

# TOWN OF THORNTON PLANNING BOARD

Approved on: May 16 2019  
PB Initials: SB  
Rec'd by Town Clerk on: 05/19  
Town Clerk Initials: ajm

## Planning Board Meeting Minutes Thursday April 18, 2019

[NOTE: S. Babin was in attendance via a cell phone/FaceTime connection. Prior to the opening of the meeting he asked if another member, physically present, would agree to act as chairperson for the evening. P. Laufenberg agreed to chair the meeting.]

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

P Laufenberg called the meeting to order and led the Pledge of Allegiance at 6:02 p.m.

### ROLL CALL:

Members present: S. Babin, L. Hoyt, P. Laufenberg, D. O'Donnell,

Alternates present: G. Kimball, F. Gunter

Members/Alternates absent: R. Sabourn, B. Dutto, F. Freeman

Acting Chairman Laufenberg acknowledged that a quorum was present, there being four (4) Members present.

Others present: Brian Regan, Jon Warzocha, Chad Stacker, Matt Murphy, John Gabbeitt, Steve Tower, Julie Piehn, Cindy Schofield, Vincent DiMartino, Tom DeMatteo, Valerie Gray, Steve Siegel, Judy Siegel, Carol Peltier, Lisa Sheehy, Larry Kast, Toni & Jennifer Stewart-Humphrey, Stephen Mason, Dick & Sandy Linck, Dick & Linda Campbell.

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**APPROVAL OF MINUTES:** Upon distribution and review of the meeting minutes of March 21, 2019 the members took the following action:

**MOTION: "To accept and approve the Minutes of the Thursday March 21, 2019 meeting as presented."**

Motion: S. Babin

Second: D. O'Donnell

Discussion: None

Motion passes: 4-YES, 0-NO

B. Regan asked to be recognized and informed the board that upon review of the recording of the March 21, 2019 meeting and discussion with counsel to the Planning Board Matt Serge, it was determined that a number of actions taken by the board at that meeting were invalid as the result of the direct participation of an Alternate who had not been appointed as a voting member. He further stated, since the matters in question were acted on by more than a majority of those present and voting, the most efficient way to correct the procedural oversight would be to ratify, and thereby validate, those March 21<sup>st</sup> actions by a vote of the board.

After brief discussion the board took the following action:

**MOTION: "To correct the record and affirm any of this board's actions taken in violation of our rules of procedure, I move that we hereby ratify any and all motions, seconds and votes reflected in the minutes of the meeting of March 21, 2019."**

Motion: S. Babin  
Second: D. O'Donnell  
Discussion: None  
Motion passes: 4-YES, 0-NO

Acting Chairman Laufenberg then authorized Alternate F. Gunter to sit for the evening in place of absent Member F. Freeman and Alternate G. Kimball to sit for the evening in place of absent Member B. Dutto.

**PRELIMINARY BUSINESS:**

1. Re: Appointment of Alternate. Consideration/Action on letter of interest from Julie Piehn, 50 Banjo Drive.

B. Regan noted that the board had voted to appoint Alternate J. Piehn for a three-year term at the March 21 meeting but had yet to execute the appointment form. He presented the appointment form to the board for signature. The board members present signed the appointment.

B. Regan advised the board of a letter of interest submitted by C. Schofield to be appointed as an Alternate Member for a term of one year.

**MOTION: "I move that the board acknowledge and accept the letter of interest of Cindy Schofield and appoint her to a one-year term as requested."**

**Motion:** D. O'Donnell

**Second:** F. Gunter

**Discussion:** None

**Motion passes:** 6-YES, 0-NO

B. Regan then presented the appointment form to the board for signature. The board members present signed the appointment.

**COMMUNICATIONS:** None

**REPORTS:**

1. Planner Review of H.1 below.

2. Planner Review of H.2 below.

B. Regan stated the above referenced reports were attached to and are presented to be considered with the related item.

**UNFINISHED BUSINESS:** None

**HEARINGS:**

**1. APPLICATION-PUBLIC HEARING: An application for amendment to a previously approved Site Plan submitted by Sabourn & Tower PLLC as agent for Herbert and Judith Ingram for their properties at Brookside Road and further identified as Tax Map 11 Lot 01-1731 thru Lot 01-1734. The amendment seeks the elimination of unit sites 1-3.**

P. Laufenberg read the foregoing and opened the public hearing at 6:15

S. Tower identified himself as agent for the applicant and presented an overview of the application and its purposes while making reference to the plan being presented. He explained this is a revision of a previously approved plan and the aim is to remove three (3) homesite envelopes and leave one (1) to be developed in the future.

S. Siegel asked whether the plans had expired.

S. Tower, and some board members replied that typically an approved plan does not expire.

L. Kast stated "my problem is the water". He suggested the water quality was not optimal.

D. O'Donnell asked why this particular spot to leave the one building envelope?  
S. Tower said it was the owners' selection as the "best place to build".  
S. Siegal asked if any future building would be subject to the by-law and declarations of the association.  
L. Kast & S. Siegel again made note that the issue of the water quality should be made known.  
S. Seigel also raised the issue of an older septic system and its ability to accommodate any new construction.  
S. Tower explained that the system had been constructed to accommodate the four building envelopes and what is being proposed is to reduce that number to one potential building.  
P. Laufenberg asked S. Tower to succinctly state what is being asked of the board.  
S. Tower & B. Regan explained it is just a request to amend the plan and by doing so reducing the number of units that may be constructed.  
P. Laufenberg summarized that the HOA regs would apply and any construction would be subject to existing town & state permitting/approvals.  
S. Siegel asked if that would also be true for the septic? The consensus response was yes it would.  
L. Kast asked what will become of the "land"? It was explained by S. Tower and others that it would become part of the common land.  
P. Laufenberg closed the hearing at 6:37 p.m. and asked the wishes of the board

**MOTION: "I move that the board accept the application as complete."**

Motion: D. O'Donnell

Second: F. Gunter

Discussion: None

Motion passes: 5-YES, 0-NO, 1-Abstain (L. Hoyt)

The board then took the following action.

**MOTION: "To approve the application submitted by authorized agent Sabourn & Tower, for revised Site Plan for the property owned by Herbert & Judith Ingram, identified as Tax Map 11 Lot 01-1731 thru Lot 01-1734 and located at Brookside Road as depicted on the final plan as submitted."**

Motion: D. O'Donnell

Second: G. Kimball

Discussion: No further discussion

Motion passes: 5-YES, 0-NO, 1-ABSTAIN (L. Hoyt)

**2. APPLICATION/PUBLIC HEARING- 6:30 pm:** Application for **Site Plan Review** submitted by **Horizons Engineering, Inc.** on behalf of **LCJ Holdings, LLC** for the development of a "**Maintenance Garage and Cold Storage Building**" upon the land located, within the **Owl's Nest Resort**, off NH Rt. 175 containing approximately 179.5 acres and further identified as **Tax Map 16 Lot 07-01**.

B. Regan reminded the board that the pending application was presented discussed and accepted as complete at last month's meeting with notes as to outstanding areas of concern. He also pointed out the submission of two items of interest now in the file: 1) The CTFD Chief's letter of review and recommendation and, 2) The NH DOT's e-mail acknowledging satisfaction with the proposed "curb cut" off NH Rt 175.

P. Laufenberg read the foregoing and opened the public hearing at 6:47 pm.

J. Warzocha of Horizons Engineering, Inc. appeared as agent and identified his company as agent for the applicant. He presented the board with the plans for the proposal a gave a project overview. He explained the basic goal is to relocate the resort's maintenance operation to another location on the property and construct new buildings to accommodate all maintenance functions.

He further explained, as the result of input from the NH DOT the CTFD Chief, the plan has been modified to accommodate requested changes to the entrance for NH Rt. 175 and to add a fire protection cistern.

He further stated that in consultation with NH DES it was determined the fuel storage amounts were below the volume needing any permitting. He further stated that "tight tank" registration is pending. He also stated the AoT needed amendment and was now pending.

J. Stewart noted "construction noise" and indicated that was occurring into late hours.

C. Stacker stated the intention is to not carry on

T. Stewart asked about traffic over the road from Rt 175.

J. Warzocha noted it is not a public access or way and would be for employee use.

P. Laufenberg reviewed the list of pending issues with the board.

- Fuel storage
- "Tight tank" certification
- Fertilizer storage (type & amount)
- NH DOT Driveway Permit
- NH DES Septic
- CTFD review and letter
- Copies of State approvals & permits
- Land Dedication Agreement

Board members asked if there was any further input or question?

S. Babin reiterated that the matter of amending the Land Dedication Agreement (LDA) remains an issue.

B. Regan noted there are still amendments to the LDA not completed from prior applications and should be considered here as well.

P. Laufenberg closed the public hearing at 7:01 pm. He then asked if there was further discussion and if not, what were the wishes of the board?

The board then took the following action.

**MOTION:** "I move that the board approve this application for a non-residential Site Plan submitted by Horizon's Engineering, Inc. as agent for property owner LCJ Holdings, LLC for the development of a "Maintenance Garage and Cold Storage Building" upon the land located, within the Owl's Nest Resort, off NH Rt. 175 and further identified as Tax Map 16 Lot 01-07. All as depicted on the final plan set submitted.

**Approval is conditioned on the following:**

1. Applicant obtains and delivers NH DOT approved Driveway Permit for entrance from NH Rt. 175.
2. Applicant obtains and delivers NH DES septic and "tight tank" approvals.
3. Applicant delivers fees necessary for recording at the Grafton County Registry of deeds.
4. Owner complies with the Campton-Thornton Fire Chiefs review dated April 18, 2019.
5. Owner & Town executing appropriate Land Dedication Agreement (LDA) amendment within 90 days".

Motion: S. Babin

Second: F. Gunter

Discussion: None

Motion passes: 6-YES, 0-NO

**OTHER BUSINESS:** None

**ADJOURNMENT:**

The following motion was made at 7:09 p.m.

**MOTION: "To adjourn."**

Motion: G. Kimball

Second: L. Hoyt

Discussion: None

Motion passes: 6-YES, 0-NO

Respectfully Submitted,

*Brian Regan*, Planning Director

# Thornton Planning Board Meeting

**April 18, 2019**

6:00 p.m.

## Sign-in Sheet

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

Thank you!

	Name	Address
1.	<u>Vincent D. Martin</u>	<u>54 Waterthorn Rd.</u>
2.	<u>Julie Piehn</u>	<u>50 Barjo Dr</u>
3.	<u>Valerie Gray</u>	<u>Mill Brook Rd.</u>
4.	<u>Chad Stocken</u>	<u>Guest</u>
5.	<u>Stephen Tower</u>	<u>1022 DW Highway Woodstock</u>
6.	<u>Lindy Schofield</u>	
7.	<u>STEVEN SIEGEL</u>	<u>41 BROOKSIDE RD</u>
8.	<u>July Siegel</u>	<u>41 Brookside Rd.</u>
9.	<u>CAROL Peltier</u>	<u>36 Brookside Rd.</u>
10.	<u>Lisa Sheehy</u>	<u>9 Joshua Ln</u>
11.	<u>HARRY KAST</u>	<u>9 JOSHUA LAUR</u>
12.	<u>Laura &amp; Jennifer Stewart Zander Humphrey</u>	<u>10 Hill Top</u>
13.	<u>Suzanne Mason</u>	<u>8 Hill Top Rd.</u>
14.	<u>TAM DeMatteo</u>	<u>5 Lakeside Drive</u>
15.	<u>Dick &amp; Sandy Lisch</u>	<u>52 Edge Water Lane</u>
16.	<u>Dick + Linda Campbell</u>	<u>12 Lakeside Drive</u>

17. John Coakley 34 Tuxedo Rd Thornton

18. Tom Wazucha Horizons Bno 37 School St. Littleton

19. MAH Murphy LCI Holdings 150 Mt. Vernon St # 500  
Boston, MA  
02125

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