

Town of Farmington
Planning Board Meeting Minutes
Tuesday, August 17, 2021

Board Members Present:

Charlie King, Chairman
Rick Pelkey, Vice Chairman
Bill Fisher, Secretary
Gerry Vachon, Selectmen's Rep.
Bruce Bridges
Stephen Henry

Board Members Absent:

Jeremy Squires

Others Present:

Kyle Pimental, Planning Director
Richard Ellis, applicant
Residents Connie Barber, Tim Brown,
Ron Lafreniere, Peggy Smith

BUSINESS BEFORE THE BOARD:

Call to Order:

Chairman King called the meeting to order at 6 p.m.

Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

Review of Minutes:

August 3, 2021 – No errors or omissions

Motion: (Fisher, second Henry) to approve the minutes of August 3 as written passed 5-0-1 (Vachon abstained).

Public Comment: None

Chairman King said he would also allow public comment during the design review public hearing on the agenda tonight.

Mr. Pimental said this was a suggestion from resident Blanche Tanner at the last meeting to put Public Comment on the agenda for anybody that wants to speak on any topic. He said this is for any resident or property owner that wants to speak on any land use matter and if they are here for the public hearings to wait until the public hearing portion to speak on that matter. This will be a running agenda item moving forward he said.

Any Other Business before the Board:

Sign Certificate of Adoption for the Master Plan – Mr. King said he signed the certificate because it was approved by the board.

Update on Master Plan Outreach Campaign – Mr. Pimental said he spoke with Town Administrator Arthur Capello and he suggested that a joint meeting be held either with

representatives of the Planning Board and the Board of Selectmen or both full boards at the Sept. 13 Selectmen's meeting to discuss the formation of the leadership group to oversee the implementation of the Master Plan.

He said he told Mr. Capello he would be willing to put together a draft op-ed for the newspaper and have a call to action for residents that may want to participate in the leadership group and he felt it would be beneficial for the board members to talk about it first to see whether or not there are members already on boards that may make good members of this group before releasing it to the public. He said Mr. Capello said the agenda for the Sept. 13 meeting is light and to ask if there are some members of the Planning Board available to attend it as a joint meeting to discuss the leadership group.

Mr. Henry said the Selectmen meet on Monday nights so he will probably be conflicted.

Mr. King said depending on the time he would be conflicted too as the School Board also meets on that night (he is also Chair of the School Board). He said anyone interested could send an e-mail and he could try to attend if it is scheduled for the first part of the Selectmen's meeting.

Mr. Pelkey asked if the discussion was going to be about which board the group would be under and if the group was going to be created by the Selectmen or the Planning Board.

Mr. Pimental said that would be part of the discussion and the way that the action is written into the Master Plan is that it would be a partnership between the Selectmen and the Planning Board to determine who that leadership group is going to be. He said that Mr. Capello wanted to have that discussion with both boards or at least with some of the members and have a general discussion on how they want to move forward with it, who might be good candidates for it and if they want to open it up to the public and that could be part of his op-ed.

Mr. Pelkey said he would be interested in attending the meeting when they decide to have it. He said he was curious about how it would proceed and if it's going to be advisory or something that could actually accomplish something. Some of the advisory boards I currently serve on don't accomplish much because we make recommendations that just get blown away he said.

Mr. King said their meeting starts at 6 p.m. and his meeting (School Board) starts at 6:30 p.m. and if it is at the front of the meeting he could attend for 15-20 minutes.

Mr. Pimental said he would ask if the Selectmen could start at 5:30 p.m. for that meeting and report back to the Planning Board at their Sept. 7 meeting.

Update on the Cocheco Levee Project – Mr. Pimental asked if the board was given any update about the levee mapping process at all.

Some members said no.

Mr. Fisher said he recalled hearing months ago that the **Army Corps of Engineers** were redesigning the flood plain mapping plan and said the levee didn't meet certain specifications so several million dollars worth of improvements are needed.

Mr. Pimental said that it is the **Federal Emergency Management Agency** proposing to change the flood plains not the ACOE. He said over the last year FEMA has been working on the Levee

Assessment Mapping Process and it's important to know there's a big difference between the deficiencies the Town has been addressing with the ACOE and what FEMA looks at.

He said they found that because there are some "unknowns" about the levee when the FEMA floodplain is updated they are going to recommend what's called the "natural valley scenario". He said what that means is the levee is providing no protection and that is going to change what the current flood zones are in that area unless the Town moves forward with a full accreditation that meets the FEMA requirements and that accreditation is different than what the ACOE has.

Mr. Pimental said they had a meeting on Monday with the Town's consultants from Hoyle, Tanner & Assoc. and Headwaters about some of the work they have been doing over the last several years in addressing the ACOE deficiencies and also getting FEMA on the line so they could talk about the 2 on-going projects. He said it could affect the area from Summer Street out to the bridge all the way to Central Street including the Municipal Office Building area. He said it's a significant change and has repercussions for people that are living in those areas because if they have a mortgage they could be in a flood plain and potentially need flood insurance. This is going to take several years to figure out as it is early on in the process but the big take-home message was the LAMP process has been completed and they're recommending the natural valley scenario he said.

Mr. King said so basically they are saying to spend millions of dollars to rebuild it or else.

Mr. Pimental said they don't know yet if it needs to be rebuilt.

Mr. Vachon said in the eyes of FEMA we don't have a levee and it doesn't exist.

Mr. King said even though it was constructed to the ACOE specs when it was done.

Mr. Pimental said that's correct.

Mr. Pelkey said this sounds like something they should be calling their reps in Washington about and telling them to get the 2 parts of government to talk to each other.

Mr. Pimental said Mr. Vachon was correct that in FEMA's eyes the levee does not provide any protection because there are unknowns. So because they couldn't determine if it would meet all of the accreditation requirements there's an unknown risk there he said.

Mr. Pelkey asked if that's because the ACOE couldn't supply the information they were looking for.

Mr. Pimental said his understanding is the ACOE is solely on the design side of it where FEMA is looking at whether or not it could handle a 100 year flood and those two are somewhat different though you would think they would be the same.

Mr. King asked what the highest storm event they've had in the last 10 or 15 years and asked if they have had a 100 year event.

Mr. Henry said they have had some serious flooding.

Mr. Pimental said he didn't think the levee was ever topped or has ever failed.

Mr. Vachon said the Mother's Day flood was a major event and that was when the downtown

was locked in and the bridges in town were closed due to the high water levels.

Mr. Pimental said there is still a long way to go with this and he wanted to give the board a general update. You're going to hear a lot more about this in the future he said.

Mr. Pelkey asked if anyone contacted their Senator's office as these are 2 federal government agencies fighting each other to the tune of several million dollars. We shouldn't be the ones trying to fight them they should be getting it from above and not down below from you and I he said.

Mr. Henry asked what's involved with making the unknowns known.

Mr. Pimental said we don't know if construction is going to be needed as that has not been determined yet. He said some of the big things that need to be ironed out include the levee crest and toe elevations, the operations and maintenance plans, some of the interior drainage, inspection reports and an evaluation of over topping and erosion potentials. Those are things that are part of the accreditation and may or may not have already been identified he said. He said if the deficiencies say the levee needs to be higher now you are talking about construction but it might not get there. He said some of the unknowns are going to have to be figured out by the Town's consultants and they are probably going to have to run a model and look at from Central Street down to the bridge and figure out if it will go through FEMA's process of accreditation. The Town is eventually going to have to make a decision on how far they are willing to go he said.

Mr. Pelkey asked how many other communities are dealing with this.

Mr. Pimental said not many because there aren't many levees left in the state. He said a town up north had to do something similar and it was a long process. He said the natural valley scenario FEMA is recommending is going to change the floodplain.

Mr. King asked for the impact to the taxpayer in the areas affected.

Mr. Pimental said nothing as far as taxes but if you have a mortgage you may have to get flood insurance.

Mr. King said maybe the answer is instead of paying millions of dollars to prove the levee works when it already works is to abate the taxes of everybody in the new floodplain based on the average cost of the insurance per \$100,000 value of the home. He said the value of the home is now less due to being in a floodplain and those taxes could be adjusted to be reduced by cost of the additional flood insurance until this is resolved.

Mr. Pimental said this is 2-3 years down the line and he didn't know how flood insurance works.

Mr. King said they had to deal with the ACOE twice in the 9 years he was a Selectman and they start with a long list of everything that is no good and then after spending \$1,000's arguing with them they come to down to a list you can manage but it still costs you time and money fighting over it and now FEMA is involved.

Letter to Housing Partnership- Postponed to later in the meeting.

Permit Renewal – Mr. Fisher asked Mr. Pimental if he has heard anything from Pike Industries

regarding their permit renewal. He said someone recommended that the Conservation Commission review it, it was on their last meeting agenda but they haven't seen anything on it. Mr. Pimental said he is expecting a renewal application from them any day now but he has not seen it yet.

PUBLIC HEARING

NEW CASES:

Public Hearing to Conduct a Design Review for Richard Ellis, Tax Map R-4, Lot 7. The applicant is proposing an estimated 50-site campground. This property was previously approved for a smaller campground however the use has since changed and any approvals and enforcement/maintenance agreements have lapsed. The property is not owned by Mr. Ellis but instead the non-profit church called God the Father Inc. The proposed project is located at 23 Ten Rod Road and is within the Agricultural Residential (AG) Zoning District.

Mr. King said Mr. Ellis met with the board once before and asked him to come forward and tell the board what he has done since then.

Mr. Ellis said the last time he was here they talked about just going around the pond and there were a few comments that it was a smaller area. He said he wanted more space for the sites so he went out into the back wooded area a little bit.

Mr. King said the Google Map he provided says there are 3 potential phases and asked Mr. Ellis to talk about that.

Mr. Ellis said the loop going around the pond is probably $\frac{3}{4}$ of the way there already and is known as Garland Drive and he would finish the road to make one continuous loop and do the sites around the front pond as the first phase. He said the sites around the back pond would be the second phase and then out in the wooded area would be the third phase.

Mr. King pointed out the front area encircled in black on the map and asked if that is the first phase of the proposed project.

Mr. Ellis said that is actually the 2 ponds and phase one would be the front pond. He said the 2 ponds are connected and pointed out the back pond on the map.

Mr. King asked him to show the board phase one.

Mr. Ellis said he would like to finish the road and just do the front part of it.

Mr. King said all the ones around the loop road would be 36 camp sites.

Mr. Ellis said he would not be doing all the sites in the back for phase one and would be doing half of that or about 18 camp sites.

Mr. Henry asked if the loop road goes behind the second pond.

Mr. Ellis said yes and they would do about half of it. He said in the second phase he would do another 18 sites and there would be a total of 50 sites.

Mr. King said so then the last phase would be roughly 14 sites.

Mr. Ellis said yes. He then gave the board a written outline (Master Plan for campground-God the Father Inc.) for the usage of the property. He said he has it listed as a campground but it is more of a religious retreat and he didn't want people staying there all the time.

Mr. Bridges asked if the campground would be seasonal.

Mr. Ellis said yes and that he would run it the same as a campground.

Mr. King said the campground requirement has a seasonal component in the zoning ordinance.

Mr. Henry said "seasonal" when it comes to campgrounds has different definitions so you are not getting a seasonal site at the campground but the campground will not operate year round.

Mr. Ellis said that is correct.

Mr. Bridges asked what kind of septic and water systems the campground would have.

Mr. Ellis said there are 4 mobile homes on the site that is right on the road in the back and those are going away and they will utilize those septic systems for 3 of the sites. He said he wants to take one of the other septic systems on the side closer to the Scruton's place and use that for a bath/shower house while trying to keep everything away from the property line.

Mr. Bridges said Mr. Ellis said he is doing up front first and the mobile homes are further back.

Mr. Ellis said they are on the front pond which is the one you can see from the road and you can't see the back pond from the road.

Peggy Smith asked about the laundry, the exits in the front and what is going to happen to the cemetery on the property.

Mr. Ellis said where the mark on the map is for the laundry there is a building there already. He said he planned on putting a fence around the cemetery.

Ms. Smith said the enlarged photo makes it appear wider than it actually is and the first pond is going to be closer to the laundry area. She said Mr. Bridges is correct that it can be seen from the road and that both ponds are man-made.

She then asked how the lighting will affect the abutters. She said she lives on the other of the property and she has a lot of trees and asked if all those lights would off during the off season.

Mr. Ellis said there won't be any camps there and they're not staying year round.

Ms. Smith said they still have to have lighting such as street lights to go around the camp sites.

Mr. Ellis said he does not have to have street lights.

Ms. Smith asked if there wouldn't be any lighting in this campground and anyone parked out back would just use their headlights to get out. She asked if that is something the Town would let him do and if she was correct that a campground has to have some lights.

Mr. King said that would be determined when he comes in for site plan review but they would have to look into if there's a lighting requirement and what that is for this use.

Ms. Smith asked what that would do to the traffic on Ten Rod Road and the traffic is bad enough where everybody comes up Meetinghouse Hill Road to Ten Rod Road to avoid Route 11. She asked if this would increase the traffic and how the road would be maintained to that.

Mr. King said any increased use is going to increase traffic and it's what that increase would be

and how that would affect the people coming and going to anyplace on Ten Rod Road.

Ms. Smith said there has to be some type of lighting if you're going to have a campground and especially if there is going to be any kids. You can't go at night time without any type of lighting unless you have a wood fire going but they go out too she said.

Mr. King said he was sure there would be some increased lighting because of people's usage or some minimal site lighting for the buildings that are for common use so people can find them.

He said if everyone is occupying the sites and everyone has a light on until 10 p.m. and there are 18 camp sites in the first phase that could be 18 camp sites lit plus at least 2 buildings.

Ms. Smith asked if the bath/shower house would be one unit for all the camp sites or if Mr. Ellis planned to add another one in later.

Mr. Ellis said the plan is at the engineers and they'll determine the capacity and this is what he sent them and he is waiting to see what they come back with. He said there is an existing bathhouse near the laundry room and there already is a septic system there and a lot of the other sites would be tents or recreational vehicles.

Mr. Pelkey asked for the number of primitive sites he plans on having and if they will all have electricity and running water and what would be provided at these sites.

Mr. Ellis said he planned to have 30 out of the 50 sites be fully equipped, to put the RV's out of sight in the back so you don't see them all the time and to have the smaller stuff (tent sites) up closer to the road.

Mr. Bridges asked if was going to have a bunch of septic systems back there the size that can accommodate the trailers for each site.

Mr. Ellis said the old campground has holding tanks and if he is going to do the septic systems he would put holding tanks at the end of each road and have them flow into the holding tanks and then pumped out.

Ron Lafreniere said he owns the property across the street and the first he has heard about a campground there was when he received a letter. He said it was his understanding that each camp site has to have a concrete slab and have water, sewer and electricity.

Mr. King said he didn't believe that is a requirement of the zoning ordinance. He said if it was a permanent structure there would be a requirement for a slab.

Mr. Lafreniere asked what the requirements are for a camp site.

Mr. Pelkey said at some of the state campgrounds their primitive sites don't have anything except a fire pit and a flat spot to set your tent on and some of them allow generators up to a certain time of day and are limited at night. He said at some point the board would talk about the noise you would get from the area but as far as what was required to be a camp site he didn't think there was too much required.

Tim Brown asked if they had an approx. lot size of each camp site.

Mr. Ellis said he wanted woods in between the sites so he wants each site to be at least 20 ft. wide so that you don't see your neighbor. I don't want it to be like Baxter Lake and the point of

it is to get back to nature he said.

Mr. Brown said there are state standards on lot size, septic and water by RSA for camp sites. He said they are required to have a vehicular pump out or septic going into a holding tank with a tank on site to remove the waste by state standards.

Mr. Pelkey asked for the RSA number for that statute.

Mr. Brown said he would get it for him by the end of the meeting.

He then asked who the owner of record is for this entire parcel.

Mr. Ellis said there are 2 owners right now and the second owner is Matthew Adams.

Mr. Brown asked for the name of the church.

Mr. Ellis said the church's name is God the Father Inc.

Mr. Brown asked if the church has a Board of Directors and if so who they are.

Mr. Ellis said yes and the board consists of him, Richard Ellis, Jr. and Amber Ellis.

Mr. Brown asked if Amber and Richard Ellis are related to him.

Mr. Ellis said yes.

Mr. Brown asked if they are a 501 (c) (3) organization (tax-exempt non-profit).

Mr. Ellis said yes.

Mr. Bridges asked for something with this many lots if it would be smart for the Town with all the sewer and water to hire an engineer and have the applicant pay for it so the Town has some representation to make sure that everything is done properly.

Mr. King said typically like with any subdivision if it requires engineering the applicant would have to provide the engineering and depending on the application the Town has at times contracted to have other engineers review it or depending on the difficulty and the firm the board has accepted the applicant's engineer's results. Until he has something before us the board isn't prepared to make that decision he said.

Mr. Bridges said this is a pretty good sized project.

Mr. Pimental said the board has the authority to require a traffic impact analysis if they feel it is warranted.

Mr. King said they have done that over the years with certain size subdivisions.

Mr. Pimental said another thing to consider is there is nothing in the Town's Site Plan Regulations that specifies how a camp ground should be laid out. He said Mr. Brown made a good point in that there are some state RSA's that when they get to that point to ensure that this plan meets those requirements.

He said it will be important for the board to consider if the 30/20 split between RV's versus camp sites is what they want and if that is a good mix.

He said the requirements for the septic systems and holding tanks will be determined by what the state RSA's say when they get there.

Mr. Pelkey said he expected that would be engineered into the phased plans when they get them.

Mr. King said even though this is a design review that requires a notice it is still non-binding so they are not in a position to say we want this or that until he comes in under a formal application. He said based on the number of sites and the location and the proximity of the road he would want to make sure the impact is as little as possible because the bigger the impact the more issues there may be with the abutters and the more issues the board may have with approving his application.

Mr. Pimental said other issues they will need to address include screening the sites, signage and ensuring campers aren't going on other properties for fire wood. He said when he talked with the applicant he was unsure if the engineered plans would be ready for this meeting so they moved forward with a notice and recommended that the board vote to continue this hearing so the applicant doesn't have to re-notice and come back when the engineered plans are ready.

Mr. King asked Mr. Ellis when that might be.

Mr. Ellis said it would probably be another month.

Mr. King said if they continue this meeting it would be posted on their agenda for when that comes in in the next month or 2 so those people who have been notified should stay abreast to their agendas and they have 2 meetings a month and it would be posted for whatever meeting that is.

Mr. Pimental suggested they make a motion to continue this meeting to Sept. 21.

Mr. Bridges asked what kind of services he will offer to the campers.

Mr. Ellis said it's to get back to nature and to teach people how to live in nature, how to live off the land and once a week he will be doing services there. He said the maximum amount of time people can stay there is a week and he doesn't want people there all summer or all the time. He said it's for people to learn, connect with nature, get rid of stress, no technology, no drugs, no alcohol and it's a retreat for religious purposes.

Mr. Henry said the board has an outline for how Mr. Ellis wants to use the campground and asked if these are things they put in the Notice of Decision so if the campground changes hands. He said that a lot of campgrounds have alcohol or are all RV lots and have different operating rules.

Mr. King said the NOD will have conditions that will be binding for this use and if he sells it, it will be binding. He said some uses like alcohol is something they have no control over. He can make application that it's a dry site and he could change his mind or sell it he said.

Mr. Henry said so there are limits on what they can put in the Conditions of Approval and asked if the time limits for each stay could be conditions of approval.

Mr. King said he thought that would be tough to enforce.

Mr. Bridges said the hours of operation and the season could be included.

Mr. King said if in his application he says they are only going to stay a week and if he changes his plan and is going to allow seasonal for some people that are a good fit they don't have any control over that.

Mr. Pimental said this is a bit of a gray area and the Zoning Board of Adjustment in approving a Special Exception to hold events at a property said that for the first year the operation would be between Memorial Day and Labor Day and no more than “x” number of events the first year. He said there is some give and take there and he didn’t know exactly where the line is for things such as prohibiting alcohol between the business plan and the site plan.

Mr. King said they have some purview over his business plan as far as the space, access, lighting, screening and the other things that are requirements.

Mr. Pimental said he thought as long as they could tie it to ensuring it’s not going to be a public nuisance and for things like lighting and noise they can have some control over.

Mr. Fisher said another thing to pay close attention to is the type of road he is going to put in. He said a dirt path a car can go down may not be enough for an EMT or the Fire Dept. He said he could see someone’s fire pit in the back getting out of control and trying to get fire apparatus out there before it burns down your neighbor’s and your places or someone could have a heart attack and it could be lifesaving. I’m not saying they have to be paved but with a width and base (to accommodate those vehicles) he said.

Mr. Brown asked the board if the Town has a cistern ordinance and they are looking at 35 camp sites with 35 camp fires in an area with no public water supply.

Mr. King said they do have a cistern ordinance that was put in place 10 years ago but he didn’t know how that applies to this and they would have to take a look at it.

Mr. Pimental said Section 56 of the Site Plan Regulations points to cistern standards under Article V Fire Protection Regulations and he has not yet reviewed them in detail. He then read from the regulations that fire cisterns and water supplies shall be located no more than 1,200 ft. from the road. He said a project this size will go through Technical Review Committee which will bring in the Fire Dept. so they will have an opportunity to comment and provide feedback to the applicant and their engineers and he was sure this is something that will come up.

Mr. Henry asked if the front pond goes dry.

Mr. Bridges and Ms. Smith said yes.

Mr. King said the Fire Dept. would determine if that is usable and acceptable not this board. He said if Mr. Ellis says out of 50 units he is going to have 10 campers with a maximum size that can be tied to the Conditions of Approval and that is enforceable.

Mr. Pelkey asked if there is an industry standard for building a campground i.e. lot square footage, road sizes, etc.

Mr. Pimental said he didn’t know.

Mr. Henry said he has seen some where they are really packed in. He said it sounds like Mr. Ellis is doing the opposite of that and asked for the acreage of lot.

Mr. Ellis said it’s a total of 80 acres.

Mr. King asked for the number of acres to be used as shown on the map.

Mr. Ellis said that is about 20 acres.

Mr. Pimental said he has not gone through a campground site plan before so he would have to do some research to see if there are some industry standards along with whatever the state requires. If there are some industry standards we could use as a guide I think that would be in the board's best interest he said.

Mr. Pelkey said there are several campgrounds in the Conway area and they may be able to provide us with some guidance on what their approval process is like and get some information on what they looked at and what their hard spots were.

Mr. Brown said the state standards are found in RSA 216-1:1. He said there is a density requirement that says a minimum of 600 sq. ft. shall be provided for each tent site and a minimum of 1,000 sq. ft. shall be provided for each recreational vehicle.

Mr. Ellis said he was hoping to do bigger spots.

Mr. Pelkey said Mr. Ellis gave the board a bulleted list of things he wants to go on there and asked him to talk about them. He said the list includes growing your own food so there will be farming on site and processing trees so there will be a logging operation on site.

Mr. Ellis said there will be farming on site and there is a saw mill there that will have to be rebuilt. He said he wants to teach people how to process logs into lumber and it would not be a production operation.

Mr. King said it would be more like a hobby/education class using a blade saw run off a tractor engine.

Mr. Pelkey asked if they were going to harvest and process their own lumber on site.

Mr. Ellis said yes.

Mr. Pelkey asked if he would be raising livestock on site.

Mr. Ellis said yes and that he has a barn there over by the house.

Mr. Bridges said the house is over to the side of the lot.

Mr. King asked if the 80 acres is on multiple parcels or one parcel.

Mr. Ellis said it is one parcel. He said there are 2 owners currently but the other owner is going away.

Mr. King said if he is still there at the time of the formal application they would have to have his consent.

Mr. Henry asked if the property is going to exist as a campground with a year round caretaker.

Mr. King said it has a primary residential dwelling and asked if this would be an accessory use.

Mr. Pimental said that a campground of this size in his opinion is a primary use even if it is only seasonal. He said if he wants it to be all on one lot and not subdivide the home out and keep the campground for everything else they will have to figure that out and he may need a Variance for 2 primary uses on the same lot. I don't know that you could say a 50 site campground is incidental to a residential home he said.

Mr. King said but if you say it's not allowed and needs a subdivision to do the use then that piece has to meet all the zoning requirements, setbacks and buildable area for a structure even

though there isn't any structure intended on it or another primary dwelling.

Mr. Pimental said the campground itself would act as the primary structure. He said there are 2 options-if the applicant wanted to separate the uses or go to the ZBA and ask that they grant a Variance for 2 primary uses on the same lot.

Mr. King said during his application for site plan review he could bring an application for a subdivision at the same time.

Mr. Pimental said if he did decide to do that it doesn't have to be done separately and if he wanted the campground to consist of 40 acres and leave the other 40 acres with the house he could do that during the same process as the site plan review and at the same public hearing.

Mr. King said the Planning Dept. would have to determine if the 2 uses are currently allowed of if he needs ZBA relief on that. He advised Mr. Ellis to meet with Mr. Pimental at another time to go over the details of it with him.

Mr. Henry said a property this size with a 50 unit campground you could successfully argue that it needs somebody year round to take care of the property and asked how that person living on site is not part of the campground.

Mr. Ellis said the house and the campground is all for the church.

Mr. Henry said if the house is supporting the campground he would argue it's an accessory use.

Mr. Pimental said he would struggle with if you can have a principle use switch to an accessory use and he would have to get some clarification on it. He said right now the principle use for this lot is a single family residential home and he didn't know how it would work to make it an accessory use to the campground.

Mr. Henry said he could build a barn on his abutting lot and that barn can be a primary use under the new zoning. He asked if he now could no longer build a house on that lot because there is already a primary use with that barn and he can't make the barn an accessory use by building a house on that lot.

Mr. Pimental said that's different because a barn is typically an accessory use.

Mr. Henry said we allow it as a primary use and can be built as a primary use.

Mr. King said once the residential dwelling is built the barn isn't considered primary at that point and then becomes a secondary use. He asked if they could say a residential dwelling is a secondary use when they clearly name it as a primary use.

Mr. Pimental said he didn't know. He said he could see the argument being made that the single family home is the caretaker to the campground but he would have to give it more thought.

Mr. King gave an example of a residential dwelling and other primary uses such as a winery and a restaurant being allowed on the same lot under agritourism.

Mr. Henry said Mr. Ellis' plans to raise livestock, gardening, learning to garden and country living classes falls under agritourism.

Mr. King asked what the end benefit is of subdividing the two uses. He said you end up implying

that it's going to be split ownership and asked if that is in the best interest of anybody.

Mr. Pimental said if it is the intent to make that home be the caretaker for the campground you could make that argument. He said this application is going to take a little longer than most because it has a lot more moving pieces to this so he wouldn't expect to have one public hearing and have this go through the entire site plan review in one night.

He recommended this hearing be continued to Sept. 21 and if at that time Mr. Ellis is not ready the meeting can be continued again.

Mr. King said to anybody put on notice if they continue the meeting to a date certain to put it on their calendars.

Mr. Pimental said this would be on a running agenda as a continued case.

Motion: (Henry, second Pelkey) to continue this Public Hearing to the Planning Board meeting on Sept. 21 passed 6-0.

Other Business before the Board:

Letter to Housing Partnership- Mr. Pimental said he got an e-mail last week from the Housing Partnership and there are 2 housing developments-one on Spring Street and one on Maple Drive (Mad River Meadows) and both of them are subsidized low income housing. He said they are both owned by the Partnership and they are doing some renovations to the buildings. He said a lot of it is capital improvement repairs-electric, plumbing, new insulation, new hot water heaters, paint finish, etc. They need a letter from the Planning Dept. explaining that those buildings are in compliance with the zoning and are allowed or a pre-existing non-conforming use he said.

Mr. Pimental said the Spring Street buildings are duplexes which are allowed in that zone. He said the Mad River Meadows buildings are multi-units and multi-family is not allowed in that zone but it is pre-existing and there will be no additional units and no changes to the outside of the buildings or to the parking and it doesn't need any sort of Planning Board review.

He said he brought this before the board to ensure they are okay with him writing this letter to them because they need it for the financing side of things.

Consensus of the board was they were okay with Mr. Pimental sending the letter.

Mr. Henry recalled an applicant asking the board to render an opinion on zoning and the board would not render an opinion and that it was up to somebody else to render that opinion. He asked if the board was now going to render an opinion because the Housing Partnership is asking for one.

Mr. King said no and the Planning Dept. would be rendering an opinion on this.

Adjournment:

Motion: (Bridges, second Vachon) to adjourn the meeting passed 6-0 at 7:21 p.m.

Respectively submitted
Kathleen Magoon
Recording Secretary

Charlie King, Chairman