

Town of Milton
424 White Mtn Highway
Milton NH, 03851



Planning Board
PO Box 310
(p)603-652-4501
(f)603-652-4120

1 11/17/20
2 Meeting Minutes
3 6:30 PM
4

5 **Present Members:** Brian Boyers, Jon Nute, Larry Brown, Joe Michaud, Ryan
6 Thibeault, Matt Morrill
7

8 **Absent Members:** Bob Graham, Lynette McDougall,
9

10 **Staff Present:** Bruce Woodruff, Town Planner; Julius Peel, Land Use Clerk
11

12 **I. Call to Order:**

13 6:37 PM Roll Call

14 **II. Public Comment:**

15 *No Public Comment*
16

17 **III. MiTeJo Concept Review:**

18 *Roy Tilsley, Attorney at Bernstein Shur representing the Three Ponds Resort and
19 MiTeJo Campground. George White the campground manager and Dan Flores the project
20 manager was also present to present this information. They have come before the board
21 to present a conceptual review of two different proposals along with potential changes for
22 an amenities package that was previously approved by the board. The legal representative
23 reviewed the history of the site noting the denial for a special exception two years ago
24 and the court case that they lost attempting to overturn the denial of the special exception.
25 He explained that the owners of the property are here before the board to determine what
26 its options are in further development of this property. One of the proposed options is
27 construction of an eight lot subdivision plan with three-bedroom duplexes on each of the
28 eight lots. This plan it would only require subdivision approval by the planning board.
29 The second would be a small campground expansion adding 20 campsites with hook-ups.
30

31 Dan Flores presented the potential plans to the board. The first plan, expansion of
32 campground lots, would increase the 223 campsites by 20 more, a roughly 9% increase in
33 sites. The goal of the projects is to expand westward on their property and would include
34 new septic systems and adding additional water and electric from the property as well.
35 This project will also require a new 2500-ft. roadway on the property.

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36
37 The second plan, residential development, would install a 1,000-ft. road with a cul de
38 sac. This will allow for 8 residential lots at 2 acre lots each with 200ft of frontage.

39
40 Bruce Woodruff explained to the board that the language in the zoning ordinance states
41 that any lawful nonconforming use may continue unchanged and that it also allows minor
42 expansion of that nonconforming use, and that this is the case here. The board needed to
43 determine if this is a case of a minor expansion or not. He does note that if the board does
44 accept this as a minor expansion, the applicant should know that does not mean they can
45 approach the board a year from now and expect to obtain another minor expansion. He
46 also notes that both plans meet the zoning regulations, but that both plans will have to go
47 in front of the planning board. He also notes that nothing is stopping them from doing
48 both projects because they meet zoning, and they have enough land.

49
50 The board, with the information given to them, asks questions about the property. Larry
51 Brown explained that if there is a decision made stating that 20 extra campground spaces
52 is a minor expansion, that could potentially mark the cap for a minor expansion within a
53 campground. He also asks the applicant what they determine as the definition for a
54 campground and wants to know at what point does this become a resort.

55
56 Matt Morrill asked if the 20 additional sites that are planned will be strictly camping with
57 tents or will this be more permanent structures. George White, park manger, explained
58 that these lots will be RV accessible, and have water, sewer, and electric hookups. Matt
59 continued by asking why they would not go for both. George answered that they could
60 supposedly do both, but do not plan on doing both as of right now.

61
62 Joe Michaud asked if the potential residential lots would be rented or purchased. His
63 concern is that if these lots are owned, the increased flow in traffic will present a
64 potential danger to those living on those lots because of the heavy traffic into the
65 campsite.

66
67 Jon Nute states that they will need to get a driveway permit from the community and
68 bring the road up to town standards. He then asked the representative what the water
69 frontage of the property is, and his concerns of increased impermeability along the water.
70 Jon noted that the campsite cannot continue to build along the waterfront without

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71 considering the impact of each impervious structure on both the water and their effects on
72 residents around the lot.

73
74 After finishing their questioning, the board discussed which project they would suggest
75 the owner bring before the board in the future. The discussion included additional strain
76 on the community with round year housing, burdens on the tax levy with additional
77 school children and traffic safety concerns with the eight lot subdivision concept and
78 none of those concerns with the minor campsite concept.

79
80 Brian Boyer: Additional Campsites

81 Joe Michaud: Additional Campsites

82 Matt Morrill: Both Projects

83 Larry Brown: Additional Campsites

84 Ryan Thibeault: Additional Campsites

85 Jon Nute: Additional Campsites

86
87 Letter to the board from the Owners

88 Bruce explained to the board that in the letter that they received from the property owner
89 it states that they are asking the board if they would be allowed to make minor revisions
90 to the previously approved project and avoid submitting an amended site plan.

91
92 Dan Flores noted that the previous amenities area that the board had approved last year is
93 no longer the plan that the homeowner would like to use. Instead the new plan will
94 remove the patio, bath house, water playground and other impervious surfaces that
95 totaled roughly 1,200 square feet and will instead be replaced with impervious surfaces
96 like parking and shops to create roughly 800 square feet of impervious space.

97
98 Bruce noted to the board that the zoning regulations state that the board has three options
99 with this scenario. They can accept this as the site plan and allow the applicant to proceed
100 without a public hearing, but under the review of the Town Planner/ Code Enforcement
101 Officer or they can accept the site plan and hold a public hearing on the topic or they can
102 refuse this as the site plan and ask the applicant to come forward with an amended site
103 plan application and then hold a public hearing on the minor changes. He asserts that this
104 is solely up to the board to decide on and its within their rights to do so.

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Joe Michaud and Matt Morrill agree that this change is a minor one and that the code enforcement officer and the town planner should take the lead on this plan. Jon Nute asserted that he would have liked to have a public hearing on the topic.

***Ryan Thibeault motions to accept the minor changes to the proposed amenities plan as presented in the November 18th letter and plan to the Planning Board, Seconded by Joe Michaud. The vote is approved unanimously. The motion passes accepting the minor changes to the proposed amenities project as presented in the November 18th letter and plan to the Planning Board.**

IV. Review/Approval of Minutes: November 10th Meeting Minutes

***Joe Michaud motions to accept the minutes of November 10th, Seconded by Ryan Thibeault. The vote is approved unanimously. The motion passes approving the Minutes.**

Other Business:

No Other Business

Planner's Comments:

Bruce explains that he will be presenting a model ordinance that was formulated in Moultonborough regarding solar facilities during the next meeting.

V. Adjournment:

***Matt Morrill motions to adjourn, Seconded by Joe Michaud. The vote is approved unanimously. The Motion Passes adjourning the meeting. ***