

Town of Milton
424 White Mtn Highway
Milton NH, 03851



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

Meeting Minutes
November 20, 2018
6:30 PM

Members in Attendance: Brian Boyers, Bob Graham Alt. Ryan Thibeault Ex Officio, Larry Brown, Lynette McDougall, Joseph Michaud, Matthew Morrill, Also in attendance, Dana Crossley Land Use Clerk, Bruce Woodruff Town Planner

Excused Members: Peter Hayward

Public Attendance: Dan Flores, George White, Roy Tilsley, Chelsea Bossenbroek, Tom McDougall

Chairman Boyers called the meeting to order at 6:30pm.

Public Comment: No public comment.

Public Hearing: To receive public input on the proposed zoning amendment update to Article VII 'Non-Conforming Uses and Lots' of the Milton Zoning Ordinance: L. Brown noted this represents an improvement.

Chairman Boyers opened to the public for comment.

No public comment.

Chairman Boyers closed to the public.

R. Thibeault motions to approve the proposed zoning amendment and send to the voters as a warrant article. L. Brown seconds the motion. All in favor, motion carried.

Preliminary Concept Review: (per RSA 676:4 II (a)) MiTeJo Campground Amenities, 111 MiTeJo Rd (M28 L4) SFC Engineering Agent: Attorney Roy Tilsley of Bernstein and Shaw on behalf of Three Ponds Resort LLC, along with Chelsea Bossenbroek general council/project manager, Dan Flores of SFC Engineering and campground manager George White attended the meeting.

Atty Tilsley explained they were in attendance for a conceptual discussion of amenities at the campground. He briefed the board with a history of what has been going on with the campground, over last year were in front of the ZBA for a Special Exception to expand the campground, the SE was denied to add 95 additional campsites as part of the expansion special exception the plans showed certain new amenities that were proposed for the campground as accessory structures, ZBA denied the request to expand the campground and is pending upon appeal. After the denial spoke with the Town Planner in regards to proceeding with just the amenities, that determination was that amenities were an allowed use under the zoning ordinance and could seek site plan and that process, that was appealed by some of the abutters to the ZBA under Administrative Appeal and the result of that was the appeal was upheld, that it was premature to make a determination to whether the specific amenities were allowed until they were committed to a site plan. Now at a position to decide where they want to go with this, spoke with the Town Planner who advised once something is submitted the decision to the amenities are allowed accessory structures or require some zoning relief would come from the Planning Board. Before doing a

full site plan took advantage of the preliminary review to get a consensus from the board. Under the MZO section 3.5, accessory structures are an allowed use in the zone they reside, they view the type of amenities being proposed as accessory structures that are incidental and subordinate to the campground use, definition in the MZO is incidental and subordinate, amenities designed to serve the campground campers, not for the general public, use limited to people on the campground as campers or registered guests.

Dan Flores explained that the campground has 223 campsites and owners are looking to add a pool, water playground, mini golf course, bath house with covered area for picnic tables, small mechanical building to serve the pool filters, would all be placed in an area currently used for trailer storage, not proposing new sites, giving campers there amenities, like many of the other campgrounds, SFC works with a lot of campgrounds and it is typical these need to be provided for the campground to stay competitive, design addresses zoning issues in regards to environmental wetland buffers and site plan issues, want to know if the board agrees these are accessory structures. In 2012 there was a site plan, in part of that was a current use plan that shows the limits of the campground today, the amenities fit in that envelope, not expanding the area.

Board Discussion: L. McDougall questioned if they have done any marketing stats to know that's what their customers would want. (C. Bossenbroek replied that their campers have expressed the beach area is crowded and would like to see an alternative to the beach, such as a pool) L. McDougall do tourists want these kinds of amenities (C. Bossenbroek replied based on the success these types of amenities have had at their other campgrounds believes it is a draw, and listed various other campgrounds owned by their company across the country) L. McDougall questioned where will the storage move to (D. Flores explained it would be moved to a current maintenance area that will be expanded and redesigned, addressed that lighting would be dark sky compliant, looking to keep natural buffers and tree coverage) (Atty. Tilsley noted that the area they are looking to put the amenities is central in the campground, not next to the buffers in efforts to limit lighting impacts)

Chairman Boyers noted that they would get into the lighting and other specs later if a site plan is submitted, just looking to do a basic conceptual and if it is agreeable that these amenities would be allowed, not looking for any plans at this time.

L. Brown in terms of the amenities and the balance, needs to have the balance of the campground to amenities, and would be concerned of noise, nature and extent of additional lighting.

Planner Comments: B. Woodruff noted his only comment is only to not talk specifics, if a site plan comes before the board it would not be a new site plan because the applicant has a valid plan approved by the PB in 2012 it would be either an amendment or revision to the approved site plan, was counseled by the Town Attorney to not flavor the boards opinion on this.

Board Discussion: J. Michaud does not see an issue in reinvesting in the campground, brings things that they don't have in the area, all the concerns can be addressed, as long as it conforms to the boards regulations. B. Graham agrees they are amenities/accessory structures.

C. Bossenboek noted that with the installation of the pool hope it will take some of the pressure of the lakes.

J. Michaud a campground on the lake, there are uncontrolled algae blooms that prevents people from swimming, these pools allow a safe alternative to campers. Reasonable amenities, is an amenity. L. McDougall questioned what is currently offered for food amenities. (C. Bossenbroek listed the current concession options)

Chairman Boyers questioned if the board felt these would be amenities and could be brought forth on a site plan. Board was in consensus that what was discussed were amenities and accessory structures to the campground.

Continued: Discussion of Potential Zoning Amendment- Table of Principal Uses, Uses Requiring Special Exceptions: B. Woodruff noted he made some minor changes to the SE that require specific criteria, beginning with Kennels on pg. 8 where decibel levels were not listed, exterior site and sound screening and sound attenuation to minimum, minimum lot size of 5 acres, board can change if they do not think it is reasonable.

H, I, J, K, L, N had specific dimensions, decibel levels and lot sizes added that were not there when the board last reviewed.

J. Michaud questioned if the fuel supply had been addressed for Manufactured homes, to make sure they are tethered. B. Woodruff will make the change. L. Brown questioned some of the oil specs. Board added that the fuel tanks must be anchored or tethered.

L. McDougall questioned if 5 acres is the normal for a kennel. B. Woodruff noted that the average around the state is 3-5 acres, the reasoning behind having the minimum size for a kennel is the noise mitigation, kennels are allowed as a permitted use with a SE, during his research some urban cities that require 1.5 acres, rural places require the 3-5 acres, kennels have the ability to be a detriment to the quality of life for those around it, this is to make sure it is done correctly so the land contains what bothers people. J. Michaud feels that the health and safety of the animals and outside area is important. L. McDougall stated that they are interested in starting a breeding kennel and has 3 acres. Board discussed what entails a kennel, discussion of the current definition and state law, also to what animals it is for (dogs).

L. McDougall motions the change the requirement to 3 acres for kennels, M. Morrill seconds the motion. 4-3 in favor, motion carried.

Discussion of specifications of site plans and that these criteria are for Zoning Board.

K. Auto Sales; applicant would need to meet zoning requirements for lighting but also show the zoning board how they would go above and beyond requirements.

Discussion of the Aircraft TOL, and to why it is in the zoning ordinance. B. Woodruff suggested adding that all FAA rules be followed.

N. L. Brown questioned why it is not listed that fences needs to be installed and maintained. B.

Woodruff noted that enforcement is not the zoning board's role, what is being brought up is handled by the Planning Board, and by extension the Code Enforcement Officer.

B. Woodruff brought up that this is a two part amendment that includes adding the definitions that were not included in the MZO.

B. Graham moves to recommend the changes in the Table of Principal & Accessory Uses and other sections of the Zoning Ordinance relating to Special Exceptions and adding missing definitions of special exception uses to said ordinance as reviewed, discussed and revised at the 11/20/18 PB meeting by this Board as a zoning amendment to be posted and to schedule the first public hearing on December 18, 2018 (snow date 12/20/18) and a second public hearing on January 8, 2019 (snow date 1/10/19).

L. McDougall seconds the motion, all in favor motion carried.

Discussion of Potential Re-Zoning Changes: B. Woodruff is looking for the board to make a decision on this topic, thinks they should move forward with the one lot to be re-zoned, it is already abutting the industrial zone.

J. Michaud move to recommend that the 52.4 acre lot known as Map 45, Lot 23, located off NH Rte 75 and currently zoned Low Density Residential (LDR) be added to the existing Industrial-Commercial (IC) zoning district that straddles NH Rte 75 between the Spaulding Turnpike and NH Rte 125, thereby enlarging said zoning district by 52.4 acres, and to post said proposed zoning amendment and schedule the first public hearing on December 18, 2018 (snow date 12/20/18) and a second public hearing on January 8, 2019 (1/10/19). Further, in addition to the usual notice, notice shall be sent to direct abutters by first class mail of the two scheduled public hearings.

B. Graham seconds the motion. All in favor motion carried.

B. Woodruff noted that because they have not talked to any of the direct abutters, this gets the abutters here that will be affected the most.

L. Brown thanked the Town Planner for his reasoned and orderly work on the proper rule to the zoning amendments.

Town Planner Comments: B. Woodruff informed the board they are not done with the CIP, at the next meeting Steve Baker of TPPA will be attending the meeting to present to the board their request for \$10,000 that they are asking the Selectmen for.

Also will hear from the Fire Chief about the change of the pumper in the plan and hopefully get the information on the Townhouse Restoration potential request for a \$10,000 heating system.

Will be looking for the board's decision on if they recommend these projects being added in.

R. Thibeault questioned if the Rec department reached out with any changes. B. Woodruff replied they had not, but he can reach out to them if necessary.

Formal Notice of Decision Review:

- Approved Site Plan: Gold River LLC- J. Michaud motions to approve and authorize the chairman to sign. M. Morrill seconds the motion, all in favor motion carried.

Approval of Minutes: November 6, 2018 minutes, J. Michaud motions to approve, M. Morrill seconds the motion all in favor, motion carried.

Other Business: none

J. Michaud motions to adjourn, R. Thibeault seconds the motion, all in favor meeting adjourned at 7:51pm.

Respectfully submitted,

Dana Crossley
Land Use Clerk