



1 5/18/20
2 Meeting Minutes
3 6:30 PM
4

5 **Members of the Board Present:** Brian Boyers, Ryan Thibeault, Anthony Gagnon,
6 Matt Morrill, Bob Graham, Jon Nute, Paul Steer, Larry Brown (Alternate)

7 **Members Absent:** Joseph Michaud

8 **Town Employees:** Bruce Woodruff, Julius Peel

9 **Member of the Public:** Lynette McDougall, Roy Tilsley, Dan Flores, Julia Healey,
10 George White, Steve Baker, Lee Howlett, Terri Sullivan, Jamison Howley, Jennifer
11 King, Robert Weiss.
12

13 **I. Call to Order:**

14 Meeting Called to Order at 6:30PM with a Roll Call.

15 Larry Brown, alternate, sat in place of Joe Michaud who was absent during the meeting.
16

17 **II. Public Hearing for a site plan application at the property of Yogi Bear Resort**
18 **LLC.**

19 Roy Tilsley, legal representative of Three Ponds Resort and the owners of Lakes
20 Region Jelly Stone Park, introduced the project to the board. R. Tilsley explained the
21 size of the property as 218-acre lot located in low density residential zoning and found
22 on tax map 28 lot 4. R. Tilsley explained that there are currently 223 campsites located
23 at the campground. He explained the decision to deny the 90-campsite expansion
24 proposed in 2018 by the Zoning Board of Adjustment. He continued to explain that they
25 met in October of 2020 with the Planning Board to determine what the board would find
26 allowable. During this he noted that the Planning Department determined that a 9%
27 increase in total camping lots would be an allowable minor site plan expansion. R.
28 Tilsley continued to note that after this decision the owners and the legal team
29 determined that their option was either the minor site plan application or an 8 Lot
30 subdivision. The owners opted for the minor site plan application and that is why they
31 are in front of the board tonight. The applicant explained to the board that the property
32 owners are not developers and would like to continue using the property as a campsite
33 rather than developing the lot. He also expressed that the twenty units allow for a buffer
34 against the neighborhood rather than the subdivisions that would directly about the
35 properties. R. Tilsley also explained that the Town employees have confirmed that this
36 is a minor expansion under the Milton zoning ordinance. R. Tilsley expressed that he



37 does not think this is a large-scale regional impact because the planning board has
38 already deemed this project to be a minor impact.

39
40 Dan Flores, project engineer from SFC engineering, explained the engineering of the
41 lots for the board. He started by showing the proposed twenty lots, located on the far
42 western site of the property and referenced the entrance of the campground. He then
43 explained where the current 223 lots were located and referenced that the new lots
44 would be roughly 100 ft away from the wetlands buffer. He explained that the
45 requirement is only 50 ft. After explaining to the board, the location of the lots, Dan
46 explained the proposed leech fields and water systems that would allow these new lots
47 access to water and septic. Included with these hookups is also a new bathhouse for the
48 new lots. Dan continues to explain that there is a bio retention plan established that will
49 either infiltrating or controlling storm water runoff. This plan, as required by DES, will
50 either maintain the amount of stormwater run off or decrease the impact within the area.
51 Dan also referenced that the shoreland protection area from fishpond is 250 ft and they
52 are more than that distance away. Lastly, Dan wanted to review the comments submitted
53 to him by the town planner and determined by the TRC committee back in January.

- 54
55 1. "This plan is for a 9% increase in campsites or 20 sites with a bathhouse which is a
56 minor expansion as per zoning." Dan explained that this is noted under number 4 of the
57 comment section.
58
59 2. "We will need a construction detail for the gravel access roadway." Dan explained
60 under sheet 13 of the plans the construction detail for the gravel access road is
61 explained. He also noted that this explains the drainage walls of the roadway.
62
63 3. "We will need drainage calculations specifically focusing on ensuring the culvert sizing
64 under the access roadway is correct from wetland area to wetland area." Dan stated that
65 DES alteration of terrain bureau has approved these plans.
66
67 4. "Permits required are AoT, NHDES drinking water wells, NHDES Subdivision
68 Approval, and NH DES Subsurface Bureau Septic approval. It was suggested that these
69 permits be in hand when making formal application (but it is your choice)." Dan
70 expressed that the plans as of today have all of those permits listed on them.
71
72 5. "The plan is to bring in park models to the new sites. Please add a note about that and
73 about occupancy not being year-round, etc." Dan explained that note number 6
74 expressed that all park models will comply by ANSI A119 Standard for recreational
75 park standards. This note also referenced that the park models will only be on the
76 property for the parks recreational season from May until October.



6. "I have received no comments from the Fire Chief or the DPW Director."

7. "Add a note to the plan stating that "Prior to the commencement of the new development items on this amended site plan, the owner is required to provide an as-built plan to the Land Use Department and obtain a certificate of occupancy from the Code & Compliance Officer based on a site inspection and subsequent sign-off by the Code Officer, Fire Chief and Town Planner."" Dan explained that in note number 7, 18, and 20 of the plans referenced this request. These notes refer to parking plans, landscaping for natural borders and lighting. The lighting note references the plan for dark sky compliant fixtures.

Brian Boyers explained that the board will need to decide whether the plans presented to them has a regional impact prior to accepting the plans. He noted that the Board also needs to decide whether the application is in conforming with site plan requirements and regional impact.

Paul Steer asks if the location they are proposing this project will go over the existing snow mobile road? George white confirmed that this is the location, and they anticipate that the road will still be open during the winter months.

***Matthew Morrill Motion to accept as not a regional impact and grant the waiver, Seconded by Anthony Gagnon. The vote is approved unanimously. The Motion passes granting the waiver. ***

*** Ryan Thibeault, motions to accept the application. Matthew Morrill's seconds. The vote is approved unanimously. The Motion passes accepting the application as complete. ***

*** Paul Steer motions to accept the light waiver. Matt Seconds. Motion passes granting the light waiver. ***

Public Comment:

Steve Baker notes that he is an abutter to the property and President of TPPA. He asked if this project will ever end. R. Tilsley noted that he cannot keep coming back to the Planning Board and asking for a minor Site Plan application with how the regulations are listed. He explained that since they are applying for an additional 20 sites now with 223 current sites, they will have to at least apply for 40 additional sites with the new number of pre-existing sites being 243. At that point, the application might not be a minor site plan application under the purview of the planning board. He expressed that he does not want to speak for his client, but he does not think that there are any plans for expansion within the next two or three years.



113
114 Brian Boyers closed public comment at 6:50 PM.
115

116 Ryan Thibeault asked the applicant about further expansion. He noted that on sheet five the
117 comment noted a 9% increase and that the Planning Board considered this a minor application.
118 He asked it would be acceptable for the application to include in this note stating that this
119 would be the final expansion of the property. R. Tilsley explained that he does not feel that the
120 zoning ordinance requires that this be included and that he does not want to place something in
121 writing limiting the ability of the property owners. He also re-explains the process of reapplying
122 for a minor site plan expansion in the future and the challenges that this may hold in front of the
123 Planning Board.
124

125 B. Woodruff reminds the board that if they accept an application as complete then they are
126 stating that the application follows the Zoning Requirements. Bruce noted the size of the lot and
127 explained that there is a lot of land out there and if they feel the need subdivide, they have the
128 right to under the subdivision regulations. Bruce explained that since the ZBA denied the
129 application for an additional 80 campsites previously and if applications keep coming before
130 the board increasing, at some point they will reach that 80 and will no longer be a minor
131 expansion. This is when the Board will have to determine how to follow through. Lastly, Bruce
132 explained that adding conditions to the site plan is the right of the board and might be an option
133 for the board to determine.
134

135 Larry Brown arrived at the meeting and was appointed for Joe Michaud at 7:00 PM. After being
136 appointed L. Brown noted that if there is an incremental increase in amenities then it would be
137 foreseeable that it might continue growth until it becomes larger then it was planned to be. He
138 used an example of a large-scale day spa to express his point. Larry brown expressed his
139 support towards placing requirement on the application by the Board limiting the development
140 of the property.
141

142 R. Tilsley expressed that the amenities were designed for the new lots and reiterated the point
143 of increasing lots within the town's regulations.
144

145 Anthony Gagnon asked how to have it reiterated how large the property was. R. Tilsley noted
146 that the property was roughly 225 acres and about 145 is in current use. Anthony noted that he
147 is not comfortable putting the limit on it as he does not want the location subdivided and turned
148 into condos.
149

150 Paul Steer expressed the communities fear that it will get to a large-scale increase.
151

152 R. Tilsley noted that the way that the ordinance is written is to ensure the safety of the town and
153 not to allow for large scale expansion under the guise of minor expansion.
154



Ryan Thibeault expressed that the number of campsites was his goal and the topic of discussion. This does not mean just amenities, it means campsites. This is something he thinks is a whole other subject. Ryan also noted the large-scale access road being put in and it seems that there could be further expansion in the future. He expressed that the additional campgrounds are much less impactful for the town than the people living on the location fulltime.

R. Tilsley explained that he does not want to tie his hands forever and ever.

Ryan explained that he perceived that during the TRC the applicant noted to the board that this will be the last expansion for a few years.

Brian Boyers expressed that the board limiting the camp is limiting the strength and faith in the Planning Board at the time of the future applications. He explains that this undermines the system of planning.

Jen King asked a few clarification questions. Chairman Boyers allows her to speak. Jen asked if the regulations affect minor expansions the same way that it would affect major expansions. Brian noted that this would only effect minor expansions. Jen thinks that the plan noted industrial commercial rather than low density residential. The applicant noted that they do not know where she is referencing in the plans. Jen then asked when does the expansion require more wells. She expressed her concern of the water level below her property. Dan Flores expressed that the campers average roughly 60 gallons per day versus a house which is roughly 600. Dan explains that in his studies he does not believe that this would be a concern for the surrounding area. Jen King asked when the amenities plan will be completed and if anyone is keeping an eye on its effects on the water since it was one of the conditions. Bruce explained that a consultant engineer that is currently reviewing and will monitor when it is finished. Jen King asked if there would be more boat launches. B. Boyers explained that this is not enforced by the planning board or under the purview of the planning board.

Brian Boyers noted that there was a letter from the public. He read this letter aloud.

“My name is John Locke. I own the property right next to the camp ground and ever since Gary and Susan sold to them I have had nothing but issues with trespassed- kids trying to light fires right next time my house in the woods- people walking over to my property and almost getting hit by my kids on their ATV flying up the road and coming to my door and screaming at me about the recklessness of my kids ===== after I EXPLAIN TO THEM IN DETAIL THAT THEY ARE TRESPASSING they calm down but don’t like it at all. I have spoken to management at the campground about adding signs = handing out flyers to every single person explaining the property lines= the no fire rules= all to no avail- it just continues.



Last Summer an 8-year-old child showed up at my door and he was lost and terrified- I called the Milton police and they called the campground and I brought him back to the gate to meet his parents == the child was terrified in the woods lost and finally saw my house=====

Supervision there is certainly lacking by parents and management and I do not think I should be subject to more campers- more fires more lost kids- and more boat traffic.

I pay huge amount of taxes to this town and happily donate money to the recreation department (Karen Brown) at every holiday and town functions and I would appreciate the town listening to us and not allow these people to enlarge not one campsite== they don't monitor what they have not =I cannot imagine how bad it COULD BE IF THEY GET MORE SPACES."

Jon Nute asked to be shown 60 Bolan Road. Bob Graham explained where the property was and their distance to the campground on the larger diagram. R. Tilsley noted the concern with the trespassers and stated that it would be possible for them to post the area. Jon Nute asked if the property was surrounded by a fence. R. Tilsley confirmed with the property owner that there is no fencing around the property but there are existing rock walls that define the property lines at the location.

Jon Nute expressed that he believes that there should be fencing at the location and expressed that the paying clients are trespassing on the neighbor's property if this is a real attest. R. Tilsley states that he does not think that it is possible for the board to require that a fence be placed around the property. Steve Baker, member of the public, stated that this has been occurring since the first expansion and is a concern that needs to be addressed. R. Tilsley stated that he is not even sure that the location that is being referenced belongs to John Locke and that they will inspect the location mentioned.

Bruce, town planner, explained that he had some suggestions for conditions that the board to consider. He referenced the document distributed to them at the beginning of the meeting.

1. The owner signs the plan set after PB approval.
2. The applicant, their engineer and construction lead shall participate in a mandatory preconstruction meeting prior to any construction start.
3. The applicant shall agree to submit the amount of \$4,000 to the Town to be put into escrow prior to the mandatory pre-construction meeting sufficient to pay for the Planning Board's Consultant Engineer for construction inspection of all storm water quality infrastructure. If the agreed-to amount is not enough, the applicant shall submit additional required funds. If the submitted amount is not expended at project completion, the remaining balance shall be refunded to the applicant.
4. The applicant's engineer shall prepare a detailed surety estimate of all stormwater quality infrastructure and submit same to the Planning Board's consultant engineer prior to the Chair signing the site plan revision. The surety shall be submitted to the Town



prior to the mandatory pre-construction meeting.

5. After successful completion of the stormwater infrastructure, the applicant shall conduct an annual inspection and required maintenance of the stormwater runoff retention treatment and infiltration infrastructure and submit an inspection report (July 1st) with photos to the Land Use Office and for the file. All stormwater practices shall be inspected and maintained in accordance with NH DES Env-Wq1507.07 and the project Inspection and Maintenance (I&M) Manual. All record keeping required by the I&M Manual shall be maintained by the identified responsible party and be made available to the Land Use Office for review and for the file. If determined that there is undue runoff or runoff in any location(s) not identified in the Storm Water Management Plan, the campground shall prepare an engineered plan to correct these defects and after review by the Town and NHDES, shall repair, remediate, and mitigate said defects.
6. There are Forest Buffer Deed Areas for stormwater management practices located within drainage easements shown on the plans. The easements shall provide the owner with access for inspection, maintenance, and repair of the buffer areas. Deed restrictions shall prohibit the owner from altering the land within the easements. The easements shall run with and bind the property in perpetuity and shall include a map showing the location of the easements with metes and bounds. Copies of recorded deeds must be submitted to the Land Use Office for review and for the file after recording at SCRD and prior to the mandatory pre-construction meeting.
7. Add a note to the plan that establishes the baseline campsite number for the nonconforming use.

Ryan asked to include in the plans notes that state 223 as the amount approved initially and that this application would allow for a 9% increase from the base acceptable amount.

***Ryan Thibeault motions to add this condition to the list presented by the town planner.
Seconded by Paul Steer. The motion passes unanimously.**

Larry Brown expressed that DES regulations that were referenced and should be amended so that if any changes come to DES requirements that the regulations imposed today reference that. Larry also asked who determines Temporary occupancy. Bruce noted the plans and states that it does give the camping season and temporary occupancy. Larry Brown asked if it is the responsibility of the board to include signage that it states you are leaving the property.

Bruce noted that in the applicant's testimony stated by the applicant tonight that they would place signs along the property line, and it is in the public record.

Bruce also expressed that at some point the Planning Board will have to determine the amount that is minor or not for upcoming developments that might come before the board. Bruce referenced the potential percentages that the board might want to consider. He also noted that the board has the right to deny any application if it does not meet zoning.



III. Approval of Minutes from April 20th, 2021.

***Anthony Gagnon motioned to accept the application with amendments and waivers.
Seconded by Matthew Morrill. The motion passes unanimously.**

IV. Other Business:

Bruce noted a need an alternate for the CIP Committee. Bob graham is approved as the alternate to the CIPC. Bruce also informed the board of selectman that the grant for the 10,00-15,000 in assistance from the Strafford county for erosion control for standalone regulations for MS4.

V. Adjournment

***Matt Morrill motions to adjourn. Seconded by Anthony Gagnon. The motion passes unanimously adjourned the meeting.**