **Subdivision** submitted by John March d/b/a/ Mountain Mapping as agent for **Joseph V. Fleming** for his **14.79 +/- acre** property on **NH Rt. 175** identified as **Tax Map 6 Lot 9 -19**.

S. Babin read the foregoing and opened the public hearing at 6:33 pm.

S. Babin recognized John March d/b/a/ Mountain Mapping as agent for the applicant Joseph Fleming.

J. March presented an overview of the proposed subdivision and explained adjustments made to accommodate the NH DOT driveway permit process for accesses to and from NH Rt. 175. He indicated it was the desire of the DOT to assure the boundary to be 33ft. from the centerline of the road

J. March submitted copies of approved DOT driveway permits to the board.

S. Babin pointed out the adjustment made from the original plan to the revised, now pending, plan.

S. Babin closed the hearing at 6:37pm and sought the boards wishes.

**MOTION: "To accept the application as complete".**

Motion: G. Kimball

Second: D. O'Donnell

Discussion: None

Motion passes: 5-YES, 0-NO

**MOTION: "To approve the application submitted by John March, d/b/a Mountain Mapping for subdivision of a 14.79-acre property owned by Joseph V. Fleming identified as Map 6 Lot 9-19 and located at NH Rt. 175 into two (2) lots as depicted on the final plan as submitted."**

Motion: D. O'Donnell

Seconded: G. Kimball

Discussion: None

Motion passes: 5-Yes, 0-No

S. Babin and D. O'Donnell signed the paper copies and Mylar plan on behalf of the board.

4. APPLICATION/PUBLIC HEARING - 6:50 pm: **Site Plan Review and Boundary Line Adjustment** submitted by Horizons Engineering, Inc. as agent for **LCJ Holdings, LLC** regarding their property at **Lafayette Road (Tax Map 16 Lot 7-1; Tax Map 16 Lot 01-07SR01 through Tax Map 16 Lot 01-07SR12 and Tax Map 16 Lot 01-07SRCO)** for development of seventeen (17) residential condominium units to be identified as "Sunrise at Owls Nest".

S. Babin read the foregoing and opened the public hearing at 6:55pm.

S. Babin recognized property owner's representative and project director Tom Devane. Mr. Devane presented an overview of the proposed development. He described the owner's desire to build a 17-lot residential condominium in place of the previously existing 12 lot development. Reduction in number of Bedrooms from 48 – 41 despite increase in unit number. Nine 1 bedroom eight 4 bedroom units are proposed.

B. Regan noted that the applicant had executed, and the board approved, a Voluntary Merger of the referenced 12 lot plan.

T. Devane introduced Jon Warczoka of Horizons Engineering on behalf of LCJ Holdings, LLC.

J. Warczoka distributed copies of plans. He then described the need to extend the lot line to accommodate the septic designs and the creation of individual (i.e. subdivided) lots for each homesite. He suggested this would be the first part of the proposal. He then described the site plan aspect of the proposal noting the 17 units to be supplied with potable water from an existing community system and a combination of individual and shared systems would handle the septic plans. He noted that the existing soil conditions in the vicinity to be optimal. He also described the included grading plan and drainage proposal.

H. Anzalone asked if there were covenants covering activities on the property. She expressed concerns about gunfire, lighting, talking loudly, lighting on at night, etc. Where are the units to be located?

J. Warczoka pointed out the project location on the plan.

S. Babin noted that the matter at hand is in compliance with the town's zoning ordinance and other regulations.

B. Regan stated that if a proposed project meets with approval from this board it may be built. It may not be built without proper permitting. In Thornton that is a Zoning Compliance Application under the jurisdiction of the Select board.

T. Devane stated gunfire is not allowed on their property and offered he could be contacted if the need arises.

L. McKenna asked if the new units will have adequate parking?

T. Devane stated Yes, there will additional spaces provided as well as overflow space at the main lot.

A. Michaud asked did the original plan get approved with only one entrance?

S. Babin stated the existing records should shed light on what had previously been approved.

C. Rowley asked about the water supply. Does the testing indicate that increased use would not impact existing water users in the vicinity? Is there a "back up plan"?

J. Warczoka said yes. Adding that all was presented for state approval and all indications are that the numbers are more than adequate for the needs.

T. Devane noted the actual reduction of use due to reduction in bedrooms.

Robert Murray asked if any kind of traffic study done? The concern we have is increased flow of vehicular traffic on Pemi River Road. It is a safety concern.

S. Babin, understanding the concerns, suggested the preexisting overall plan had, at least in principal, included the proposed development on the property and utilizing the existing roadways. Further, that the roads are not "town roads".

T. Devane stated a willingness to work with residents about road concerns and related issues as had been done in the past. He also reiterated plans for a second entrance to be constructed to assist with future traffic flow.

C. Rowley asked about potential development of the nearby golf hole(s)?

T. Devane questioned the relevance of the question with regards to the pending proposal.

S. Babin returned the conversation to the proposal before the board, i.e. are they proposing to use the land within the towns regulations.

Una Harrington stated we have no idea what is going on. We have no Idea what they are doing.

Dick Linck asked about a back-up power system for the water system, in terms of safety?

J. Warczoka noted the existing system is in compliance with state standards.

Deb McKinnon question the burden of the project on public safety i.e. Police and Fire.

S. Babin again suggested that would have been considered when the original project was proposed.

H. Anzalone questioned why she had not previously received abutters notices.

B. Regan stated the reason she had received a notice because of the boundary line adjustment ant the fact that a portion of the parcel she does abut is now involved.

S. Babin reviewed the applicable checklists with the board and applicant's representatives on a point by point basis. He then asked the board members if there was any further question, comment or discussion?

B. Regan noted the need, in this case, to amend the applicable Land Dedication agreement between the owners and the town.

S. Babin closed the public hearing at 7:49 pm and asked the wishes of the board.

**MOTION: "To accept the application as complete".**

Motion: G. Kimball

Second: D. O'Donnell

Discussion: None

Motion passes: 5-YES, 0-NO

**MOTION: "To approve the application for a Boundary Line Adjustment and seventeen (17) unit residential Site Plan submitted by Horizon's Engineering, Inc. as agent for property owner LCJ Holdings, LLC for "Sunrise at Owl's Nest-A Condominium" Map 16 Lot 01-07SRCO and Map 16 Lot 1-7SR01 through Map 16 Lot 01-07SR12. Including lot line adjustment to Map 16 Lot 01-07. All as depicted on the final plan submitted. Approval is conditioned on the following:**

- 1. Owner obtaining and submitting NH DES Alteration of Terrain Permit (AoT).**
- 2. Owner obtaining and submitting NH DES Septic Approval(s).**
- 3. Owner obtaining and submitting NH DOJ approved Condominium Documents.**
- 4. Owner & Town executing appropriate Land Dedication Agreement (LDA) amendment".**

Motion: G. Kimball  
Second: D. O'Donnell  
Discussion: None  
Motion passes: 5-YES, 0-NO

S. Babin and D. O'Donnell signed the paper copies and Mylar plan on behalf of the board.

**OTHER BUSINESS:**

D. O'Donnell raised the matter of discussion of a sub-committee to consider zoning ordinance amendments and the like and indicated a willingness to participate.  
B. Regan acknowledged that the board has, on a number of occasions, discussed putting a sub-committee or working group to address any necessary changes within the coming year to be presented in March of 2019 in a comprehensive package.  
S. Babin expressed an interest in participating as well.  
All agreed to the merits of the concept and that further discussions should take place to move the effort forward.

**ADJOURNMENT:**

The following motion was made at 7:59 p.m.

**MOTION: "To adjourn."**

Motion: G. Kimball  
Second: J. Piehn  
Discussion: None  
Motion passes: 5-YES, 0-NO

Respectfully Submitted,  
*Brian Regan*, Planning Director

# Thornton Planning Board Meeting

## February 15, 2018

6:00 p.m.

### Sign In Sheet

PLEASE **PRINT** YOUR **NAME** **AND** **ADDRESS**.

Thank you!

	Name	Address
1.	JOHN MARCIT	Mad River Road Thornton
2.	Thomas Garcey	10 DuPont Lane, Thornton
3.	Stephen Tower	1022 D.W. Highway North Woodstock
4.	TOM DEWANE	Owl's Nest
5.	Helene Anzelone	1548 N.H. RT 175 Thornton
6.	Laurie McKenna	55 Lafayette Rd Thornton
7.	Adrienne Michaud	7 Linkside
8.	Charles Rowley	Edgewater Lane Thornton
9.	RIT Mung	139 Remi Rv rd
10.	Karen Flood	SW SPUR Rd
11.	William & Deb Doncette	50 Edgewater
12.	Una Harrington	59 Rising Ridge Rd
13.	Dick & Sandy Link	59 Edgewater Lane Thornton
14.	Ron & Rebecca Farnsworth	3051 US Rt 3 Thornton
15.	Dech Farnsworth	3051 US Rt 3 Thornton
16.	Deb McKinnon	16 SW Spur Rd. Thornton

17. Jon Wazocha Horizons Engineering

18. Michael Corcoran OWK Nest Ltd

19. \_\_\_\_\_

20. \_\_\_\_\_

21. \_\_\_\_\_

22. \_\_\_\_\_

23. \_\_\_\_\_

24. \_\_\_\_\_

25. \_\_\_\_\_

26. \_\_\_\_\_

27. \_\_\_\_\_

28. \_\_\_\_\_

29. \_\_\_\_\_

30. \_\_\_\_\_

31. \_\_\_\_\_

32. \_\_\_\_\_

33. \_\_\_\_\_

34. \_\_\_\_\_

35. \_\_\_\_\_

36. \_\_\_\_\_

37. \_\_\_\_\_

38. \_\_\_\_\_

39. \_\_\_\_\_

40. \_\_\_\_\_

41. \_\_\_\_\_