

TOWN OF THORNTON PLANNING BOARD

20 Jan 2022
Approved on:
PB Initials:
Rec'd by Town Clerk on: 1-24-2022
Town Clerk Initials: pdw

Planning Board Meeting Minutes December 16, 2021

CALL TO ORDER – PLEDGE OF ALLEGIANCE:

Chairman Babin called the meeting to order at 6:06 p.m.

ROLL CALL:

Members present at Town Hall: Steven Babin, Chairman; Frank Freeman, Vice-Chairman; Donna O'Donnell, Peter Laufenberg, Karen Waters, Kathy Menici, Planning Director; Kerrin Randall, Board Assistant

Members Absent: None

Alternates present at Town Hall: Cynthia Schofield, Jack Gaites

Others present via call-in (names are as they appeared via Zoom): Nancy Decoteau, Dave Rivers, Kevin Dorsey, timkingston, Scott

Others present at Town Hall: Stephen Tower, Philip Hastings, Tom Duffield, Brad McCoil, Chad Stocker, Jon Warzocha

Mr. Babin sat Mr. Gaites as a voting member in place of Ms. Decoteau, as she chose not to act as a voting member. Mr. Rivers chose to participate as a voting member on Zoom.

APPROVAL OF MINUTES:

Upon distribution and review of the meeting minutes of November 18, 2021, the members took the following action:

MOTION: "To accept and approve the meeting minutes of the Thursday, November 18, 2021 meeting as presented."

Motion: F. Freeman

Second: J. Gaites

Discussion: None

Vote: 6 YES - 0 NO - 1 ABSTAIN

Motion passes.

PRELIMINARY BUSINESS:

1. Continued Discussion of 2022 Zoning Amendments

Mr. Babin stated he and Planner Menici went over proposed 2022 Zoning Amendments and advised that items 1-5 in the proposed amendments memo be voted on tonight to be added to the warrant article in March.

2022 Zoning Amendments - Proposed

Zoning Amendment #1

Are you in favor of the adoption of an amendment to the existing Town of Thornton Zoning Ordinance, as proposed by the Town of Thornton Planning Board, which changes the definition of Dwelling, Multi-Family to read:

Dwelling, Multi-Family means a dwelling occupied by two, but not more than ten, families living independently of each other in individual dwelling units.

Recommended by the Planning Board.

55 Zoning Amendment #2

56
57 *Are you in favor of the adoption of an amendment to the existing Town of Thornton Zoning Ordinance, as*
58 *proposed by the Town of Thornton Planning Board, to delete the definition of Dwelling, Two Family?*
59

60 *Recommended by the Planning Board*
61

62 Zoning Amendment #3

63
64 *Are you in favor of the adoption of an amendment to the existing Town of Thornton Zoning Ordinance, as*
65 *proposed by the Town of Thornton Planning Board, which changes the definition of Cluster Development to read:*
66

67 *Cluster Development means an innovative residential subdivision for single and multi-family residential*
68 *dwellings which permits the housing units to be clustered on a portion of the entire parcel with reduced*
69 *dimensions on the condition that the remaining land in the tract is dedicated for open space or common*
70 *land, the future development or subdivision of which is prohibited. The number of permitted units is*
71 *determined by the density permitted in the underlying Zone District subject to qualifying acreage*
72 *requirements.*
73

74 *Recommended by the Planning Board.*
75

76 Zoning Amendment #4

77 *Are you in favor of the adoption of an amendment to the existing Town of Thornton Zoning Ordinance, as*
78 *proposed by the Town of Thornton Planning Board, which changes Article VI: Dimensional Requirements,*
79 *Paragraph 4. Dwellings per Lot to read:*
80

81 *Unless otherwise allowed by this Ordinance, no more than one building used and intended for human*
82 *habitation shall be erected, placed or converted to use as such on a single parcel in any Zoning District.*
83

84 *Recommended by the Planning Board*
85

86 Zoning Amendment #5

87
88 *Are you in favor of the adoption of an amendment to the existing Town of Thornton Zoning Ordinance, as*
89 *proposed by the Town of Thornton Planning Board, which changes Article IV. Table of Uses to delete*
90 *"Sanitarium" as a permitted use in each of the following districts: General Residence, Recreation West Zone,*
91 *Commercial, Industrial I and Industrial II?*
92

93 *Recommended by the Planning Board*
94

95 Planner Menici stated the proposed changes 1-5 on the memo are housekeeping items, and the larger issues, like
96 the zoning map, be reviewed later to ensure adequate time is given to it.
97

98 Planner Menici reviewed the timeline for holding Public Hearing on the proposed changes. Discussion continued.
99

100 **MOTION: "To schedule the Public Hearing for proposed zoning amendments on January 20, 2022 at the**
101 **regularly scheduled Board meeting."**

102 **Motion: P. Laufenberg**

103 **Second: F. Freeman**

104 **Discussion: None**

105 **Vote: 6 YES - 0 NO - 1 ABSTAIN**

106 **Motion passes.**
107

108 The Board asked that this be advertised on all Town social media platforms in addition to the outlets that already
109 advertise hearings.

110 **COMMUNICATIONS:** None

112 **REPORTS:** None

114 **UNFINISHED BUSINESS:**

116 **HEARINGS:**

- 117 1. APPLICATION/PUBLIC HEARING – Subdivision: Fraser Meadows Phase II; Stephen Tower
118 as agent for Kevin Dorsey, Fraser Road [Map 15, Lot 04-11].

119 Mr. Tower stated this subdivision is a second phase for Fraser Meadows, where 13 new lots are being proposed
120 with a new road, called 'Jack's Run.' Each lot will have its own private well and septic. Mr. Tower stated State
121 sub-division approval has already been obtained.

123 Tom Duffield, Professional Engineer, stated that covenants for the subdivision have been drafted as well as HOA
124 documents. Mr. Duffield stated the road will need to be bonded, and he has a letter of commitment from the
125 lender that will be recorded once the subdivision is approved.

127 Mr. Babin asked if the houses were spec houses that buyers choose from. Mr. Dorsey stated the buyers will be
128 given options on the houses, but not all of them will be the same. Mr. Babin clarified that the lots to be created
129 are going to be sold to private owners to build a house and Mr. Dorsey stated yes.

131 Mr. Babin asked if the proposed road was going to be gravel and Mr. Duffield stated it will be paved.

133 Mr. Babin stated the plan looks straightforward and asked that, if approved, a sound buffer of evergreen trees be
134 established between the properties and Route 93. Mr. Babin asked if there were any plans to have the proposed
135 new road connect to Blake Mountain Road, and Mr. Tower and Mr. Duffield confirmed that there is no intention
136 to connect the roads.

138 Mr. Tower stated the Fire Chief has submitted his report on the proposed subdivision, and the cisterns that will be
139 in place will satisfy fire safety concerns. Mr. Duffield stated the cisterns will be maintained by the HOA once it is
140 recorded and established, as is written in the draft covenants.

142 Mr. Freeman asked if 'Jack's Run' will be a private road, and Mr. Dorsey stated the road will be built to the Town
143 road specifications, similar to how Phase 1 of Fraser Meadows was built. He stated he has estimates for each
144 aspect of construction of the road, and Planner Menici asked that Mr. Dorsey forward her the rough estimates for
145 the work to be done in order for her to follow up with RA Kubik.

147 **MOTION: "To accept the application as substantially complete."**

148 **Motion: F. Freeman**

149 **Second: J. Gaites**

150 **Discussion: None**

151 **Vote: 7 YES – 0 NO – 0 ABSTAIN**

152 **Motion passes.**

154 Mr. Babin opened the public hearing at 6:40 p.m. No public comments were made, and Mr. Babin closed the
155 public hearing.

157 **MOTION: "To accept the Subdivision: Fraser Meadows Phase II; Kevin Dorsey, Fraser Road [Map 15,**
158 **Lot 04-11] application with the following conditions:**

- 159 • **Copies of any necessary Federal, State, and/or local permits shall be received by the Planning**
160 **Department and the permit numbers shall be added in a note on the plat prior to the plat being**
161 **signed and recorded.**
- 162 • **The applicant shall create a homeowner's association to provide for the maintenance and**
163 **ownership of the proposed roads. Proposed association documents shall be reviewed and approved**

by the Planning Board's legal counsel prior to signing and recording the plat at the applicant's expense.

- A note shall be added to the final plat that specifies the provisions for the long-term maintenance of all roads and driveways within the subdivision.
- Prior to the plat being signed and recorded, the applicant must provide surety in a form acceptable to the Planning Board's legal counsel and in an amount adequate to cover the cost of the preparation and installation of streets, public and private, improvements, storm drains, water supply for fire protection (per Section IX) underdrains, monuments, erosion control, power and telephone lines and any other improvements required by these subdivision regulations or the terms of the Boards' approval. Reviews by the Board's legal counsel and consulting engineer to determine the adequacy of the surety are at the applicant's expense.
- All "To Be Set" (TBS) notes shall be removed and all monumentation shall be set on the plat and in the field prior to the plat being signed and recorded. A note shall be added to the plat, by the surveyor who stamps and signs the plan, certifying this to be complete.
- The following note shall be added to the plat prior to plan signing: "This subdivision plan is subject to the Conditions of Approval itemized in the Notice of Decision dated (insert date of Notice) and on file at the Town of Thornton Town Hall."
- This approval is based upon the plans, specifications and testimony submitted to the Planning Board. Any alterations, additions or changes to the plans are not authorized and require additional Planning Board approval."

Motion: D. O'Donnell

Second: P. Laufenberg

Discussion: None

Vote: 7 YES – 0 NO – 0 ABSTAIN

Motion passes.

Mr. Hastings stated his client would like to allow Mr. Duffield to have his preliminary consultation prior to their hearings. Mr. Babin and Mr. Duffield thanked him.

OTHER BUSINESS:

1. Preliminary Consultation of Cluster Development Concept: Kevin Dorsey as applicant, NH Route 3 [Map 10 Lot 8-8].

Mr. Babin stated this is a preliminary consultation and specifics on the plans are not discussed at this time. He stated if there are major deficiencies in the plan, the Board will bring it to the applicant's attention.

Mr. Duffield presented a proposed Cluster Development on a 30-acre piece of land that his client is interested in purchasing. He stated his client will be working with NHEC to bury the powerlines, and each unit would have their own well and septic; a shared common area and mixed-use buildings are also being proposed. Mr. Duffield stated there will be a 3-acre piece that will be a separate map and lot that will be taken out of the 30 acres; this will be for the applicant's personal use.

Mr. Freeman stated the plan, as presented, does not show clear lot lines. Mr. Dorsey stated the proposed will be a Planned Unit Development (PUD) where the units and a small portion of the land around it will be owned by the purchaser, but the remaining land will be common to the PUD.

Mr. Dorsey stated he intends to keep the property as unobtrusive to the neighbors as possible. He stated the field is a gem in town, and he does not want to cause major disruption. Mr. Dorsey stated he wants to be a good neighbor to those around the property, and the units will be far enough from the road to not be an eyesore. Discussion was had.

216 Ms. O'Donnell asked what the sizes of the proposed houses will be, and Mr. Dorsey stated the concept is for 3-
217 bedroom homes with two (2) car garages. Mr. Dorsey stated the proposed name of the PUD will be 'The
218 Preserve' as he intends to preserve the land as much as possible.
219

220 Mr. Laufenberg asked what the proposed timeline is, and Mr. Dorsey stated he is hoping to get the Board's
221 blessing that this will be approved so it can potentially be completed in six (6) months. Mr. Freeman clarified that
222 the Board cannot say that approval will be given on any project.
223

224 Mr. Dorsey thanked the Board for their time.
225

226 **HEARINGS continued:**

227 2. APPLICATION/PUBLIC HEARING – Site Plan Review: Sports Nest Expansion; Marc Burnell
228 as agent for LCJ Holdings, LLC, Lafayette Road [Map 16 Lot 1-7-3].

229 Mr. Hastings stated the application has been reviewed by Planner Menici and Mr. Keach. He stated the proposed
230 is adding a deck and making more room over the tennis complex and pickleball courts. Mr. McCoil stated the
231 proposed will also increase the size of the retail area as well.
232

233 Mr. Stocker stated the increase in deck size will provide for more storage for golf carts.
234

235 Mr. Laufenberg asked if the concern with ADA parking had been addressed on the plan set submitted. Mr.
236 Warzocha stated the ADA parking is already in place and will be added to the final plan set.
237

238 Mr. Hastings stated his client is also asking for waivers for landscaping and lighting, as the existing building
239 currently satisfies the requirements.

240 **MOTION: "To accept the application as substantially complete."**

241 **Motion: P. Laufenberg**

242 **Second: D. O'Donnell**

243 **Discussion: None**

244 **Vote: 7 YES – 0 NO – 0 ABSTAIN**

245 **Motion passes.**
246

247 Mr. Babin opened the public hearing at 7:19 p.m. and no comments were made. Mr. Babin closed the public
248 hearings at 7:20 p.m.

249 **MOTION: "To approve the waiver requests of the subdivision regulations for:**

250 **Article V. Submission Requirements.**

251

- **B.19. Landscaping**

252

- **B.20. Exterior Lighting"**

253 **Motion: D. O'Donnell**

254 **Second: K. Waters**

255 **Discussion: None**

256 **Vote: 7 YES – 0 NO – 0 ABSTAIN**

257 **Motion passes.**
258

259 **MOTION: "To approve the Site Plan Review: Sports Nest Expansion; LCJ Holdings, LLC, Lafayette Road**
260 **[Map 16 Lot 1-7-3] with the following conditions:**

- 261 • **Revise sheet number on drawing entitled "Overview and Abutter Map/Lots" to be consistent with**
262 **sheet number specified on Index of Sheets.**
- 263 • **Revise sheet entitled "Overview and Abutter Map/Lots" to depict Clubhouse Lane from Pemi Road**
264 **to Lafayette Road.**
- 265 • **Revise sheet entitled "Overview and Abutter Map/Lots" to place the phrase "Main Access Road" in**
266 **its appropriate location or delete it from the sheet entirely.**
- 267 • **Add a note to the plan stating that parking for the subject facility is located on Map 16 Lot 1-8.**

- Expand grading information on Sheet C-4 to include additional finish “spot grades”. To be reviewed and approved on behalf of the Planning Board by Steve Keach of Keach-Nordstrom Associates, Inc.
- Expand the plan set to demonstrate compliance with the ADA with regard to accessible parking accommodations and building accessibility.
- Expand Sheet C-4 to specify the building footprint dimensions.
- Expand the plan set to identify the location at which each BMP is to be employed and maintained during construction. To be reviewed and approved on behalf of the Planning Board by Steve Keach of Keach-Nordstrom Associates, Inc.
- Location, type and size of all proposed landscaping or screening to be added to the final plan set.
- Location and type of exterior lighting to be added to the final plan set.
- Location, type and sketch of proposed signage to be added to the final plan set.

From Campton-Thornton Fire Chief:

- Supra brand access box at or near the main entrance, with all necessary alarm and door keys inside.
- Dry hydrant or pressurized fire hydrant within 400 feet of the structure.
- Protected throughout by a monitored fire alarm system, to include Carbon Monoxide Alarm
- All alarm panel and pull station reset keys to be CAT-30.
- Egress corridor capacity and travel distances should be sufficient per 2015 NFPA 101 Chapter 7.
- Inspection of structure during construction and prior to occupancy.

Motion: F. Freeman

Second: P. Laufenberg

Discussion: None

Vote: 7 YES – 0 NO – 0 ABSTAIN

Motion passes.

Mr. Hastings asked if the Subdivision and Site Plan for North Lake could be discussed together, and the Board agreed that that was fine.

2. Continuation of APPLICATION/PUBLIC HEARING – Subdivision: North Lake; Marc Burnell as agent for LCJ Holdings, LLC, Lafayette Road [Map 16 Lot 1-7].

3. Continuation of APPLICATION/PUBLIC HEARING – Site Plan Review: North Lake; Marc Burnell as agent for LCJ Holdings, LLC, Lafayette Road [Map 16 Lot 1-7].

Mr. Hastings reviewed circumstances arose that have delayed the hearing of these applications, and there are still several items that are needed per Keach-Nordstrom and Planner Menici’s reports. Mr. Hastings requested the Board accept the applications as substantially complete to get the process going and to allow the public comment portion of the hearing to be had.

Mr. Babin asked those in attendance and on zoom if they were going to make public comment if the hearing was opened; there was no response from those in attendance. Mr. Babin stated the application is not substantially complete, and therefore cannot be heard at this meeting.

Planner Menici suggested that a preliminary consultation be had for the applications, as the Board has not heard anything on these items. The Board concurred with Planner Menici and Mr. Hastings agreed the best course of action was to have a preliminary discussion at this time.

MOTION: “To continue the APPLICATION/PUBLIC HEARING for Site Plan Review and Subdivision: North Lake; Marc Burnell as agent for LCJ Holdings, LLC, Lafayette Road [Map 16 Lot 1-7] and Site Plan Application to the January 20, 2022 meeting and to continue discussion as a preliminary consultation at this meeting.”

Motion: P. Laufenberg

Second: F. Freeman

Discussion: None

Vote: 7 YES – 0 NO – 0 ABSTAIN

Motion passes.

Mr. Hastings stated the proposed North Lake development is a 48-unit home site condominium project that will be accessed via Lake Road, with three (3) interior roads to be named later. He stated the units would be varying sizes, with the largest being a maximum of three (3) bedrooms.

Mr. Hastings stated the units would be “for sale” units to the public and would be served by shared septic and water that are all laid out in the condominium documents that have been drafted. He stated he has sent the condominium documents to the Board and Counsel for review.

Mr. Warzocha stated each unit would have their own driveway and two (2) car garage. He stated there will be no common amenities, other than open space around the units. Planner Menici asked if the garages were going to be underneath the units, and Mr. Stocker stated they will be built at grade. Planner Menici stated she was questioning if there would be living quarters above the garage.

P. Laufenberg asked if the units were going to be modular or stick built, and Mr. Stocker stated the houses will be stick built. Mr. Laufenberg asked if local carpenters are going to be hired for this project, and Mr. Stocker stated yes; they use local carpenters whenever possible.

The Board thanked Mr. Hastings et al for their presentation.

OTHER BUSINESS continued:

2. Preliminary Consultation for Overflow Parking at Owl’s Nest

Mr. Hastings stated the Board has had concerns with parking at the clubhouse at Owl’s Nest and presented a proposed overflow lot that would allow for more parking. He stated the intent is to have Owl’s Nest staff use the lot for valet services and there will be no direct public access to it.

The Board reviewed the proposed plan and clarified that the lot is on the Campton side of the town line, and the access is in Thornton. Mr. Hastings confirmed that they are meeting with the Campton Planning Board in January for a preliminary consultation, but they are bringing it before this Board to see if anything will need to be submitted to Thornton.

Planner Menici asked if there are going to be changes to road geometry, and Mr. Warzocha stated no. Planner Menici stated an amended Site Plan will need to be submitted to this Board if Campton approves the lot. Mr. Hastings thanked the Board for their time.

Mr. Stocker asked what the status of the gambrels that were served a cease and desist from the BOS was at regarding the continuation of work on them. Mr. Babin stated that is a question for the BOS, as they handle enforcement. Planner Menici stated the BOS has asked Owl’s Nest to submit an amended Site Plan to the Planning Board, and that has not been done yet. Mr. Stocker stated he will work on the amended site plan for review.

ADJOURNMENT:

MOTION: “To adjourn at 8:08 p.m.”

Motion: P. Laufenberg

Second: K. O’Donnell

Discussion: None

Roll Call Vote: 7 YES - 0 NO - 0 ABSTAIN

Motion passes.

Respectfully Submitted,

Kerrin Randall, Board Assistant