

**Alton Zoning Board of Adjustment
Minutes of July 25, 2006**

Approved by the ZBA on 9/7/06

Members Present: Marcella Perry; Tim Morgan; Paul Monziona; David Schaeffner; Stephen Hurst.

Others Present: Planning Assistant, Monica Jerkins; Secretary pro tem, Jennifer Fortin; and others as identified below.

Call to Order: Chair, Marcella Perry called the meeting to order at 6:35 p.m.

Statement of Appeal Process: Chair, Marcella Perry read the Statement of Appeal Process.

Approval of Agenda: M. Perry would like to postpone approval of minutes until the August 3rd meeting, Motion made by P. Monziona to accept the agenda for July 25, 2006 as amended. T. Morgan seconded the motion. All in favor, motion carried.

M. Perry appoint D. Schaeffner, P. Monziona and S. Hurst to the Board so the Board will have 5 members.

M. Perry – there is a letter from Angela Bystrack resigning from the Board because of the time demand.

M. Perry – Letter from Angela Bystrack requesting that M. Perry step down or be disqualified from hearing case # Z06-21 (refer to letter in file)

M. Perry – Being in a small town, I have run into Marty Cornelissen in a restaurant several times. I donated personally some funds to Railroad Park and also to Judy Fry I donated money from the company that I work for and the discussion here was on Railroad Park. That night Marty introduced me to his wife, I really don't know them and I don't know the relationship between Marty and Angela. As far as any type of relationship with the Cornelissens, there is nothing except we are both members of the community and I do have some association with Railroad Park and that is it. As far as what my husband and Marty were discussing, I didn't even discuss that with him because I wasn't aware of what they were talking about and I still haven't. I don't feel that I can be a bias witness at all. It was a late hour and I didn't want to get into the case because I think we want to look at this good and give it fair consideration. This is not the only case that we have said we are not going to get into this at this hour and we will continue and I felt that was important. We didn't find on the plat we were provided signed wetlands scientist information and I didn't want to get into it that late.

R. Bystrack – You could have been more polite about it.

M. Perry – The intention wasn't to be rude to you, I just didn't want the Board to get into a discussion without opening the case, which we can't do, and I think Angela is aware of that. You can't discuss the case until you've accepted it.

Case Z06-21

Map 5, Lot 72-7

Special Exception

Robert & Angela Bystrack

Suncook Valley Road (NH Rt 28)

Application submitted by the property owners, Robert & Angela Bystrack, seeking a Special Exception from Zoning Article 400, Section 451 – Rural Zone, Permitted Uses – which references Section 401 – Table of Uses – to allow a 71-site Recreational Camping Park on their property within the Rural Zone.

**Motion made by T. Morgan to accept Case # Z06-21, seconded by P. Monziona.
Motion passed with all in favor.**

An. Bystrack – My husband is still not satisfied and would like to address the issues written in the letter. I know in the past you have been able to judge cases on just their merits. He is still not comfortable and would like the opinion of the other Board members, being that you are in conjunction with B&M Railroad and he feels that the association is too close.

R. Bystrack – I would like for you to step down. I would like for you to recuse yourself on this.

M. Perry – I don't feel that there is any association at all and I can be unbiased in this case.

R. Bystrack – How does the rest of the Board feel about this?

M. Perry – It is not up to the Board members, however, it is up to me to step down, but I can poll the Board.

P. Monziona – This is the first time I have become aware of this issue when I arrived because I have not received this letter from you, Robert Bystrack, of July 7th until I showed up tonight. This is all new to me as I sit here now. I did read your letter and heard the Chair read the letter into the record. I will say I was frankly unaware of any activity or discussions that may have been occurring that night as described in your letter. I stayed a little late as well and I didn't hear anything or become aware of any of these conversations that you are concerned about. I don't know whether they took place or not except that we have heard from Ms. Perry that she says they did not. At least no discussions occurred regarding your application or property and I have no reason to not accept her statement as being truthful in that regard. The other thing, just so you know, it was my understanding that what occurred at the last session when your application was up, previously the Board made a determination that after 10 p.m. we would not get into any matters unless they were already ongoing and the clock passes 10 p.m. We would continue and conclude them and I think everyone had the same feeling that once you get to 10:30 – 11 p.m. you don't want to have mush brain you want to give these things there due. I understand the reason we abruptly stopped at your application was because of the late hour. It was felt that it was a lengthy application with a lot of discussion and that is why we stopped it.

R. Bystrack – Are the rest of the meetings going to go the way the last one did? I go the idea no one wanted this project.

M. Perry – If you open a case you have to accept the case before you hear discussion on it. I didn't want to get into it because it was late.

T. Morgan – I think there were concerns about the waivers. There were a number of waiver requests. I think after we settled our minds after we were with the waiver requests, what sort of further information we might need and I think we began to realize it was a late night and late time to be getting started with the discussion with all of those things. I apologize if we seemed abrupt or rude. It certainly wasn't the intention. We

were looking at the list the things that the Town Planner was concerned were missing and some of the waiver requests, and concerned it was going to be a long hearing with lots of questions.

R. Bystrack – There is a nicer way to go about it.

T. Morgan – I apologize if we were impolite to you, it certainly not the intention every not to be impolite to an applicant.

M. Perry – We hadn't even got into the application and I have no reason to be rude to you or Angela.

A. Bystrack – I think part of the problem was the change in the checklist. You were starting to bring up issues as to why things weren't included, when you didn't allow him the to give the opportunity as to why they weren't presented in the packets.

M. Perry – I am not sure who brought that up but I didn't want to get into full discussions, Angela. We wanted to start fresh and that is what we should be doing tonight.

M. Jerkins – I have a comment about the change in the checklist. I did some research because it was pointed out to me by Ms. Bystrack that she had a previous application checklist from several months ago and then one from very recent when she first submitted the application. It seems as though the studies section of the checklist Section 7.4.51 through 7.5.13 was added at some point over the past few months inadvertently to the checklist. We were having confusion with applicants coming in to fill out their ZBA packets and it said Subdivision Checklist at the top, which isn't what it is supposed to say. Kathy had asked me to change that to say Special Exception Checklist. When we went to change that on the checklist the only place I could find the checklist saved in the computer was on the site plan application. I changed it on there and printed out just the pages of the checklist and added it to the zoning packets, and those are items found on the site plan application. They do not belong on there and I have since removed them and she does not need any of those items to make a complete application.

R. Bystrack – How many other people have gotten that checklist and spent thousands of dollars extra and found out it should not have been there.

M. Perry – When did you say this was done?

M. Jerkins – About 2-3 months ago. And I can tell you that there has not been one person that has had to do any of those studies.

A. Bystrack – I believe the last discussions we had concerning the checklist we had decided to remove some items instead items got added on. It is my understanding that anything to do with the checklist has to be taken up as board business and not at the hands of an individual because that is a precursor to corruption when someone can take important legal documentation that needs to be provided with every case and alter it. It did the appearance that our project was specifically targeted and that is what we wanted to make clear.

M. Jerkins – I can assure you that your project was definitely not specifically targeted. It was a clear mistake and it should not have happened. You don't need to do those studies no one has had to do them. As far as the change that took place, we were only changing the title, which is very administrative, we weren't changing any of the items on the checklist.

M. Perry – So the entire request for waivers weren't necessary because you went down the regular checklist?

M. Jerkins – Not all of them.

M. Perry – Then that was part of the confusion that night. Generally we don't have that many waivers in zoning.

M. Jerkins – some of them were pertinent and the applicant did submit waiver requests for a few of the items. Section 7.2.11 – Certification of Survey, Section 7.2.33 – Wetlands, and Section 7.2.9 – Survey Accuracy. In your packets you do have the actual waiver request with a description as to why they believe they should be granted the waiver request.

M. Perry – All others are not applicable?

M. Jerkins – It is not a subdivision so a lot of those don't have anything to do with that at all. There are some various smaller items that staff review showed were missing but I don't think they would impede your decision at all. There is no revision block on the plan at this point, but I assume that upon any revisions needing to be done that it would be added. There is no utility pole symbol on the legend. No USGS coordinates have been provided and the requirement Section 7.2.34 for zoning district boundaries – they did list the campground regulations that are provided in our zoning but this is located in the Rural Zone and they did not list the requirements for the Rural Zone but that is also easily added to the plan.

M. Perry – That will clear up the extensive amount of waivers that they looked like they were asking for. Please continue with the project.

R. Bystrack – Dear Zoning Board, this proposed project is to create a seasonal RV campground with +/-70 Sites with a total impact of 20 acres on this 138 acre parcel located on Suncook Valley Road, Route 28 South. This is ~5 year plan. The plan includes 3 permanent structures, which is 1 office and 2 bathhouses. We feel that the special exception criteria has been well exceeded. We are looking for full-seasonal campers to minimize traffic impacts. Construction will be phased to include 20-30 sites, one office building, and one bathhouse the first year or two. Expansion and completion will be over five years depending on cash flow and work progress. The campground will be very carefully integrated into the forest with no campsites or facilities impacting on wetland areas as to provide a genuine experience of New Hampshire camping. Individual site clearing will be minimal leaving more of a buffer area on both sides and to the rear of each campsite, which is why each site is oversized. We also plan to provide a forestry fire road access as well as several fire ponds. By staying within the Master Plan of the town and promoting tourism we hope to increase revenue and generate jobs by starting this business while not impacting the school system.

M. Perry – I think you have answered your waivers on 7.2.11. The waivers you had requested variances for I think you have come up with your answers to the variances. Could you go through the site itself and the access ways? Which access roads will access this property and if you have permits from DOT.

R. Bystrack – We met with DOT this week to see what they would like. The entrance and exit are going to be on Route 28. It is a double lane road coming in. I do exceed the town specs for road width and shoulder. I do have some one-way traffic in here, which we were allowed to step it down to 12' wide. I will have a fire access road as an exit onto the old Range Road (Lot Line Road) as fire access only. Our office building is at the front of the lot. That is strictly office space no bedrooms and possibly a bathroom and maybe a shower. We are not trying to give the impression that this is going to turn into a home. The bathhouses are going to be male and female with showers and toilets. There will be a second bathhouse in the third or fourth phase of the plan. We will be doing this in phases. Phase 1 will be 20 sites, phase 2 will be the second loop coming back into the main road, phase 3 will be the 3rd loop coming back into the main road. The phases are all depending on how the camping is going. Right now with gas prices I don't have a good feeling on this project. We may not ever build phases 3 & 4. We are putting in for it if we find that tourism demands it. I have the wells and leach fields marked out.

M. Perry – What is your road frontage on 28?

R. Bystrack – I have 200' of frontage. On Lot Line Road I have almost 2000' frontage. I spoke with DOT and discuss how we will work the driveway and they like what we are doing. We are really here tonight to ask for the special exception to allow us to go ahead with this project. The Planning Board has already stated that they are going to work out some details out on this. I am not going to re-draw all of this for everyone else to see and go back to the Planning Board again and have it re-drawn again and have a couple little things moved around in case they have one campsite a little close to the wetland. These campsites can go away, I might not even develop every campsite stacked all together like that. Every other one might just never be built. We are hoping for people to come in for the whole season and commute back and forth to the area or stay right on site.

M. Perry – Is this year round?

R. Bystrack – No, we are just looking for seasonal.

M. Perry – Seasonal as to what is the time frame?

R. Bystrack – Spring to fall, we really don't have the dates yet.

Mr. Perry – Is there water provided and no septic for each site?

R. Bystrack – We are going with 4 bedroom septic designs, which is capable of doing 20 sites per system. There will probably be 7-8 leach fields out there.

M. Perry – Do you have your permits for those?

R. Bystrack – I haven't even got past the special exception yet. I do have other options but I don't want to go down that route. I don't want to build any more houses and I don't think the town needs it.

S. Hurst – Your water supply to these units, will that be seasonal also? Will it be shut off at a certain time of year or will that be maintained throughout the winter?

R. Bystrack – We plan on shutting the wells right down and blowing the lines out.

S. Hurst – Would people be prevented from going there on the weekends?

R. Bystrack – There are gates going up. This will not be run in the winter.

S. Hurst – There will be no access?

R. Bystrack – There is a snowmobile trail on the property that will be allowed for use and this is a state corridor snowmobile trail that runs through the property and it is very important to this area. We have granted an easement to the snowmobile club for use in the winter only. We do have a dirt bike club that we are working with that ride this trail only on a one day event for charity ride. The event raised \$140,000.00 for the one day of using my trail.

M. Perry – This will be written into your agreement. The other sites we have done here in town in order to make them seasonal we have had the restrictions placed in there plan that they are seasonal and it is stated what the time frame is.

R. Bystrack – Who would set the dates?

M. Perry – The applicant.

R. Bystrack – Everything would freeze up. The bathhouses are going to be rough-cut lumber and look like they are from an old western town. We are not insulating anything.

M. Perry – Because it is continuing on with the next owner and so on that this needs to be considered before because it goes along with the property. It is not just you.

A. Bystrack – We could put that in the conditions running from May to October.

M. Perry – And that it runs concurrent with the property and that is the important part as maintaining it as a seasonal campground.

T. Morgan – You said the lots were oversized. That is the standard and what is oversized?

R. Bystrack – If you look at your town regulations minimum lot size is 1500 sq. ft. We are going 2400 sq. ft. and that is the smallest we are going.

T. Morgan – Have you been before the Planning Board?

R. Bystrack – We went with a conceptual.

T. Morgan – Have you gone before the town Conservation Commission?

R. Bystrack – I sat in on a meeting and made comments on it.

T. Morgan – You provided them a description and that is where the comments in the packets came from.

R. Bystrack – I don't know where those comments came from, I don't know if somebody filled the board in on that. It might have been a letter sent to the board. We got their comments back but I don't know where they came up with the high water levels or high beaver activity. I don't know where they got their information. I have my engineered drawings all here and they didn't show me their engineered drawing and that is just their opinion.

T. Morgan – What did they give you after the meeting with them?

R. Bystrack – I didn't have a meeting with them specifically on this campground. I sat in on a public conservation meeting.

R. Bystrack – I couldn't talk specifically on this case. I am going on a letter that they sent back to me and I don't know where they got all of their information. No one should be on that property.

M. Perry – Except the board to take a look at things, the board is allowed to go out there.

R. Bystrack – I didn't fill the application out for the Planning Board yet.

M. Perry – It is before the ZBA and the board has the right to go on and look. Have you taken a look at the comments and or have feedback from either the Fire Chief, Code Enforcement Officer or the Conservation Commission. Is there feedback from you on those concerns.

R. Bystrack – We do have some feedback. We sat with the Chief a few months back and his concerns on road width, fire ponds and additional ponds. We aren't doing any propane filling stations on site.

A. Bystrack – He said the fire ponds were not a condition for approval. He was just requesting with the size of the property that they be provided. The roadway exceeds the requirements by 4'.

M. Perry – What is the construction of the roadways?

A. Bystrack – Gravel, they are not going to be paved. I did speak to Justine Gengras discussing some of the issues that they were concerned about. Show any streams flowing through the wetlands – they are shown but you can't see them on the small plat you would have to see them on the larger plat it says stream on the western end of the property.

R. Bystrack – The streams here are beyond our campground.

A. Bystrack – We have to address the roadways when we get to the planning part as far as erosion or storm water, hydrology. The configuration of the campsites, we have addressed in that we are taking some of them off that are close to the edge of the wetland if they are questioned. They didn't realize that the sites won't be cleared it is just how much room we are providing which is much greater than town regulated.

R. Bystrack – If we go back to the 1500' regulation we would have no problem with wetlands, but since we have oversized them and want people to have plenty of room.

A. Bystrack – The no-cut vegetative buffers between the campsites and the wetlands are delineated by the wetland buffer. There is 25' around the wetland already considered for no-cut as a buffer. There is not going to be a laundry building or swimming pool.

R. Bystrack – I can't commit to saying that there might be a washer and dryer in the bathhouse. No 4 wheelers and no dirt bikes.

A. Bystrack – Future development expansion – this is showing the future. It is going to be phased. I think there is a sufficient amount of space the campers can use without impacting the wetlands. I don't think anyone wants to walk through wetlands with the amount of ticks and bugs there.

R. Bystrack – Our forestry roads are going to be walking paths.

P. Monziona – You are coming here first to get an exception for what is otherwise not a permitted use in this zone.

M. Jerkins – It is a permitted use by special exception only, which is why they need to be here.

P. Monziona – You need that special exception for this particular use and you want to obtain this first from this board and then if you were to receive that then you would have to deal with a number of other issues from the Planning Board in order to make this project come into existence.

R. Bystrack – This project could still crash I just need to get through this part of it.

P. Monziona – The letter from DOT on the driveway application, so as of now you still don't have a driveway permit or permission to cut a driveway on Route 28?

R. Bystrack – I do have a driveway there now, and I did talk to DOT and they said if I wanted to use it as a single-family residence was fine. Because I want to bring in trailers he suggested a little bit of adjustment.

P. Monziona – As far as well and septic, you are confident you are going to be able to accommodate this use?

R. Bystrack – Absolutely

P. Monziona – Are you going to have an emptying area for the campers.

R. Bystrack – The office will probably have the main dump site so that way we can see what goes in and out of it.

P. Monziona – The units will hook-up with electricity as well as water and then if they need to they can go to the dump area to dump.

R. Bystrack – What we are hoping for is that not having weekend campers we are looking for seasonal campers that want to leave their campers for the season.

M. Perry – What are your answers to DOT, they asked for two things, the proximity of the residential driveway located to the north and the lack of inadequate gravel shoulder along the south bound lane. Travel must be addressed and how are you proposing to do this.

R. Bystrack – That would be if I want to use the existing hole for the driveway that is cut through. There are antique stonewalls, we did not want to take a stonewall out with granite steps and DOT wasn't aware that they were there behind the lilac trees. They asked that we provide a gravel way. We have agreed to move the driveway down a little further and provide a paved deceleration lane.

M. Perry – Has that been presented to them yet.

A. Bystrack – We had a meeting with them on July 14th with Randy Talon to address possible solutions to their concerns and what they came up with was to move the driveway further away from the driveway that is closer. They will make it come to the corner of the property instead, with a 50' deceleration lane.

M. Perry – This is something you will have to provide is a deceleration lane.

R. Bystrack – We will have to provide the rest of these drawings to the Planning Board. I wasn't going to go through the rest of the re-draw until I get through this part of the project.

M. Perry – Is there anything else from the applicants?

A. Bystrack – We have to satisfy to get permits for the DOT, the septic needs to be state approved and we will meet all of the approvals for the wells. We will be doing a re-draw for the Planning board with the new information with the driveway on it. We didn't think that was necessary and we didn't have enough time to get that done for this meeting but it will be done before we have final approval from the Planning Board.

M. Perry – When we do that we would like to make that part of our recommendation even though it will go on to Site Plan Review.

A. Bystrack – Right, to get DOT approval, state septic approval, because these applications all take time. The driveway one is in the process it just hasn't gone through all of the way yet.

S. Hurst – You stated that you were possibly going to have a dumpsite down by the office so they would have to pull the unit from the site and empty.

R. Bystrack – Yes probably for the first year of operation and I will have that one oversized to support the building and any additional dumping that goes in there.

S. Hurst – I notice you have multiple leach fields on the site plan, is your plan eventually to plumb in the units on each site?

R. Bystrack – I am hoping to. People don't want to be bothered with unhooking their trailers to go dump.

A. Bystrack – The one telephone pole that we do have is listed as a benchmark, I just wanted to make that clear that there is a telephone pole and it is noted as a benchmark.

M. Perry – Are there any other stonewalls, cemeteries, or anything else on this site at all?

R. Bystrack – Along Route 28 we have a historical stone wall that is there facing the property to the right side of the driveway.

S. Hurst – Your campsites to your abutters, what is the distance to someone's home.

R. Bystrack – The town specs is a 75' buffer. We have the 75' buffer plus the Old Range Road (Lot Line Road), which is another 66' wide to the abutter's property.

D. Schaffner – What are the distances to any structures, the campsites to any other structures?

R. Bystrack – Hundred's of feet away.

A. Bystrack – The homes that are along NH Route 28 are closer to Route 28 and then there are some that come down Lot Line Road but they are still set back quite a distance from any of the campgrounds. There is no home at the Addison Cate property. The Jackson property, the house is a big yellow farmhouse and there is a field between us. In the back where the property meets Coffin Brook there is 75 acres before you hit the back borders of all of those people that live off of Coffin Brook Road.

M. Perry – Are there any other questions? I will open this up to the public. If there is anyone wishing to speak in favor of this application, please step forward.

Greg Fuller – I think a campground would be a good idea on that land. I have seen the plans and there seems to be enough parking and frontage. It seems to me that they exceed all the specs of the town. From a tax based purpose and from the impact of the schools, if this didn't go through I would hate for that to be developed into houses because that would put a strain on the school if the buyers had kids. The project sounds like it would be a benefit to the town and it seems to fit the Master Plan. I would like to see it.

Paul Murphy – I would like to see a campground rather than houses.

M. Perry – Anyone wish to speak in opposition to the project.

Marty Cornellisen – I would like to address the letter and my supposed hostile attitude towards this project. I actually came her in favor of the project. I don't have a problem with the project at all. I don't know where the hostility came. It could be that I brought up a concern at the Planning Board, the concern was RV's and recreational vehicles, ATV's and dirt bikes was the only question I had. I this it is a good project. I don't know where the hostility of being a hostile neighbor is coming from. The other concern was what Marcy and I talked about after that meeting. I am a member of the Downtown Revitalization Committee (DRC) and Marcy through Middleton Lumber has donated materials to the freight building which I am doing a majority of the work. Her company has donated the rest of the clapboards to finish the building and what we discussed was if she was going to donate the rest of the rough boards for the gable ends plus some vertical siding, and that is what we discussed. We did not discuss anything to do with this project. I would not put her in that position. I would not put anyone on this board in that position. Marcy did not do anything, if it was improper than I will take the blame. This was after the meeting and I did not contact her after that to discuss the meeting or anything to do with the meeting. I did call her the next day because she wanted to know how much wood I needed and I called her and told her. We have overlapped because she has been a good contributor to the project. As far as the project, I don't have a problem with it. I would like to see it better than houses. Where they got all this stuff from I have no idea. They didn't have a clue as to what I was going to say or do. I am not hostile to the project at all.

M. Perry – If you like to speak for a rebuttal please come forward.

A. Bystrack – As far as where I got the idea that Marty was a hostile neighbor or abutter was a conversation we had where I asked him because he seemed agitated about the possibility of dirt bikes or 4-wheelers being high traffic through there. He referred to himself that he has been referred to in the past as a neighbor from hell and I know in the past the trouble he had given to the school when that was going in. I didn't consider him the neighbor from hell and I understand his concerns. I was willing to work with him and address it. He could have called and we could have ironed it out. On another occasion he said that it was fine when we were going to put in one house, but our plans changed. We thought this project would be the least minimally impacting and in good standing with the town. He told us that we were considered fair game since we were changing into this recreational camping use. That is where the misunderstanding has come from and I am sorry and that is how I took it and that is what I wanted to make clear.

M. Cornelissen – I never made the statement that they were fair game and at that time my only concern was dirt bikes and ATV's, I didn't have a problem with their project at all and I told them that. Where she says they were fair game, fair game for what, I don't know. As far as the school that was a whole different thing. I am still in favor of the project even though they are starting to really tick me off.

M. Perry – I will close public session and go into deliberations.

T. Morgan – There were a couple of items left open and maybe the board can help and advise. One had to do with the dates of operation, are those dates appropriately set for this board by this board as afar as special exception or are they set by the Planning Board.

M. Perry – That is set by the Planning board and they will take up that issue with them. We did also address that at the other campground, that is part of the Planning Board.

T. Morgan – I have concerns about limitations about dirt bikes and ATV's, is that something that you would run under special exception or is that something that should be addressed also by the Planning Board.

M. Perry – We can make that recommendation also on here that this be closed to ATV's.

T. Morgan – Do we want to exclude them completely or limit the use.

A. Bystrack – The Cystic Fibrosis run needs to stay.

R. Bystrack – During camping season we will not allow them on the property except for our own use.

A. Bystrack – Inaudible.

M. Jerkins – When you are doing your condition you need to recognize that ATV's and 4-wheelers are now called OHRV's. If you generally state ATV's you are also excluding snowmobiles.

A. Bystrack – Inaudible.

R. Bystrack – The property is posted now against OHRV's. Inaudible

M. Perry – Does anyone else have any questions, comments, or discussion on the special exception?

P. Monziona – What was being specifically sought here because I had reviewed in detail for the last meeting? When I did review this application in great detail the first time, it impressed me initially that it was a very reasonable request for this property. I was a little surprised to see that there may have been an impression that this was being received in a hostile way from the board. I don't see it as a complicated or difficult application at all given what you are trying to do with this land. Now that I have heard the presentation and from members of the public, I think what I have heard here further supports my initial feeling on this.

M. Perry – I feel that there are a lot of safety factors built into the request, looking out for the OHRV's and taking care of the access way for the fire road, fire ponds, I think you have done a lot to answer the questions and concerns of the code officials in town and the regulations you will be required to have as far as the wetland buffers and that type of thing will go through site plan review as well as the hours and everything else. I think it is in compliance for what is required in that zone as a special exception.

T. Morgan – A plat has been accepted by the Planner in accordance with the Zoning Ordinance Section 420 b. and a recommendation has been made. The recommendation is if the board feels the applicant has provided adequate information that the board can accept the application as complete and I think that has happened.

M. Perry – I agree and I think that they have presented enough information and are looking out for as far as answering the concerns of the wetlands board and DOT. I think it is in compliance.

P. Monziona – I agree

S. Hurst – I agree

D. Schaeffner – I agree

M. Perry – The specific site is an appropriate location for use. It has adequate amount of property. The lot size is over sized, it has accessibility to a main highway. I think it is a very good use for this piece of property rather than going into individual homes.

P. Monziona – I agree

S. Hurst – I agree

D. Schaeffner – I agree

T. Morgan – I agree

P. Monziona – Factual evidence is not found that the property values in the district will be reduced due to incompatible uses. There has been no evidence in front of us this evening that the use of this site as a proposed campground would anyway adversely affect any of the abutting or surrounding properties and may in fact enhance the value of the surrounding properties by keeping a rural use of it and conserving the wooded area and bringing in people to the area and help the local businesses. My only concern about all of this is that ultimately the project stay within the notes particularly #6 of the plan which identifies the proposed project as meeting or exceeding the town regulations in a number of these areas. If that is going to be the case then I think it is a good project.

S. Hurst – I agree

D. Schaeffner – I agree

T. Morgan – I agree there were no objections stated at all.

M. Perry – I agree everyone spoke pretty much in favor of.

P. Monziona – I agree

D. Schaeffner – There is no undue nuisance or serious hazard to pedestrians or vehicular traffic, including the location and design of access ways and off street parking. We did say that it is conditional on DOT recommendations and we are making that recommendation to the Planning Board. I don't see any problems as long as they follow the recommendations and the Fire Chief's recommendations to the travel ways for the fire equipment.

T. Morgan – I agree

M. Perry – I agree also

P. Monziona – When you go and look at that spot on Route 28 it can be curvy and dangerous and you have explained the deceleration lane and the stuff required of you so the only concern I had was whether it would affect traffic on Route 28 or create some kind of potential hazard with traffic. If you are going to get the appropriate approvals and make appropriate adjustments to accommodate traffic than I would agree that there is no undue nuisance or serious hazard.

S. Hurst – I agree

D. Schaeffner – I agree

T. Morgan – Adequate and appropriate facilities and utilities will be provided to insure proper operation of the proposed use or structure. There are office buildings, bathhouse

facilities, water, sewage, and electric to site. It seems to me that the appropriate facilities and utilities are planned for.

M. Perry - I agree according to the presentation.

P. Monziona – I agree

S. Hurst – I agree

D. Schaeffner – I agree

M. Perry – There is adequate area for safe and sanitary sewage disposal and water supply. With the permits required by DES and through site plan this will all be taken care so I agree that they are adequate.

P. Monziona – I agree based on the descriptions you have provided and the plan submitted it appears that you will have adequate water and septic and therefore I agree.

S. Hurst – I agree

D. Schaeffner – I agree

T. Morgan – I agree

P. Monziona – The proposed use or structure is consistent with the spirit of this ordinance and the intent of the Master Plan. Given that this use is in fact specifically a permitted use with a special exception, given the fact that you are doing something that is within the spirit of a rural community particularly a campground and as you have described it I think that your proposed use is certainly consistent with the spirit and intent of the Master Plan.

S. Hurst – I agree

D. Schaeffner – I agree

T. Morgan – I think it is a good use and a good idea for this property, good luck to you.

M. Perry – I agree that this is within the spirit and intent of the Master plan as far as a rural setting and it is in part of the Master Plan to have small businesses to come into the community, so good luck.

Motion made be P. Monziona to approve the application for a special exception with conditions that have been subject to the concerns of DOT and Alton Fire Department issues with regard to the roads and that all state and local permits be approved. Seconded by D. Schaeffner. Motion passed with all in favor.

Old Business:

M. Jerkins – Jeremy Dube is here and would like to address the Board.

J. Dube – I want to give you an update on the ongoing wireless facilities application that we have in front of us as a joint board meeting and as it stands our applicant have been very well with working with us and granting us extra time beyond what we are allowed and I have a meeting with town council and the town review engineer on Thursday. We are going to go over the process and critique it a little due to concerns town council has and also the review engineer. We are going to try to streamline it a little better so when we go into the meeting we are going to be more sure of what we are doing and less questions.

M. Perry – In your inquiry with Attorney Sessler will you ask him what our role is also as the Zoning Board? We are going to be there basically just listening. When you go into deliberations do we also go into deliberations or do they come back to meet with us for any kind of special exception or variance?

J. Dube – I do understand the process on that. Basically the reasoning for the joint meeting is at that meeting there will be no substantial decisions made. They may be decisions made from the Planning Board or request for more information on such a test as a balloon test or whatever the Board feels may be required to make an informed decision. The decision that will be made is whether to accept or not accept the application. The time frame we are working with is once they submit their application we have 30 days to accept or not accept the application.

M. Perry – That is the Planning Board, but I am asking for our part in it.

J. Dube – It is going to be a substantial presentation and the ZBA is there so we only have one presentation for both Boards. You are there to hear which way it goes so if it does end up in front of you, you know exactly how it went and what was said by the Board in its decision.

M. Perry – If we have questions are we to sit mute or do we have the opportunity to speak?

J. Dube – The take I took from it before was that the ZBA was not to participate in the Planning Board discussion and the Planning Board is not to participate in the Zoning Board discussion. We hear the main presentation ourselves and go from there.

M. Perry – For Boards to go off into deliberations and we have questions what avenue do we have at that meeting?

J. Dube – I will get clarification for you. After I have this meeting we will lay out the process, there are some major questions that the Planning Board has, to have a joint meeting that we are all at, both boards, and the informational meeting with the town attorney present so if there are any other questions before we meet with the applicant to clear up the questions.

M. Perry – The first meeting will be informational and then we will meet with the attorney after.

J. Dube – What Attorney Sessler and I have talked about is we are having our meeting to lay out the procedure and then immediately after that meeting we would like to schedule as soon as we can a meeting between the two boards. Once I talk with Jim I will call Monica to poll everyone together. I will address your question, Marcella, so he has an answer for you. I am just presenting it to the board to see if you are interested in having a joint meeting before because we do have to schedule them another meeting before us.

M. Jerkins – I am preparing the agenda packets for the 3rd. I expect to have them ready for Thursday afternoon, however Brandt was continued a few months ago pending the outcome of a decision from DOT. We do have that outcome back before the Board and what I need to know from you is do you still have all of that information or do I need to re-copy it for the Board?

M. Perry – Make copies for the whole Board. On minutes are we caught up?

P. Monziona – I may be out of town on August 3rd.

M. Jerkins – As far as your question on minutes, we are working diligently on catching up on the minutes. We have enlisted the help of Jenn McCollough who used to do minutes for the department. She is taking a lot of tapes home.

M. Perry – Where do we stand date wise?

M. Jerkins – We are waiting on minutes for June 1st, June 27 have been completed, June 27th the Gayner minutes have been completed, and then July 6th has been emailed to everyone. As near as I can tell, those are the ones we are missing.

Motion made by T. Morgan to adjourn, seconded by P. Monziona. Motion passed with all in favor.

Respectfully submitted,

Jennifer M. Fortin
Secretary pro temp