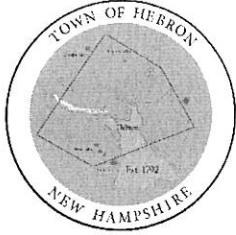


These minutes may be amended at a future hearing. Any changes will be included in the minutes of that meeting.



Town of Hebron
PO Box 188
Hebron, NH 03241
Phone: 603-744-2631
clerk@hebronnh.org

Hebron Planning Board
Minutes of Meeting
April 6, 2022

Planning Board Members Present: Ivan Quinchia (Chair); Chuck Beno (Vice Chair); Karl Braconier (Member); Larry Goodman (Member); John Sheehan; (Alternate); Roger Larochelle (Alternate), Carol Bears (Secretary); Richard James (Select Board Representative).

Absent: Patrick Moriarty (Select Board Representative),

Others Present: See attached sign in sheet.

Time Convened: 7:01 p.m. **Time Adjourned:** 8:59 p.m. **Next Meeting:** May 4, 2022

Agenda:

1. Approval of the minutes of March 2, 2022 meeting
2. Informational: Frank Doyle 435 South Mayhew Turnpike Map: 5 Lot 2 formerly the Blue Moon Motel. Looking to make some changes to the existing buildings
3. Application for Voluntary Lot Merger: Stuart & Jane Thompson 10 Crescent Lane Map#7 Lot 28 and Map#7 Lot 28B
4. Continued: Hearing for the Application for Site Plan Review for Newfound Serenity RV Park to be located on Matthews Lane, Hebron, NH 03241 Tax Map #24 Lot #25-1. The purpose of the application is for a seasonal RV Park with full hookups containing nine (9) sites.
5. Administrative Matters and Announcements

Chairman Charles Beno called the meeting to order at 7:01 PM.

The minutes of the March 2, 2022 meeting were reviewed. A motion was made by Ivan Quinchia to approve the minutes of the March 2, 2022. This motion was seconded by Larry Goodman. The vote was in the affirmative. The minutes of the March 14, 2022 site view were reviewed and a motion was made by Larry Goodman to approve the minutes and seconded by Karl Braconier. The vote was in the affirmative.

Mr. Spaulding had a couple of remarks on the February 2, 2022 minutes. The first one was at the end of the meeting he asked if Ivan would read the letter from Norman Wheaton. Ivan read the letter noting that Mr. Wheaton was in favor of the RV park. The second was Patrick Moriarty spoke before the meeting was opened to the public. The secretary will look into these two issues.

The Chairman talked about Hebron Master Plan Vision Statement paragraph two that "the townspeople will continue to support the Planning Board in following the recommendations, especially those concerned with suitability of land development, thus preserving the natural

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beauty of Hebron's open spaces, scenic vistas and pristine lake. They work with the Newfound Lake Region Association and will be guided by the principals contained in the NLRA Watershed Master Plan. The Conservation Commission will oversee enforcement of the NH Comprehensive Shoreland Protection Act to prevent erosion of hillsides and pollution of brooks and streams, the Cockermouth River, Spectacle Pond and Newfound Lake.

Someone from the audience asked about following the agenda which the next item would be the informational on the former Blue Moon Motel. Chuck indicated that Planning Board regulations require us to continue the hearing on the Newfound RV Serenity Park. Chuck indicated that unless there was new information to be presented the board should continue with deliberation on the application.

Jay Matthews mentioned that the Planning Board back in 2004 when the sub-division was made for the building lot, required that this lot would need to be raised in order to be a residential building lot by removing materials from the other lots left in the sub-division. This would require that 6,000 to 7,000 cubic yds. of material to be removed from these other lots. He indicated that if that was to be done there would be a definite environmental impact in the future. Ivan looking back at the notes and conditions set by planning board on October 6, 2004, the subdivision was approved but there was a lot of concern at that time because of the flooding issues that have occurred. Since this lot was to remain with the Matthews children's and used as a single-family home site, the Planning Board decision was based on that. The Planning Board approval was predicated on a single-family residential dwelling not a commercial endeavor. The other requirement was that the building permits would not be issued until the completion of the fill material relocation.

Ivan also has other issues with this particular project. Relative to a description of campgrounds in the regulations, each rental space for any tent or travel trailer must contain a minimum of 20,000 square feet. The regulation doesn't say you can include roadways and other common areas. In Hebron we value open spaces and that was the intent at the time this regulation was put into place.

Another issue we have is wetland protections overlay district requirements that are more stringent than the wetlands. Floodplain requirements restrict the use of motorized recreational vehicles using the Wetlands Protection overlay district. The use of ATV's, OHRP's motorcycle dirt bikes or other motorized vehicles is restricted.

Ivan is also concerned that the new FEMA floodplain maps for Hebron have been released and were not taken into account by the applicant. These maps show this proposed project is well within the flood prone area and concerns about septic contamination during flooding and impact on the river exists. There is concern about gas and oil spills, given the high-water table and even minor flooding can impact the health of the river and the lake.

Larry Goodman indicated that Wetland Protection Overlay has greater restrictions including no motorized vehicles, resulting in greater restrictions to prevent waste in the water and toxic materials in the river and the lake.

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Karl Braconier feels that the 20,000 square foot per RV unit has not been met without using the common area and roadways to the camp site. 44.4% of the lots are well within the wetlands. Hebron's regulations state that there needs to be 2 buildable acres to put a residential home on the property. You could own 20 acres of land but if 19 of the 20 acres is not usable then a building permit would not be issued, but if 18 of the 20 acres is not useable then a building permit would be issues.

Richard James felt the reason for the 20,000 square foot site restriction was a density issue similar to no more than 10 rooms allowed for a motel unit. He was also concerned about the flooding on the property.

Roger Larochelle indicated that the applicant did a lot engineering and other factors in consideration of the application, which Roger indicated was greatly appreciated. His first concern was the lots shall contain 20,000 square feet per lot were not addressed in the application. It was more of a cluster development. The second concern is the distance between the pads need to meet set back requirements. He is also concerned about having large number of vehicles traveling on a private road. If the property had a home on it there would not be the concern for the traffic on the private road. The whole property is in the flood zone on the new FEMA maps.

Richard James said there has been enough discussion on the application and it was time to make a decision and vote on the application.

Mr. Spaulding had some closing remarks on his application. They have been transparent about their intentions with the Board and their abutters. Their solution does not require excavation of materials on the Matthews property, as approved by the Board in 2004. They have presented a complete application. Three abutters have supported the project with only one that has not. The use of the property they feel is a good fit for the town. They have based their solutions on documented engineering practices and have ensured that there would be an enjoyable and safe environment. Exhibit A: contains all the closing remarks made by Mr. Spaulding.

Dan Luker, Attorney for the Spaulding pointed out that Mr. Spaulding has come here in earnest and done more than he has every seen an applicant do to comply with virtually every sentence of the ordinance. He said he is hearing some notion that the Board doesn't want to approve it because of the flooding concerns but everyone of those standards that are in your ordinance have been addressed. We are not talking about structures they do not have to be 50 ft apart. Mr. Spaulding has accommodated the Board's preference on that he has provided the 20,000 square ft per unit. In the event of a flood, they are mobile vehicles and can be moved. If you are going move to deny this, you have an obligation to articulate how exactly it doesn't meet the standards that your town prescribes. Mr. Spaulding has the right to develop his property in accordance with your standards and he has met all those standards.

Ivan indicated this property is now in Zone A and E on the new flood maps, thus the wetland protection overlay district is extended by virtue of the new wetlands and new floodplains delineation.

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Ivan Quinchia made a motion to deny the applicants site plan application for the Newfound Serenity RV Park at map #23 Lot 16-1 with full hookups for the nine sites on the basis that the applicant fails to meet the Town of Hebron land use regulations for the reasons discussed by the board. The motion was seconded by Larry Goodman. All those in favor of the motion; Larry Goodman, Karl Braconier, Richard James, Chuck Beno and Ivan Quinchia. All opposed: none; Abstained: none. Recused Patrick Moriarty. Motion Passed.

Next on the agenda was the informational for the new owners of the Blue Moon Motel located on at 435 South Mayhew Turnpike Map#5 Lot#2. Frank Doyle explained that the motel will be called the Kelby. The property will not have a change of use. It will still be a motel. The footprint of the motel will stay the same but the barn will be increased to house the owner's unit, laundry plus storage area. The owner's unit is currently in the main hotel and moving it to the barn will allow the middle area to be used by guests of the hotel. The parking will be moved to the back of the building making the front all lawn and bushes. He is thinking about making a pickle ball court in the back of the motel for the guests. With moving the parking in the back there will be some set back issues so he will need to go the ZBA for these issues. There is a small portion of the property in Bridgewater so they will need to be informed of the changes and how it might impact their setbacks.

Next on the agenda was the Application for Voluntary Lot Merger. Stuart and Jane Thompson on 10 Crescent Lane would like to merge Map# 7 Lot HP28 and Map#7 Lot HP 28B. Alan Barnard is working with them too as they are going to be rebuilding their home and it would be beneficial if the lots were merged together. A motion to approve the Application for Voluntary Lot Merger was made by Karl Braconier and seconded by Larry Goodman. The vote was in the affirmative with everyone voting in favor.

A motion was made by Richard James to adjourn the meeting seconded by Larry Goodman and the vote was in the affirmative. The meeting ended at 8:59 PM.

Respectfully Submitted:

Carol A. Bears, Secretary

Planning Board Sign In Sheet

Tact Sheehan

Muffie Sheehan

FRANK DOYLE

Barbara Kelly

Scott Hayes

Janet Wasniewski

Robert Wasniewski

Jan Connor

Jay March

Dale and Wendy Smith

Sharon Smith

David Darlington

Nancy Darlington

Ned Felt

Guro Infacelli

Martha Twombly

Solveig Wolstenholme

Mae Wolstenholme

ALAN BARNARD (FOR THE KELBY + THOMPSON)

**Newfound Serenity RV Park
Closing Remarks to Hebron Planning Board**

By Dale Spaulding

April 6, 2022

- We first approached the Town in July with our idea and a solution. We have been very transparent about our intentions with the Board and our abutters from the beginning. There have been no material changes to our plan since July.
- Our “solution” does not require the excavation of materials on the Matthews property, as approved by the Board in 2004.
- We have presented you with a complete application.
- We have three abutters (Wheatons, Jay Matthews, and Matthews family) who are supporting our project. For the fourth abutter (Darlington), we have demonstrated that there is no impact to their property.
- Our use, brand and targeted clientele are a good fit for the Town of Hebron. Why?
 - The Town’s Master Plan notes that 60% of all homes in Hebron are seasonal and thus serving a transient population. Additionally, there are other inns and Air BnB opportunities.
 - RVs only with full hookups. No tenters.
 - More restrictive quiet hours than other facilities in the area.
- We have based our solutions on documented engineering practices and have ensured an enjoyable and safe environment. We have retained experts where needed and implemented their recommendations.
- We have taken all feedback seriously and have addressed and altered our design whenever possible.

- We have obtained all the required state permits as were submitted with the Site Plan Application. Note that the state inspected the property in person and had no concerns regarding the location or that it is in a floodplain.
- We proactively met with the Fire Chief and provided those meeting minutes to the Board. We have committed to completing a final Emergency Operations Plan that meets his approval. Today's technology and early warning systems provides ample notice of impending risk. We also provided a list of NH campgrounds in floodplains with sites directly on a river. Ours is a manageable situation as has been proven by many others around the state. Our sites are at least 250 feet away from the river further mitigating risk.
- Flooding photos provided to the Board as public hearing testimony were not specific to our property and/or our operating season. Photos of spring flooding, late fall events or 1000-year storms are not indicative of our normal operating season. The expectation during our normal operating season was as presented by our flood expert and clearly demonstrates the minimal effect to the RV sites and the unlikely need for evacuation. In July of this year, Hebron had over ten inches of rain and the river did not jump the banks on our property. Many have also reported to us that the river slows to a trickle in the summer months, yet those details have not been presented to the Board in any testimony.
- We have responded to and addressed the written concerns expressed by the Conservation Commission. As we've received no further correspondence on the matter we trust our planned actions are satisfactory.
- Water quality concerns are minimal given our development is outside the 250' Shoreland Buffer (its primary purpose being to protect water quality). Additionally, we have implemented the appropriate stormwater treatment measures as displayed on the plans and discussed within the Design Narrative.

- We have presented a robust landscape design to minimize any view impacts. We will continue to work with any neighbor that is interested in any specific placements of trees.
- We are providing daily onsite management and will keep the land and river area well maintained and tidy. Our commitment to a well-run and manicured property should be evident by our efforts on the property over the last six months.
- Our proposal is a permitted use and is in accordance with the Zoning Ordinance; including all aspects of the Floodplain District. Our proposal fulfills the requirements of the Site Plan Regulations.