

**Town of Milton**  
424 White Mtn Highway  
Milton NH, 03851



**Zoning Board of Adj.**  
PO Box 310  
(p)603-652-4501 (f)603-652-4120

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**Meeting Minutes**  
**May 24, 2018**  
**6:00 PM**

Members in Attendance: Larry Brown, Michael Tabory, Stan Nadeau, Andy Rawson Alt, Steve Baker, Also in attendance, Dana Crossley Land Use Clerk, Walter Mitchell Town Attorney

Excused members: Brian McQuade

Public Attendance: Joel Ponte, Sharon Ponte, Roland Meehan, Rachel Meehan, Chris Boldt, Norman Turgeon, Dennis Woods, Sandi Woods, Paul Borges, Atty. Peter Malia (P. Malia), Gene Boucher, Judy Boucher, Cindy O'Tash, Jen King, Rhonda Burke, Dick Burke, Deborah Blair, Jim Maggart, Kaye Maggart, Janice Carlson, Daryl Carlson, Steve Hayes, Marilyn Hayes, George Petrillo, Fran Petrillo, James Bossenbroek, George White, Lori Smith, Chip Harlow, Mike Desrochers, George Fredette, Carol Bridges, Skip Bridges, Wayne Sylvester, Susan Egan, Kevin Egan, Dana Coull, Paul from Lebanon, Bob Carrier, Dan Dumais

M. Tabory called the meeting to order at 6:00 pm.

Public Comment: None.

Appointment of New Alternates: Chris Jacobs has volunteered to be an alternate for the board, for one year. **(A. Rawson was brought to the board for absent member B. McQuade)** S. Nadeau motioned to appoint Chris Jacobs as an alternate for one year, A. Rawson seconds the motion. All in favor, motion carried. Board members signed the appointment sheet, Chris Jacobs went to the Town Clerk's office to be sworn in by Town Clerk Michelle Beauchamp.

Discussion and Approval of Minutes: May 3, 2018 meeting minutes, L. Brown noted on page 3 punctuation that needed to be corrected, S. Nadeau motions to accept the minutes with changes. A. Rawson seconds the motion all in favor motion carried. May 3, 2018 minutes approved.

S. Baker stepped down from the board as an abutter to the following case, Chris Jacobs was brought to the board as a full voting member in his place.

**Public Hearing:** Amended Special Exception Application as part of the Rehearing of the Special Exception Request from Article III Section 3.5 of The Milton Zoning Ordinance, Table of Principal Uses #C Campgrounds. Application requesting the expansion of MiTeJo Campground submitted by Three Ponds LLC, Owner; Daniel Flores SFC Engineering Partnership Applicant. The property is located at 111 MiTeJo Rd, Milton NH, Tax Map 28 Lot 4 in the LDR:

**Point of Order:** Chris Boldt (DTC Lawyers legal representative for a number of abutters), requested to say for the record to save for appeal, feels there is a procedural error by moving forward with the notice just read, saying it is part of a prior request for rehearing when in essence the board has a new

application before them, a new plan that has not yet had the Fisher v. Dover analysis of is there a substantial change from the prior sets the board has voted down or not found that they meet the necessary criteria, wanted to preserve that for the record to not lose the right on the appeal, noted the board can find the need for a Fisher v. Dover analysis that there was a substantial change from the overall plan to allow a new application to come before them.

Chairman Tabory asked for Walter Mitchell's input, W. Mitchell suggests to give P. Malia an opportunity to respond first.

Peter Malia (applicant's attorney) explained as far as he is concerned C. Boldt has said what he needed to say to preserve the record, does not think there is a need to respond to his comments, he is preserving the record in case he needs to appeal the decision, the issue was discussed at great length at the last meeting, board approved a motion to allow the applicant to amend the application, ground that has been covered, should move forward with the amended application.

Walter Mitchell, basically agrees, does not believe Fisher v Dover would come into play unless the board had made a final decision and completed the process earlier, but instead a request to amend was made and granted by the board.

S. Nadeau stated as Town Council has advised to move forward, thinks the board should.

Peter Malia raised a conflict of interest issue/concern, pointed out that all applicants are entitled to an unbiased impartial 5 member board, wants to make sure to have one tonight, as the meetings have gone on they have become increasingly concerned that perhaps board member Larry Brown might be biased against the project and wanted to make sure that he is not and have him state for the record he is impartial, unbiased and can apply the application to the five special exception criteria or if he is biased and feels like he has pre-judged the application ask him to step down and appoint an alternate.

L. Brown replied that the decision to recuse oneself is to the applicant, he believes he continues to follow his oath of office, he has no bias for this application, he would parenthetically note his comments on page 3 from the last meeting minutes, and his interest is courtesy, timeliness, and good fact.

*Applicant Testimony:* Peter Malia introduced the applicants in attendance, James Bossenbroek owner of the campground, George Fredette from SFC Engineering (Dan Flores was unable to attend due to personal reasons), Dan Dumais of MDM Traffic Engineers, George White campground manager.

Chairman Tabory reiterated the process the hearing will follow.

*G. Fredette* explained the special exception request, at the last meeting it was agreed they would make an amended application, request remains the same asking for a special permit for an allowed use, all the deliberation has not been about the proposed used but about the intensity of that use or the density, referenced the ordinance- special exception shall be made in harmony with the general purpose and intent of the Milton Zoning Ordinance (MZO), thinks there needs to be a perspective or standard to go by, when the plans were put together they used the MZO, the MZO has no declaration requirements for the number of sites allowed, if they use the standard for a nearby campground on 79 acres they have 357 campsites, at the State they look at how much capacity the land and soil have to accept sewage, according to DES standards the 318 sites here can be accommodated sewage wise on 15 acres of land this lot is 225 acres, both are standards that are away beyond what is being proposed, in the Town's local ordinance do have a provision for manufactured housing also allowed in LDR with a special exception, if they use criteria it says a half acre of land is needed for every acres of dry land (sites have to be half acre sites) went through that exercise with consideration of roads there was enough land left over a manufactured housing park would have 350 year round units, getting into a perspective starting with no limit down to 350, the standard they are meeting tonight is actually a standard that was proposed

to them by Attorney Boldt in a February email. (*Chris Boldt* objected to settlement negotiation comments being brought into bare here, those settlement negotiations had many factors involved and thinks it is patently inappropriate, that cannot come into evidence in a court room and should not come into any discussion what either party said or might have said trying to settle up this case before hand, believes he's referring to email correspondence with Attorney Malia, negotiation on settlements but was unfruitful due to a number of other issues involved, not appropriate to blame it on him) Chairman Tabory commented he does not understand, where this board is the one that needs to make the determination, how settlement discussion is happening between two lawyers on opposite sides to go around this board, asked them to keep it out of the discussion and the board won't make it a part of it.

*G. Fredette* continued asking for a special exception from Article III Section 3.5 for the use, existing sits on 225 acres only 45 acres is occupied with campsites, 223 campsites in that area, what they are proposing is to add 95 campsites to that, that is 78 campsites less than what was initially proposed, previously proposed East area 1 and 2, have removed East area 2, East area 1 has been reduced to 40 RV sites, the plan submitted does show 29 future sites that is not part of this proposal asks the board to not consider the 29 future but just the 40 in the East area 1, noted the disposal sites, bathhouse, using existing wells for the water system may be some upgrades and will be extended to service the East area. West area has 35 RV sites with 3 way hookups and West area 2 has 20 tent sites with water and electric only, two disposal system areas in that area, West area includes a bath house, extending the water there, nearby parking to accommodate the campers especially the camp sites, amenities areas (about in the middle of the project) includes a water playground, pavilion, snack bar, maybe mini-golf that is intended for campers only, camping is a family activity, new check in area, check in area is 1000' off Townhouse rd., to accommodate the queuing area, check in area is aligned with queuing stalls, there is an expanded maintenance area with additional parking areas, just like the last plan there is no construction within the 50' wetlands buffer, flood plains, sites are intended to be treed sites, it is not being clear cut, people camping in NH want trees, significant buffer along Lyman rd. 500' between closest campsite and Lyman Rd, nearest house to any campsite proposed here is over 300', nearest parking area is 500' to any home. Use they are asking for is camping, expansion of camping, reiterated there are a few facts but not a lot of difference in the arguments they have heard before or will hear tonight.

**Board Discussion:** L. Brown questioned if there is any indication of where the amenities will be and what the scope is. *G. Fredette* explained they have an amenities area about in the middle of the camping area the things being considered are a pavilion, mini-golf, water playground, snack bar, and bath house. L. Brown questioned the chair if during reading the zoning regulations if there is a provision for an RV park, Chairman Tabory said no he does not have an answer to that.

C. Jacobs questioned the effluent disposal areas, noticed a vast number of effluent disposal areas, how will they get the effluent from the campers to the disposal areas. *G. Fredette* explained the disposal systems and areas, collection system through the road system so that each one of the RV campsites will have a sewer hookup, pipe in the ground underneath is the pipe works, anticipate some pumping systems pick the lowest to pump to the field, there is about 20,000 gal of sewer going, fields would be approved by DES. C. Jacobs asked if it intends to be a year round community (*G. Fredette* replied no.) how is that controlled (*James Bossenbroek* explained they own a number of parks in the northern part of the country none are open year round, would not make economic sense to be open past Halloween or first week of November) would it be part of the operational standards that they would commit to not being open after October or a specific date, if granted a special exception for any expansion. (*George White* explained does not allow their campers to come in with park models, only allow travel trailers or 5<sup>th</sup> wheels can

only be 40ft from hitch to bumper, the campground has park models that they rent.) C. Jacobs questioned if that was part of the stipulation if the board was to grant an approval, would that be a condition they would agree offer up and could be lived with. (*P. Malia* replied yes) C. Jacobs noted he has not discussed this case with anyone before tonight, questioned who does the water testing and is the certified operator (*G. White* explained he does the testing, they do all their own testing, they send tests every month) questioned for Townhouse with the new check in area for adequate turnover day, concerned not so much with Townhouse but the intersection of Townhouse and Rte 125, does not think it is the most well designed intersection given today's vehicles, not sure how if people leave on turnover and if people are stuck there, concern with intersection merging there, is there an analysis thought to look at that intersection given the increase. Dan Dumais of MDM Transportation will address that in criteria 3.

L. Brown did read page 2 of the application, which is why he had the questions of size and type on the amenities, just mentioned amenities. This application says there are 3 cabins, is that the current numbers of cabins. (*G. White* replied there are 3 existing cabins that have been there.) L. Brown questioned if there is new permits pulled, no new bungalows put in. (*G. White* replied the cabins are on foundations, bungalows are on wheels, they pay taxes on the cabins they are a meals and rooms use facility.)

*1. That the specific site is an appropriate location for the proposed use or structure.*

*Applicant Response: G. Fredette* it is an expansion of the existing use, being done without degradation of the area, gone through 7 meetings with the board to learn the source of the issues, think by cutting back with this application the expansion is being proposed without degradation of the area, permitted by special exception in this zoning district, this is something in the zoning ordinance, there is ample acreage for the development of the campsites by whatever standard is picked at State level or local level they meet those standards, easy access to a major highway, local suppliers, restaurants and is an appropriate use for a campground because it is on a lake.

Chairman Tabory opened to the public, asked if possible speak once and not too much duplication:

*Public Comment: Judy Bouche 220 Townhouse:* explained the research she has done in regards to the case, referenced 'The Basic Functions of a NH Zoning Board of Adjustment' from NH.gov highlighting vague applications and decisions, retaining the integrity of the ordinance, definitions and determining the intent behind definitions and ordinances. Referenced that the MZO was developed based off of the Milton Master Plan, noted recreation activities listed, felt campground was defined in the MZO based off of the recreation activities listed in the MP, read the definition of campground from the MZO, referenced interviews the owner Zachary Bossenbroek did as part of articles for 'Woodall's Campground Management, December 2017', discussed amenities listed vaguely in the application and referenced attractions at other Northgate Parks, feels that the Master Plan does not allow for water parks and that if wanted to have water parks would have a commercial resort zone like Gilford or other communities, referenced the State of NH Zoning Handbook that if a use is not listed in the ordinance to be allowed by special exception the board cannot grant the special exception. Questioned if Disney World or a World Class Resort is explicitly allowed for special exception in Milton, referenced another interview from 'Woodall's Campground Management December 2016' done by Zachary Bossenbroek highlighting that he said they are competing with places like Disney World, 2015 interview by Greta Bossenbroek from 'AroundPanhandle.com' referencing the Maryland Resort stated they are a water park that is more like a Disney World destination. Felt that if any proposal for this property is approved a precedence is set for the future, noted the acreage of Water Country and Disney World, questioned if everyone in a LDR zone would be approved for water features and pools and still keep the integrity. Referenced the theming being done by the applicant and concern that they are using the model for all of

their parks, concern that they will make more money off of the amenities than the campsites. Expressed that the intent of the ordinance is for camping at a campsite not a resort, Water Park or theme park, listed amenities at the other parks. Finalized that the applicant has been extremely vague in the application, by history, action and interview feels it is clear this proposal for 'water and other attractions' is not an appropriate, can be assumed Northgate Resorts is attempting to put in a water park, theme park, a resort, only a campground is explicitly allowed by the ordinance. (Presented her full letter to the board for the record and pictures from other parks)

*Chris Boldt attorney for many abutters:* addressed page 5 of the MZO definition of hotel/motel or inn, which are not allowed in the LDR, feels they need a variance for what they want, feels they are obviously intending what is shown in the photos of the other parks submitted by Judy Boucher, (noted the prior submission of park model information) addressed that they want to keep the customers there and not flowing out to the community, restaurant and food service is not allowed in the LDR, presented the board a newspaper article from the Union Leader featuring water parks, concerned with the wells and water usage for the water amenities, his understanding that there has been 12 'bungalows' without site plan approval, concerned with the bounce pillow that has been installed, feels this is not an appropriate location for what they are asking for, even adding 95 location sites that only has 147 acres of developable land, adding 95 homes, questioned if everyone can do that level of density.

*Steve Hayes 104 Lakeside:* has attended all of the meetings, believes that the board members perceive anti camper sentiments from the neighbors, not the case many bought properties knowing there is the campground nearby, excepting there would be some noise, smoke, brief high traffic, does not think they are trying to exclude others, not trying to force the campground into no changes, trying to protect the neighborhood, concerned it is being turned into a resort, and later an amusement park. Feels the 95 is a deception, current proposal is for 124 more sites.

*Norman Turgeon 88 Lakeside on behalf of the TPPA:* they feel that the precise location is what makes the site inappropriate for the proposed use (expansion of the campground) because expanding the campground at this location threatens the pond with increased nonpoint source pollution, including phosphorus, over use by motorboats, the spread of invasive aquatic plants. Presented the board with data about the Northeast Pond and the condition of the water there, which is part of their conclusion that the threats are there. Stated that the water quality has been found to be fair, the biggest threat is phosphorus comes from stormwater runoff been studied for past 12 years ranges from fair-poor, provided a copy of the water quality sampling 2017 report, stated that the more development leads to more runoff which results in higher phosphorus ratings. Noted the pond is only 645 acres, average of 10' in depth, based on tax maps shows 195 lots surrounding the lake, approximates less than 600 residents, Mi-Te-Jo has 220 campsites with 3 cabins at 4 people per site equals 892 residents now, with the expansion would increase to 1,388 (based on the addition of 124). Expressed the 3<sup>rd</sup> biggest threat to the NH lakes and ponds are invasive aquatic plants, already have the European Naiad and preventing the spread, concerned with increase of boats coming from out of town to the campground going in and out of the lake, boats need to be inspected and washed both in and out. Last threat is the increased boat traffic, already too many boats churning up the pond. (Presented the board with the full TPPA letter and water quality statistics)

*George White:* informed the board that two employees have been sent to the class to be certified on how to check the boats in June, two employees will be at the location to wash and inspect boats going in and out as part of the quick check in, and they are also donating money towards the European Naiad efforts.

*Norm Turgeon:* feels that information should be treated as a change to their application because it is something different, is a good offer and great thing they will be doing, somewhat diminishes their concerns about the spread of invasive weeds, does think the narrative of their application requires the

boat owners to wash boats, says nothing about their staff being trained or inspecting boats. Feels it should be a specific condition as part of the approval if approved.

Chairman Tabory questioned W. Mitchell if that constituted a change in the application. W. Mitchell replied no, but if this turned out to be the only issue that was holding the board up, the board could impose it as a condition of approval.

*Barry Barkow Lakeside:* feels like the burden is on the applicant to show that what they are proposing is a campground as envisioned when the ordinance was written, feels it was obviously written in the intent of the LDR zone, felt when they established the MZO since there was an existing campground thought they could not zone the campground out of its location which is why campground was allowed as special exception, felt that was the campground that is talked about in the ordinance and that fits with the neighborhood. Feels their submission is not adequate, that it is too vague, that no one knows what is going to happen there. Understands this a company that purchased an existing campground, feels they could be making updates to keep it running and modern but feels this proposal is not that. Felt the neighborhood was trying to keep a low density and wants the campground to understand the neighborhood.

*Chip Harlow, Town of Lebanon Selectman:* representing the Town of Lebanon, had discussions with residents of Lebanon, if it looks like a resort, acts like a resort, argues it is a resort does not think it is a campground that is being proposed.

*Kevin Gilman 103 Lakeside:* would like to know how they are using the bungalows without permits, not something that could be driven away or easy disconnect, they are being rented and put in without no permits. (D. Crossley informed the audience the Code Enforcement Officer works Tuesdays and Wednesdays from 8am-4pm and is in and out of the office for inspections during the day, leave a message should be able to get back to them)

*Jen King 38 Lakeside Drive:* expressed that a special exception is something that does not follow a rule, rules set in place to protect the community, felt they should not bend or break the rules by granting a special exception to a business that she feels will reduce their quality of life and property. Shared information from a professor at UNH in regards to water quality and phosphorus, questioned the tax base of the residents to MiTeJo's tax base, concern with ash and smoke from campfires, feels owners have not been honest, questioned who monitors various things, does not trust applicants.

*Richard Burke 36 Lakeside:* discussed his understanding of RV's, feels the park models are the same as a tiny home, addressed that building permits are needed, feels it is becoming a seasonal residential area and that it does not generate the same taxes, noted that he felt there was not 225 acres, expressed concern with the golf carts and not obeying speed limits, listed amenities considered to not be allowed in the LDR.

*Roland Meehan Hideaway Ln:* noted that the average depth of the lake is 7 feet, concerned of safety on the water, acreage for watersports is limited, and felt Town of Milton should be monitoring the lake with a police boat.

*Gene Bouche 220 Townhouse:* argued the specific site is not appropriate for the proposed use as the applicant has portrayed, referenced the September minutes and that there was a site plan in 2012, feels the definition of camping-ground was established to honor this campground, feels they have an illegal operation of hotels and should be shut down, (submitted full letter for the record)

Chairman Tabory noted John Locke from Bolan Rd submitted a letter of concern specifically regarding campers not respecting property lines.

*Chris Boldt* did not know of any agreement with the campground from 2012, knew they had received site plan approval, applicants narrative notes it has to do with a building, if there is an agreement strongly suggests that be examined feels there could be terms the prior owner deeded away.

**Chairman Tabory closed the public comment session.**

*Board Comment:* Chairman Tabory read into the record the 2012 Planning Board approval letter.

S. Nadeau asked for the Town Attorney's opinion on the ordinance if this does or does not fall in line in comparison if it meets the ordinance, W. Mitchell replied he is not the decision maker the board is, if there is something about the proposal 'hypothetically' tonight or in the course of the hearings the board does not believe fits in the definition of campground as it is used in the MZO can either use it as a basis of denial or approve with the condition that portion you think is offensive to the ordinance is excluded from the approval. Chairman Tabory noted it is their job to interpret that, questioned the application is for 95 but 29 for future approval, argues that they are asking for the higher number.

L. Brown motioned for quick recess, A. Rawson seconds all in favor, motion carried. Chairman Tabory brought the meeting back into session after a short recess.

*Peter Malia* explained to the board they are only asking to approve 95 sites, the additional 29 sites were shown on the amended plan the Town's Attorney asked him a question about the additional sites if it was their intention to seek approval for those additional 29 sites from the ZBA for in the future and when ready to put those in not have to come back before the board would only have to go to planning board, that was their intent, Town's Attorney had replied that he does not think they could do that, P. Malia continued that whether or not they agree with that it is an opinion and was asked to clarify, he spoke with his clients and clarified to make things simple just asking for approval of the 95 sites, if later on want to develop additional sites would need to come back before the ZBA and PB for approval, they accept Town Council's opinion on that can be a condition of approval, just showing where the next phase might go in the future, would need further approval from ZBA and PB. (Chairman Tabory clarified with W. Mitchell that a new set of plans was not needed as it has been clarified for the record. W. Mitchell agreed.)

S. Nadeau read the definition of camping ground from the ordinance, the recreation, education or vacation purposes is what he is stuck on, that is vague, could represent going to Vegas, because that is going on vacation for some people, thinks to say what they are asking for is against the ordinance is not correct, because the ordinance does not say you cannot have that, says recreation, vacation, a lot of people think differently to what vacation or recreation is, some people like hiking some like snowmobiling not everyone agrees for vacations.

C. Jacobs countered the Town has a master plan that talks about open areas, the rural nature of Milton and he has experience with the Planning Board going through design charrettes updating the master plan, have not deviated from that, likes the quite of Milton, the Master Plan defines what recreation or vacation is he feels for each community, thought he was coming to hear about a campground expansion, surprised about all the amenities in the application, want to hear more how those amenities and expansion of the campground effect the other four criteria, feels the application is clear because it is on the paper, agrees with the Town Attorney that it is the boards job to decide what the camp ground means, if they can expand and under what terms.

Chairman Tabory questioned if they will be renting boats or do they (*G. White* replied they rent non-motorized boats (kayaks, canoes and paddleboats) and intend to stay that way) referenced the pictures that had been submitted of other properties questioned if they had intents for similar amenities like the large floating device on the lake at this property (*G. White* replied no not putting that at Mi-Te-Jo) would it be considered in the future (*J. Bossenbroek* replied no, the water playground is intended to take place of those water slides, this is not a theme park, not 'Disney Lite' not going to invest a billion dollars to make Disney appear, aware of the sensitivity of the ponds, working with the ponds people to not

unduly impact the area, everyone gets the sense this is a massive thing, it will not be and would be prepared to define exactly what it is they want to do if they want to get into that detail.)

A. Rawson wants some clarification on the amenities that they will actually have and the effects.

*P. Malia* expressed to the board that some feel they should be asking for a variance and not a special exception that this is not an actual expansion of a campground he believes that is an argument meant to distract the board from the five SE criteria, thinks what is there clearly meets the definition of camping ground, in 2012 the PB approved a site plan for the camp ground together with the additional building the owner wanted to put on the property, Town has acknowledged it as a campground, been a campground since 1970 application has been appropriately filed as a special exception for a campground expansion allowed in this zone through SE, argument that they are something else is incorrect and meant to distract the board, allegations that the application is too vague this is a zoning board review of a special exception if they get approval from ZBA would then have a detailed application for the Site Plan Review per the Town's regulations, the details the audience is looking for lighting, amenities and everything else, as it is typically done providing the ZBA a general overview of what they intend to do then with the PB all of the details are filled in and scrutinized, if the board is of the opinion they cannot make the decision without more information on the amenities they would agree to work up a more specific amenities plan, without ZBA approval does not go to PB, disagrees with the allegations there is a violation happening on the site currently, have not heard from the Code Enforcement Officer of any zoning violations, current proposal is for 95 not 124 not a change to the application, could be a condition of approval that the 29 are not being approved if to be developed have to come back to ZBA and PB, conditions could be done for the opening and closing date, Master Plan is addressed in criteria 5 not a reason to find they have not appropriately filed the application, G. White has addressed that the campground has joined the NH Lakes Association 2 employees signed up for the June 9<sup>th</sup> boat training course, boats will have to be washed and inspected given a go sticker, that was the results of a meeting from Chelsea (owner) and TPPA president Norm Turgeon, and Attny Malia feels that the Town of Lebanon is somewhat hypocritical to complain about this campground when they have Flat Rock Bridge campground in Lebanon which has 350 sites on 79 acres together with a water park and other amenities, they do not have a zoning ordinance there, hypocritical for a Town Official from Lebanon without a zoning ordinance to strongly urge the Town of Milton to make sure to limit this campground (passed out a document about the Lebanon campground, 7 miles from Mi-Te-Jo) (**Point of order**, *Frank Bridges* felt it was unfair that the public comment session was closed and the applicant can present new information, felt they need to re-open public comment to allow the public to respond. Chairman Tabory argued that the applicant is responding to information presented by the public. W. Mitchell agrees with what the Chairman voiced, the applicant is responding. L. Brown commented describing the limitations of Lebanon Selectmen face in the view of non-zoning they may have, careful to avoid ad hominem argument) *P. Malia* continued addressed what a special exception is (use of land permitted so long as certain criteria set forth is met) vs a variance (use of land which is not permitted by the ordinance), dealing with criteria 1, that the site is an appropriate use, site is and has been a campground since 1970, proposed use is a campground not asking for a change of use, continue and expand the use, affirmed by PB in 2012 that the use is an appropriate use by site plan approval, it was unanimously found to be appropriate at the September meeting, April was it was also found appropriate by a vote of 4-1.

Chairman Tabory felt hearing more pieces, the quotes from Z. Bossenbroek of the goals of the organization competing with Disney creating all the different places the model they like to plant and grow is new information, looking to the definition up to the board to interpret based on the time what was the intent of those definitions, would suggest when this zoning went in think when the voters decided on campground does not think they were talking about some of the amenities, asking the board



to consider this, did they have in mind the possibility of some of those amenities, some of the amenities described have a definition and are not allowed in the zone, questioned if calling it a campground changes that.

S. Nadeau questioned what amenities are at the site now. (*G. White* replied none.) C. Jacobs noted having been there before questioned if the softball field, horse shoe pit or basketball court is an amenity. (*G. White* replied they also have the chess game, changed his response to yes.) Chairman Tabory clarified that he's not saying they can't have amenities but asking what these new proposed amenities are and if they are allowed within the campground.

*J. Bossenbroek* explained they provide an experience, can go to Orlando for Disney or come have family camping experience makes them in competition with them and Las Vegas along with other experiences, does not mean they are going to create a Las Vegas or Disney here, has a different and better experience for families, different but still competes, for what is a campground for years people put pools in campgrounds they do not do that, like an interactive splash pad experience, provide an experience to which is appropriate to the time they live different from 50 years ago does not turn it from a campground to a Disney World, still a campground.

S. Nadeau questioned if they want to pause for a more detailed plan they have for amenities. L. Brown stated undefined amenity has no limit.

*P. Malia* would be willing to provide more information on amenities if they want to table.

S. Nadeau has more faith in the Planning Board, but does not think it would be bad to have it. C. Jacobs would be considering amenities when looking at all the other criteria, but agrees with the comment specific conditions, when zoning was put in camping was different, understands it is changing the definition or experience and what people want out of it.

*J. Bossenbroek* informed the board they can get very specific about the list of amenities, if the board wants.

S. Nadeau motions to continue the meeting/public hearing to a date specific to receive more information on the amenities. L. Brown seconds the motion. Discussion: L. Brown wants to know what amenities they will not be doing, and the max scope of those they will be doing. Chairman Tabory likes the thought of dimensions of what they are proposing and what will not be proposed. W. Mitchell questioned if the board intends to reopen the public hearing on criteria 1 at the next meeting. Chairman Tabory replied yes, that would be appropriate. June 28<sup>th</sup> is the next meeting, the applicant was in agreement to a month out.

S. Nadeau added the date June 28<sup>th</sup> at 6pm to his motion for date specific.

**Final motion: S. Nadeau motions to continue the meeting/public hearing to June 28, 2018 at 6pm to receive more information (scope and number) on the amenities proposed. L. Brown's second stands, all in favor (5-0), motion carried. The next meeting will be June 28<sup>th</sup>**

The applicant stated they would be submitting the list 7 days prior to the meeting.

Discussion on process of special exception and the length of this case.

Other Business: No other business.

S. Nadeau motions to adjourn, C. Jacobs seconds the motion all in favor meeting adjourned at 8:30 pm adjourned.

Respectfully Submitted-Dana Crossley, Land Use Clerk