

TOWN OF THORNTON PLANNING BOARD

Approved on: July 1, 2021
PB Initials: SP
Rec'd by Town Clerk on: 7/14/21
Town Clerk Initials: Don For TC

Planning Board Meeting Minutes Thursday, June 17, 2021

CALL TO ORDER – PLEDGE OF ALLEGIANCE:

Chairman Steven Babin called the meeting to order at 6:02 p.m.

ROLL CALL:

Members present at Town Hall: Steven Babin, Chairman; Nancy Decoteau; Frank Freeman, Vice-Chairman; Peter Laufenberg; Donna O'Donnell; Kerrin Randall; Board Assistant; David Rivers; Karen Waters

Members present via call-in: Kathy Menici, Planning Director

Members not present: None

Alternates present at Town Hall: Cynthia Schofield, Jack Gaites

Alternates absent: Gloria Kimball

Others present via call-in (partial names are as they appeared via Zoom):
Sally Davis, Billy Doucette, Brett Owings

Others present at Town Hall: Bob Gallagher, Diane Gallagher, Bob Murray, Lin Murray, Brad Trott, Cecile Trott

Mr. Babin stated there was an error in the public noticing of three (3) hearings; the Plymouth Record Enterprise failed to print public notice, at the Town of Thornton's request, as required by the State of New Hampshire in a timely manner. As a result, the following hearings have been moved to a new meeting date of July 1, 2021:

- APPLICATION/PUBLIC HEARING – Excavation Permit: Dirt Designs by Johnston Brothers; Duane Johnston, 73 Laundromat Road. [Map 6, Lot 6-7]
- APPLICATION/PUBLIC HEARING – Site Plan Review: Pemi River Campground Expansion; Thomas Duffield as agent for Gerri Warren, Route 3. [Map 16 Lot 2-8]
- APPLICATION/PUBLIC HEARING – Subdivision: Sunrise at Owl's Nest; Marc Burnell as agent for LCJ Holdings, LLC, Lafayette Road. [Map 16 Lot 1-7SRCO]

APPROVAL OF MINUTES:

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

MOTION: "To accept and approve the Minutes of the Thursday, May 18, 2021 meeting with proposed changes."

Motion: N. Decoteau

Second: D. O'Donnell

Discussion:

Ms. Decoteau noted grammatical changes to the minutes. Ms. Randall amended them in the minutes.

Roll Call Vote: 5 YES - 0 NO - 2 ABSTAIN

Motion passes.

54 **PRELIMINARY BUSINESS:** None

55
56 **COMMUNICATIONS:**

57 Mr. Babin stated it was brought to his attention that the Zoning Board of Adjustment (ZBA) has granted a request
58 for hearing that he, Ms. Menici, and Board Counsel do not believe should be heard, as the ZBA has no standing in
59 the matter. The request for hearing is regarding a denial of site plan review by the Planning Board, and it is the
60 opinion of the Planning Board that the ZBA does not have jurisdiction over site plan, only over zoning.

61
62 Mr. Babin stated the request for a hearing and an appeal from administrative decision to the ZBA were received
63 32 and 33 days, respectively, from the decision of the Planning Board. Mr. Babin stated he has submitted a letter
64 to the ZBA, Counsel, and the town office stating the Planning Board's position on this matter.

65
66 Mr. Babin stated, coincidentally, a memorandum from the applicant was received today stating the applicant's
67 reasoning for why a hearing is warranted.

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69 Mr. Babin stated he and Mr. Laufenberg met with Chad Stocker at Owl's Nest to discuss a pumphouse and
70 bathroom facility on the golf course.

71
72 Mr. Laufenberg stated this presents an opportunity for the Board to define minor and major site plan review
73 procedures. Mr. Babin stated that anything built in a commercial zone must go through site plan review; whether
74 that be a major site plan review before the Board or a minor site plan review for smaller structures needs to be
75 determined.

76
77 Discussion ensued.

78
79 Ms. Menici stated she is gathering data from other towns on how they define major and minor site plan review.
80 She stated she will complete this in a few weeks and will email the Board her findings. Mr. Babin suggested
81 holding a work session to discuss.

82
83 Mr. Babin stated he is a manufacture representative for a company that is currently working at Owl's Nest. He
84 stated there is no conflict of interest but wanted to make the Board aware. The Board agreed that Mr. Babin has
85 no conflict of interest, and thanked him for making them aware.

86
87 **REPORTS:** None

88
89 **UNFINISHED BUSINESS:** None

90
91 **HEARINGS:**

- 92 1. Continuation of APPLICATION/PUBLIC HEARING – Site Plan Review: Old Saw Mill
93 Condominium; Thomas Duffield as agent for Shirley and Jerel Benton, Old Sawmill Road [Map
94 11 Lot 1-33]

95 Mr. Babin stated a request to continue to the July 15, 2021 meeting was received by the applicant. He asked for
96 any public comment on the application at this time; there was none.

97
98 **MOTION:** "To accept the request to continue the APPLICATION/PUBLIC HEARING – Site Plan
99 Review: Old Saw Mill Condominium; Thomas Duffield as agent for Shirley and Jerel Benton, Old
100 Sawmill Road [Map 11 Lot 1-33]."

101 **Motion:** P. Laufenberg

102 **Second:** F. Freeman

103 **Discussion:** Ms. Decoteau stated the applicant is waiving the applicable timelines for the application as
104 well.

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

106 **Motion passes.**
107

2. Continuation of APPLICATION/PUBLIC HEARING – Minor Site Plan Review: Slice Restaurant; Marc Burnell as agent for LCJ Holdings, LLC, Lafayette Road [Map 16 Lot 1-8]. Mr. Babin stated a request to continue to the July 15, 2021 meeting was received by the applicant. He asked for any public comment on the application at this time; there was none.

MOTION: “To accept the request to continue the APPLICATION/PUBLIC HEARING – Minor Site Plan Review: Slice Restaurant; Marc Burnell as agent for LCJ Holdings, LLC, Lafayette Road [Map 16 Lot 1-8].”

Motion: D. O'Donnell

Second: K. Waters

Discussion: None

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

Motion passes.

Mr. Babin acknowledged members of the public in attendance.

Bob Murray, abutter to Pemi River Campground, stated he understands that the application for site plan review cannot be discussed at this time, and informed the Board that there is currently heavy machinery digging in the river corridor and potential building going on without town approval. He asked that the Board investigate.

The others in attendance echoed Mr. Murray's concerns. Mr. Babin suggested Mr. Murray complete a 'Concerned Citizen' form and submit it to the Town Administrator; the Planning Board is not an enforcement Board, but by filing a 'Concerned Citizen' form, proper parties will be notified to investigate.

Mr. Murray stated he has also been in contact with NHDES to investigate as well. Mr. Babin thanked those in attendance for voicing their concern.

OTHER BUSINESS:

1. Voluntary Merger: Mark Siner and Kim Siner [Tax Map 8, Lot 5-11 and Lot 5-12] Wanosha Road

MOTION: “To approve the Voluntary Merger: Mark Siner and Kim Siner [Tax Map 8, Lot 5-11 and Lot 5-12] Wanosha Road.”

Motion: N. Decoteau

Second: D. O'Donnell

Discussion: None

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

Motion passes.

2. Discussion: Draft of Subdivision Application and Checklist

Mr. Babin stated the application and checklist was discussed at the work session on May 7, 2021. Mr. Babin asked for public comment; there was none.

MOTION: “To approve the new Subdivision Application and Checklist as presented.”

Motion: P. Laufenberg

Second: D. O'Donnell

Discussion: None

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

Motion passes.

Mr. Laufenberg stated a different newspaper needs to be chosen to publish public notice; he stated the printing schedule for the Plymouth Record Enterprise is problematic and the failure to print is unacceptable.

Mr. Babin stated the Planning Board Rules of Procedure state the Plymouth Record Enterprise must be used.

162 Discussion ensued.
163
164 Ms. Menici stated she will consult with Board Counsel prior to changing how and where public notice is
165 published.
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167 **ADJOURNMENT:**

168 **MOTION: "To adjourn at 6:44 p.m."**

169 **Motion: P. Laufenberg**

170 **Second: N. Decoteau**

171 **Discussion: None**

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

173 **Motion passes.**

174

175 Respectfully Submitted,

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177 Kerrin Randall, Board Assistant