

**TOWN OF THORNTON  
PLANNING BOARD**

**Planning Board Meeting Minutes  
Thursday, May 18, 2023**

Approved on: 6/15/23  
PB Initials: NAD  
Rec'd by Town Clerk on: 6/20/23  
Town Clerk Initials: ACD

**CALL TO ORDER – PLEDGE OF ALLEGIANCE:**

Chairman Decoteau called the meeting to order at 6:00 p.m.

**ROLL CALL:**

**Members Present at Town Hall:** Nancy Decoteau, Chairman; Steven Babin, Ex-Officio; Frank Freeman; David Rivers; David Levin; Donna O'Donnell; Kerrin Randall, Board Assistant; Jack Gaites, Alternate

**Members Absent:** None

**Others present via call-in (partial names are as they appeared via Zoom):** Scott, Butch Burbank, Bob Gallagher

**Others present at Town Hall:** Cynthia Schofield, Mike Trainor, Shawn Magoon, Matt Peltier, Philip Hastings, Brian Lash, Wiley McCauley, Clara McCauley

**PRELIMINARY BUSINESS:**

**Member Position Interest**

Ms. Decoteau explained that there is an unexpired term for a member position available, as Mr. Babin is now the Ex-Officio to the BOS. As such, there is a one-year term available and, per RSA for an elected member, when this happens, someone can be appointed by the remaining board members until the next election.

The following individuals expressed interest in being considered for the one-year member position:

- Butch Burbank
- Matt Peltier
- Cynthia Schofield
- Jack Gaites

Ms. Decoteau asked that Board members share their opinion on the matter.

Discussion ensued and Mr. Babin commented that this method of 'campaigning' is an odd way to appoint someone to the Board. Mr. Rivers asked if Board members were being asked to endorse one of the four (4) people seeking the position. Ms. Decoteau stated she thinks members should be allowed to express their opinion on those interested in the position and a lengthy discussion continued.

**MOTION: "To appoint Matt Peltier as an interim member of the Planning Board for the remainder of the vacated term; 2024."**

**Motion:** S. Babin

**Second:** D. Rivers

**Discussion:** Mr. Babin stated there were three (3) people who ran for two (2) positions on the Board at Town meeting, and Mr. Peltier was just shy of obtaining one of those positions. He stated the residents voted for Mr. Peltier and he felt that the vote of the people should be taken into consideration.

Ms. O'Donnell stated that past practice for a vacated interim seat has been to appoint an alternate to complete the term.

Mr. Babin stated that, while appointing a member to the Planning Board is not abnormal, the process currently taking place is an abnormal way to handle the appointment; Mr. Babin and Mr. Freeman continued to discuss this at length.

Ms. Decoteau called for a vote.

**2 – YES; 4 – NO; 0 – ABSTAIN**

**Motion does not pass.**

**MOTION: “To appoint Butch Burbank as an interim member of the Planning Board for the remainder of the vacated term; 2024.”**

**Motion: F. Freeman**

**Second: D. Levin**

**Discussion: None**

**2 – YES; 4 – NO; 0 – ABSTAIN**

**Motion does not pass.**

**MOTION: “To appoint Cynthia Schofield as an interim member of the Planning Board for the remainder of the vacated term; expiring in 2024.”**

**Motion: D. O'Donnell**

**Second: D. Rivers**

**Discussion: None**

**5 – YES; 1 – NO; 0 – ABSTAIN**

**Motion passes.**

Ms. Decoteau stated there are currently four (4) alternate positions open with two (2) terms expiring in 2025, and two (2) expiring in 2026.

**MOTION: “To appoint Butch Burbank as an alternate member of the Planning Board with a term expiring in 2025.”**

**Motion: F. Freeman**

**Second: D. Levin**

**Discussion: None**

**6 – YES; 0 – NO; 0 – ABSTAIN**

**Motion passes.**

**MOTION: “To appoint Matt Peltier as an alternate member of the Planning Board with a term expiring in 2026.”**

**Motion: D. Rivers**

**Second: D. O'Donnell**

**Discussion: None**

**6 – YES; 0 – NO; 0 – ABSTAIN**

**Motion passes.**

Mr. Babin, as a Selectman, administered the oath of office to Ms. Schofield and Mr. Peltier. Mr. Burbank was present via Zoom and will be sworn in at a later date.

Ms. Scofield joined the Board at this time.

*Nomination and Election of Chair and Vice-Chair*

**MOTION: “To nominate and elect Nancy Decoteau as Chair.”**

**Motion: D. O'Donnell**

**Second: F. Freeman**

**Discussion: Ms. Decoteau accepted the nomination**

**5 – YES 0 – NO; 2 – ABSTAIN**

**Motion passes.**

*Nomination and Election of Chair and Vice-Chair*

110 **MOTION: "To nominate and elect Donna O'Donnell as Vice-Chair."**

111 **Motion:** F. Freeman

112 **Second:** S. Babin

113 **Discussion:** Ms. O'Donnell accepted the nomination

114 **5 – YES 0 – NO; 2 – ABSTAIN**

115 **Motion passes.**

116  
117 **APPROVAL OF MINUTES:**

118 **MOTION: "To accept and approve the Minutes of the Thursday, March 16, 2023 meeting as**  
119 **amended."**

120 **Motion:** D. Rivers

121 **Second:** F. Freeman

122 **Discussion:** None

123 **6 – YES; 0 – NO; 1 – ABSTAIN**

124 **Motion passes.**

125  
126 **MOTION: "To accept and approve the Minutes of the Thursday, April 20, 2023 meeting as**  
127 **amended."**

128 **Motion:** F. Freeman

129 **Second:** D. Rivers

130 **Discussion:** None

131 **6 – YES; 0 – NO; 1 – ABSTAIN**

132 **Motion passes.**

133  
134 **COMMUNICATIONS:**

135 *Home Occupation Request – Amended Home Office to Home Occupation, Mike Trainor*

136 Ms. Decoteau reviewed that Mr. Trainor was previously approved for a site plan for a home office. At  
137 this time, he is seeking to add a home occupation. The Board reviewed the responses submitted from  
138 Mr. Trainor, which address the requirements of a home occupation.

139  
140 Mr. Trainor stated that the proposed home occupation is to manufacture and import firearms. He  
141 clarified that he modifies firearms for law enforcement and has all federal and state permits to do so;  
142 no live ammunition will be used. Mr. Trainor stated that anything that he receives or sends out must be  
143 done through the USPS and he has a PO Box that he utilizes. Handouts of the types of work Mr.  
144 Trainor would be doing as well as letters from the Police and fire departments.

145 **MOTION: "To approve home occupation for Mike Trainor dba M2 Management."**

146 **Motion:** S. Babin

147 **Second:** F. Freeman

148 **Discussion:** None

149 **7 – YES; 0 – NO; 0 – ABSTAIN**

150 **Motion passes.**

151  
152 **HEARINGS:**

153 *Continued APPLICATION/PUBLIC HEARING – Site Plan Review; Marc Burnell as agent for LCJ*  
154 *Holdings, LLC., Clubhouse Lane and Lake Road [Map 240, Lot 107; Map 240, Lot 109; Map 240, Lot*  
155 *110; Map 246, Lot 24]. Converting existing developed property within Owl's Nest Resort to a*  
156 *condominium.*

157  
158 Ms. Decoteau opened the public hearing at 6:45 p.m. and reviewed that the condominium documents  
159 requested at the last meeting had been submitted and reviewed by legal counsel without any concerns.

160  
161 Ms. Decoteau asked for public comment and as there was none, closed the public hearing at 6:48 p.m.

162 **MOTION: "To approve the Site Plan Review; Clubhouse Lane and Lake Road [Map 240, Lot 107;**  
163 **Map 240, Lot 109; Map 240, Lot 110; Map 246, Lot 24] to converting existing developed property**  
164 **within Owl's Nest Resort to a condominium."**

165 **Motion:** S. Babin

166 **Second:** D. Levin

167 **Discussion:** Mr. Rivers clarified that this site plan was only designating existing areas and  
168 Attorney Hastings stated yes.

169 **7 – YES; 0 – NO; 0 – ABSTAIN**

170 **Motion passes**

171  
172 **OTHER BUSINESS:**

173 *LCJ Holdings Proposed Zoning Amendment for Increased Density on the former Pope Property*

174 Attorney Hastings asked if the process for submitting applications to the Board was going to change  
175 with the departure of the Planning Director and Ms. Decoteau stated that the submission process for  
176 applications will remain the same at this time.

177  
178 Ms. Decoteau clarified that this conversation is non-binding and is to be treated as a continued  
179 preliminary discussion from the conversation had in the fall on this topic.

180  
181 Attorney Hastings reviewed that currently, Owl's Nest is permitted a certain number of dwelling units  
182 based on the density allowed for the existing size of the Owl's Nest Property. He stated there are about  
183 100 undeveloped acres north of the main resort area (referred to as the 'Pope Land') that LCJ  
184 Holdings, LLC owns. The Pope Land acreage was submitted as part of the Land Dedication  
185 Agreement (LDA) and is in the existing density calculations.

186  
187 Attorney Hastings stated that with the existing pace and scope of development at Owl's Nest, there will  
188 be insufficient units available under the current LDA to develop the Pope Land. He estimated there will  
189 need to be an additional 140 single-family units to meet the demands of the market; these would be in  
190 addition to the current number of allowed units.

191  
192 Attorney Hastings reviewed that access to the Pope Land from the main resort area has challenges that  
193 will require a significant amount of infrastructure to cross a ravine and build roads; economically, the  
194 additional 140 units built would be the optimal amount needed.

195  
196 Attorney Hastings commented that the idea of land banking has been brought up, and he asked the  
197 following:

- 198 • Does the zoning ordinance allow for land banking in the Rec-West zone and would it give  
199 sufficient density to do that?
  - 200 ○ Would 100 acres purchased elsewhere in town and not developed make up for the 100  
201 acres developed at the Pope Land?

202  
203 Attorney Hastings commented that the topic was being brought up now in order to either get an  
204 amendment prepared for Town Meeting in March, or to get a conversation started for possible  
205 alternatives.

206  
207 Mr. Lash thanked the Board for speaking with them and commented that the road and utilities that will  
208 be needed to access the property will be north of 12 million dollars. He commented that the 140 units  
209 proposed will cover the costs to build, but there will be no profit coming out of that property for several  
210 years after the homes are built.

211  
212 Mr. Lash stated that the 140 homes will bring in over one million dollars in additional taxes, and it will be  
213 an absolute win for the Town. He stated there are 100 homes in Owl's Nest with no kids going into the  
214 schools, and he does not believe that there will be an influx of families.

215  
216 Mr. Freeman stated that Attorney Hastings' question on whether land banking is allowed in the Rec-  
217 West Zone should go to Counsel for review before any further discussion on the matter occurs.

218  
219 Discussion on the master plan of Owl's Nest and projects still to be completed occurred as well as the  
220 number of units that are able to be built in Campton.

Attorney Hastings clarified that his client is not set on one method to obtain the units wanted, so long as the method is economical to getting the results needed.

Mr. Lash reiterated that the method of getting the results doesn't matter, so long as the goal can be achieved. He commented that the units built on the Pope Land would be a community within a community away from the resort center with its own entrance from Route 175 that would not require travel to and from the main parcel to access amenities. Mr. Lash commented that community facilities could be built that will be accessible to all residents in Thornton, possibly including a new library facility.

Conversations regarding possible spot zoning concerns as well as the remaining units available in Thornton once the main resort center is developed occurred.

Attorney Hastings stated his client could petition the Town for the zoning amendment at Town Meeting, but Mr. Lash wants to be a partner in the community and would like the support of the Board if they go forward with the amendment. Different scenarios with alternatives to a zoning amendment were discussed.

Attorney Hastings thanked the Board for their time and he and his client will look into alternatives to an amendment. They will request to come before the Board at a later date with their ideas for another preliminary discussion.

#### **OLD BUSINESS:**

##### **Proposed Work Session Dates for Amendments to Site Plan and Subdivision Regulations**

The Board reviewed available dates for a work session for Amendments to Site Plan and Subdivision Regulations.

The work session will take place on Wednesday, June 7, 2023 at 3:00 p.m. at the Town Hall.

##### **Master Plan Update**

Ms. O'Donnell provided the Board with draft copies of the completed Master Plan. She asked that members review the plan and highlighted the goals and objectives section; community recreational facilities, revising the zoning map, and housing needs were noted.

##### **Non-Public pursuant to RSA 91-A: 3, II (a)**

**MOTION: "To enter into non-public session pursuant to RSA 91-A: 3, II: (I) at 8:06 p.m."**

**Motion:** N. Decoteau

**Seconded:** F. Freeman

**Discussion:** The Board agreed to allow Mr. Gaites and Ms. Randall to remain for the non-public session.

**Roll Call Vote:** N. Decoteau – yes, D. O'Donnell – yes, S. Babin – yes, F. Freeman – yes, D. Rivers – Yes, D. Levin – yes, C. Schofield – yes

**Motion Passes: 7 – Yes, 0 – No, 0 – Abstained**

**MOTION: "To exit non-public session pursuant to RSA 91-A: 3, II: (I) at 8:15 p.m."**

**Motion:** N. Decoteau

**Seconded:** F. Freeman

**Discussion:** None

**Roll Call Vote:** N. Decoteau – yes, D. O'Donnell – yes, S. Babin – yes, F. Freeman – yes, D. Rivers – Yes, D. Levin – yes, C. Schofield – yes

**Motion Passes: 7 – Yes, 0 – No, 0 – Abstained**

**MOTION: "To unseal the non-public session minutes from February 16, 2023."**

**Motion:** F. Freeman

**Seconded:** C. Schofield

**Discussion:** None

277 **Motion Passes: 7 – Yes, 0 – No, 0 – Abstained**

278  
279 **MOTION: “To have all motions made during the public meeting; no motions will be made in a**  
280 **non-public session.”**

281 **Motion:** N. Decoteau

282 **Seconded:** D. O'Donnell

283 **Discussion:** None

284 **Motion Passes: 7 – Yes, 0 – No, 0 – Abstained**

285  
286 **Non-Public pursuant to RSA 91-A: 3, II (c)**

287 **MOTION: “To enter into non-public session pursuant to RSA 91-A: 3, II: (c) at 8:17 p.m.”**

288 **Motion:** N. Decoteau

289 **Seconded:** D. Levin

290 **Discussion:** The Board agreed to allow Mr. Gaites and Ms. Randall to remain for the non-public  
291 session.

292 **Roll Call Vote:** N. Decoteau – yes, D. O'Donnell – yes, S. Babin – yes, F. Freeman – yes, D.  
293 Rivers – Yes, D. Levin – yes, C. Schofield – yes

294 **Motion Passes: 7 – Yes, 0 – No, 0 – Abstained**

295  
296 **MOTION: “To exit non-public session pursuant to RSA 91-A: 3, II: (c) at 8:21 p.m.”**

297 **Motion:** N. Decoteau

298 **Seconded:** D. O'Donnell

299 **Discussion:** None

300 **Roll Call Vote:** N. Decoteau – yes, D. O'Donnell – yes, S. Babin – yes, F. Freeman – yes, D.  
301 Rivers – Yes, D. Levin – yes, C. Schofield – yes

302 **Motion Passes: 7 – Yes, 0 – No, 0 – Abstained**

303  
304 **MOTION: “To pay the Planner Director's final invoice at the rate reflected in the Planning**  
305 **Department Budget for 2023.”**

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

307 **Seconded:** F. Freeman

308 **Discussion:** None

309 **Motion Passes: 7 – Yes, 0 – No, 0 – Abstained**

310  
311 **ADJOURNMENT:**

312 **MOTION: “To adjourn the meeting at 8:23 p.m.”**

313 **Motion:** F. Freeman

314 **Seconded:** D. O'Donnell

315 **Discussion:** None

316 **Motion Passes: 7 – Yes, 0 – No, 0 – Abstained**

317  
318 Respectfully Submitted,  
319 Kerrin Randall, Board Assistant