

TOWN OF THORNTON PLANNING BOARD

Approved on: Feb 21, 2019
PB Initials: SB
Rec'd by Town Clerk on: 3/4/19
Town Clerk Initials: [Signature]

Planning Board Meeting Minutes Thursday January 17, 2019

CALL TO ORDER – SALUTE TO THE FLAG:

Chairman S. Babin called the meeting to order and led the Pledge of Allegiance at 6:02 p.m.

ROLL CALL:

Members present: S. Babin, F. Freeman, L. Hoyt, D. O'Donnell, J. Piehn

Alternates present: None

Members/Alternates absent: B. Benton, B. Dutto, F. Gunter, G. Kimball, C. Schofield

Chairman Babin acknowledged that a quorum was present, there being five (5) members present.

Others present: Brian Regan, Shirley Benton, Thomas Duffield, Alfred Duguay, Kathy Chamberlain, Dave Erickson, Kali Cushing.

APPROVAL OF MINUTES: Upon distribution and review of the meeting minutes of December 20, 2018 the members took the following action:

MOTION: "To accept and approve the Minutes of the Thursday December 20, 2018 meeting as amended."

Motion: S. Babin

Second: D. O'Donnell

Discussion: B. Regan acknowledged some errors and omissions and advised he had received comments, corrections and/or amendments from the board and made the appropriate changes in all cases.

Motion passes: 4-YES, 0-NO, 1-ABSTAIN (J. Piehn)

PRELIMINARY BUSINESS:

1. Preliminary Consultation & Review – David Clay-Storage of "Heavy Equipment" on lot in residential subdivision on Centennial Way [Map 15 Lot 1-50-14].

B. Regan presented the board with an overview of the issue presented by Mr. David Clay. In a telephone conversation Mr. Clay had expressed an interest in "storing equipment" on one or more of the lots he owns on Centennial Drive since the area is "zoned commercial". B. Regan stated he told Mr. Clay although zoned commercial, the approved use of the lots in the subdivision is residential. B. Regan further stated he advised Mr. Clay that it would be appropriate to bring his request before the board in a Preliminary Consultation and that he would place the matter n the agenda and send a written notice of the meeting date and time.

Neither Mr. Clay nor anyone on his behalf appeared at the meeting.
After general discussion and consideration, the board took no action.

COMMUNICATIONS: None

REPORTS:

Planning Director report(s): None

UNFINISHED BUSINESS:

1. See H 2. Below.

HEARINGS:

1. APPLICATION/PUBLIC HEARING- 6:15 pm: (Continued from December 20, 2018) Application for a Permit to Excavate submitted by Shirley Benton for property owned by Shirley Benton and Jerel Benton and identified as Tax Map 10 Lot 3-41 located off Cross Road, commonly known as "Benton Enterprises".

S. Babin read the foregoing and re-opened the matter at 6:15 p.m.

S. Babin recognized applicant S. Benton and T. Duffield as representative of the applicant.

T. Duffield presented revised plans and checklist as previously requested by the board. He then described the plans as to the existing conditions and future excavation and reclamation.

B. Regan gave an overview of the initial and additional documentation presented in support of completion of the application.

T. Duffield stated he was preparing a "status letter" to the state as an update of the existing Alteration of Terrain permit (AoT). T Duffield stated a copy of that status letter would be given to the town.

S. Babin ran through the plans, checklist and previous permit conditions with the board.

D. Erickson asked to be oriented to the site location and status of the excavation and processing.

T. Duffield responded to him with direct reference to the plans submitted.

K. Chamberlain asked for further clarification of what was happening last year and what will happen going forward.

T. Duffield and S. Benton gave an overview of the plan going forward stating the project was approximately 75% complete and it was expected it would take another 5-6 years to reach completion.

S. Babin asked if there were any further questions from the public or the board.

Hearing none, he closed the hearing at 6:29 p.m.

S. Babin then requested the wishes of the board.

The board then took the following action:

MOTION: "To accept the application as complete".

Motion: F. Freeman

Second: D. O'Donnell

Discussion: None

Motion passes: 5-YES, 0-NO

The board then took the following action:

MOTION: "To approve the renewal of an Excavation Permit as submitted by Shirley Benton for property owned by himself and Jerel Benton off Cross Road (Map 10 Lot 03-41) for 5 years and subject to the following conditions:

1. Hours of operation: Monday through Friday (No Sundays or Federal Holidays) 7:00 am to 5:00 pm and from 8:00 am to 12:00 Noon on Saturday.

2. Processing machinery: May be erected and maintained on the property, shall be operated in conformance with the Thornton Excavation Regulations, **RSA 155: E** this application and permit issued.

3. Blasting: Not allowed.

4. On-site storage: Equipment may be refueled on site, but no storage of fuel is allowed on site. No storage of solid waste is allowed on site.

5. Water Quality: No degradation of water quality shall be allowed to occur as a result of this excavation project.

6. Dust control measures: May be required upon request by the Thornton Planning Board.

7. Backhauling, Importing and Storage of Material: Earth, concrete, and asphalt that did not originate from the site may be brought in, or stored upon, temporarily and any such material shall be processed and/or removed prior to pit closure.

8. Crushing: May be done on site during stated hours of operation Monday through Friday, crushing is not permitted on Saturdays or Federal Holidays. The Planning Board reserves the right to adjust the operating hours of said crusher if necessary.

9. Posting of Bond/Surety: Amount of Reclamation Bond to be posted for site is Ten Thousand Dollars (10,000.00) to be renewed annually by the permittee. The applicant/permittee shall be responsible to timely file the annual renewal with the town.

Motion: D. O'Donnell

Second: J. Piehn

Discussion: None

Motion passes: 5-YES, 0-NO

2. APPLICATION/PUBLIC HEARING-6:30 pm: (continued from December 20, 2018) 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 6:35 p.m.

S. Babin recognized Alfred Duguay on behalf of the applicants.

A. Duguay stated "...there are a couple of things going on". "We received a letter from the state saying just what their plans are". What they propose to release. We are in the process of trying to find a surveyor "We've called a few but we haven't got any calls back".

S. Babin noted there is a path set forth in the letter from the state DOT for release of their interests.

A. Duguay presented an "alternative proposal" showing two (2) parking spaces to be accessed for the town road/public way.

Discussion ensued about access for U.S. Rte. 3 a state road.

F. Freeman commented that the road issues had been a known problem for many, many months. He then asked if a completed application had yet been presented.

B. Regan stated his opinion that a completed application had not yet been presented.

S. Babin reiterated that the letter from the state DOT states what needs to be done, including a survey and what the surveyor needs to do.

A. Duguay stated "All we are doing is cleaning up other people's messes."

A. Duguay stated the town had effectively shut down their operations including "our tasting room in Waterville Valley".

B. Regan noted that any action by the town of Thornton could not directly affect any activities in another town.

D. O'Donnell asked if (wine) tasting was being done at that location.

B. Regan commented that the use "Production and sale of locally produced crafts and goods" is only allowed in any zone by "Special Exception", and the applicants had obtained a conditional approval from the ZBA. He added, since there is development of the property and a change of use, Site Plan Review is then required. Finally, he reminded the board they had agreed to view this matter as a "Minor Site Plan".

S. Babin then reviewed the Minor Site Plan checklist with the board and Mr. Duguay. While doing so, S. Babin annotated a copy of the checklist by identifying what was complete and what needed to be completed. He then handed A. Duguay the annotated checklist. A copy was kept for the file.

General discussion ensued amongst the board members and A. Duguay on the subject of engaging a local land surveyor to produce the survey requested by the state DOT and suitable for recording at the Grafton County Registry of Deeds.

S. Babin also advised that the town does have Sign Regulations under the Planning Board's jurisdiction.

A. Duguay suggested that the sign on the premises had been there for many years and was "grand-fathered"

B. Regan noted any newly proposed sign or changes to a preexisting sign structure or content, would be subject to review by the board.

S. Babin made a general request for further questions or comments to the board and others present.

B. Regan, once again, summarized the three (3) matters that need to be addressed by the applicants.

1. Abandonment of the town road or public way.

2. Release of State DOT's rights.

3. Ownership interest in the "Kosoff" parcel.

He further noted the roadway abandonment required a petition to be filed with the Town Clerk by February 4th.

F. Freeman asked A. Duguay if he was aware that the petition had to be filed by February 4th?

A. Duguay said "yes, but I wasn't sure what the state was going to do."

S. Babin asked A. Duguay, since there was still work to be done to complete the application, would the applicants like to continue the matter to next month?

A. Duguay acknowledged the need to continue the matter.

The board then took the following action.

MOTION: "I move that the board grant the applicants' request for continuance and place the matter on the agenda for Thursday February 21, 2019 at 6:15 p.m."

Motion: S. Babin

Second: F. Freeman

Discussion: None

Motion passes: 5-YES, 0-NO

OTHER BUSINESS:

1. 2019 Zoning amendments - Reconsideration.

B. Regan made it known that, although previously reviewed by the board and forwarded for submittal to the Town Meeting warrant, a few corrections were needed. As the result another public hearing would be necessary no later than February 4, 2019.

The board then took the following action:

Motion: "To schedule a special meeting for Monday February 4th at 6:00 p.m. to further consider proposed Zoning Ordinance amendments and hold a public hearing thereon."

Motion: S. Babin

Second: D. O'Donnell

Discussion: None

Motion Passes: 5-YES 0-NO

2. Master Plan-Consideration of revisions.

B. Regan informed the board of his discussion with the BOS during this year's budget hearings, that it may be time to consider revisions that may be needed in the Master Plan. He stated the sum of \$5,000.00 had been approved by the BOS for that purpose.

After general discussion the board agreed to begin the process of review of those portions of the Master Plan that are required by statute.

ADJOURNMENT:

The following motion was made at 7:56 p.m.

MOTION: "To adjourn."

Motion: D. O'Donnell

Second: J. Piehn

Discussion: None

Motion passes: 5-YES, 0-NO

Respectfully Submitted,

Brian Regan, Planning Director

Thornton Planning Board Meeting

January 17, 2019

6:00 p.m.

Sign In Sheet

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

Thank you!

	Name	Address
1.	Kali	3602 Rt 3
2.	Kathy Chamberlain	28 Birch Bend
3.	DAVE ERICKSON	" " "
4.	Tom Duffield	Thornton
5.	Shirley Benton	Thornton
6.	ALFRED Digby	Thornton
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