

MINUTES OF April 7, 2010



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Hebron Planning Board Minutes of Public Hearing 04/07/2010

Members Present: Ellie Lonske (new chair), John Dunklee (selectman), David Wall (member), Chuck Beno (member), Martha Twombly (alternate), Joe Hogan (alternate), Mitch Manseau (alternate), and Sheila Oranch (secretary).

Others Present: Dan Merritt (Compliance Officer), Curt Mooney (Selectman and Alternate Selectmen's representative to the Planning Board), Tom Gump, Alan Barnard, Michael Bogart, Kirk Nassetta, and Ron Ward.

Time Convened: 7:00 PM **Time Adjourned:** 9:15 PM

Next Meetings: April 19, 2010 work session, May 5, 2010 regular hearing

Agenda:

1. Administrative Matters and Announcements.
2. Board appointments and election of officers.
3. Appointment of Curt Mooney as alternate Selectmen's Representative.
4. Review minutes of prior meetings for additions, corrections and adoption.
5. Continuance of Jaques ET AL subdivision and boundary adjustments.
6. Informational by Michael Bogart to discuss a cluster development of camping yurts and zipline adventure center for map 19-2-1, and possibly map19- lot10 and LVP 313-314. Also possibly incorporating his cabin on LVP 19a lot 278 from private use to an office for the same facility.
7. Appoint new CIP committee members; update on plans for the next season.
8. Any other matters that come before the Board.

Administrative Matters/Announcements

John Dunklee as Board of Selectmen representative convened the meeting to appoint board members and preside over election of a chairperson.

David Wall nominated Ellie Lonske for chair, Chuck Beno seconded the nomination. PASSED

Ellie Lonske nominated Roger Laroche as vice chair, Chuck Beno seconded. PASSED

Roger Laroche, absent with the flu, had previously agreed to the vice chair position. Mr. Dunklee reminded newly-appointed or renewed appointees to swear in at the Town Clerk's office.

Ms. Lonske discussed the division of labor for past meetings and files versus work sessions. She scheduled a work session for Monday, April 19 at 7:00 PM to set goals for work on updates to the Master Plan, and asked each board member/alternate to select a portion to review at a public meeting to highlight town-wide actions in the past few years that fulfill the Master Plan. Also on the agenda, if there is time may be planning for updates to the Site Plan Review application forms and process and other administrative topics. Ms. Lonske stated that hearings she chairs will end by 10:00 PM.

Review Minutes

Chuck Beno moved/John Dunklee seconded a motion to adopt the minutes of 3/3/10 as written. PASSED

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Continuance of Jaques ET AL subdivision and boundary adjustments

Alan Barnard announced that all agreements had been signed and the subdivision application was ready for approval. He went over the Saw Mill lot and house lot maps. John Dunklee said all the agreements to agree (all contingent on each other and future implementations) were all signed. The Sughrue agreements were all signed. The Town is seeking easements with Paul Sughrue if they are not already in place on deeds. The culvert planned between two existing culverts on the map will be needed. Mr. Barnard showed a color-coded map with four phases of slopes and a survey map of the lots and proposed road. The road is within the Trust parcel, not the Arthur David Jaques parcel. The road now has stationing to show grades. The new road will be entirely 10% or less grades and is approximately 800 feet to where it will merge with the center line of the old road. Ms. Lonske asked about shoulders for walking or biking. Mr. Barnard said they should be standard, 20 + 4 + 4. Chuck Beno asked if there are any show stoppers to the fulfillment of the overall plan to relocate the North Shore Road to George Road junction. Mr. Dunklee said there has to be a real easement for the road on the Sughrue parcel. Mr. Barnard said Paul Sughrue is still planning to go forward with the subdivision, but with the slow economy he is not pushing as hard. He could still give the easement to the Town. Mr. Dunklee said the agreement with the Town is that when the subdivision is approved, the easement goes to the Town. Ms. Lonske said this is the time for Mr. Sughrue to go forward under current subdivision regulations and not wait five years to when they may have changed. Mr. Beno said he could sell the property and not subdivide and then what happens to the agreement. Mr. Barnard said Mr. Sughrue and co-owner Nelson Blinn say they are planning to go forward with the subdivision. Mr. Barnard said he will ask for reassurances that they are proceeding. Mr. Beno said in this business climate people are changing their plans, and he would not want to approve the Jaques subdivision contingent on the Sughrue plan and have him back out. Mr. Barnard said Mr. Sughrue can give the Town the easement with or without a subdivision. Ms. Lonske said Mr. Jaques and the Planning Board waited so long to get this subdivision done, they can't hold that up because of questions about the Sughrue plan. Mr. Barnard said Mr. Sughrue has been very cooperative but Mr. Barnard will ask for an update. He reminded the Board that road grades, slopes and drainage will change in the process of construction. Blanket statements in the agreements protect the Town. Mr. Jaques previously gave a corner of land to the Town when the plan was to improve the old George Road curve. Mr. Barnard said he will make the setback to that corner 25' rather than 50'. Each lot in the proposed subdivision has a good building site, the Mill and house lots are already developed. Each lot has adequate usable land after deducting slopes, etc. They still need State subdivision approval on the two lots that are not already house lots. Notices were sent in September 2009 to remind Jaques, Armstrong and Sughrue abutters about continuation and there have been no new questions or concerns. Ms. Lonske asked if any members of the public had questions or comments. None did. She asked if there were any additional Board comments or questions. Mitch Manseau asked where Larry Kill's house is and whether their driveway will still have access when the new road is built. Alan Barnard said yes and explained how. Joe Hogan was appointed a voting member for this application. For the Board's edification, they will review of all agreements on file.

Chuck Beno moved/David Wall seconded a motion to approve the Jaques ET AL subdivision application subject to the following conditions.

- 1. Setting of monumenting.**
- 2. DES subdivision approval.**
- 3. Filing of a Plan with contour lines and zoning setbacks.**

The motion PASSED unanimously.

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Informational by Michael Bogart

Mike Bogart and Kirk Nassetta of White Mountain Exploration were present to discuss their idea to create a cluster development of camping yurts and zipline adventure center for map 19-2-1, and possibly map19- lot10 and LVP 313-314. They are also considering the possibility of converting Mike's cabin on LVP 19a lot 278 from private use to an office-headquarters for the facility. Kirk Nassetta has been operating White Mountain Exploration at Tenney Mountain and would like to bring the operation to the former Prudhomme property owned by Mike Bogart. They operate a zipline at Tenney off-season with lodging in yurts (high-tech portable dome structures inspired by the tents of Siberian nomads). They also provide guided recreation with canoe/kayaking, bicycling around Newfound Lake. They are hoping to create a 30-50 yurt camping facility of luxury units with composting toilets. They will list the facility with Blue-Green Resorts, a timeshare promoter that caters to outdoor travelers and offers its services in Bass Pro kiosks. The packages would include fun accommodation and a variety of outdoor activities. The Bogart property is in a good location in regards to the lake, Bear Mountain recreation areas, Rumney rock climbing, and snowmobile trail access. They envision a village of luxury camping units with clusters of 10 units and central shower house facilities. They know that Zoning specifies one unit per 20,000 square feet but would like to cluster more closely and leave more open space. Also Mike thought they might use his property nearer the lake for two units in the early phase to use as models where they would be more visible and perhaps use his cabin on Berea Road as an office and gathering place. The lot to be developed goes up to Hebron Country Estates and is near the road. Mr. Bogart showed an old map done by the former owner when he considered subdividing into house lots. Chuck Beno asked about making the road to Town Road standards. Mr. Bogart said that 2,500 feet of unpaved road already exists. Mr. Nassetta said they are not looking to make roads all the way up, just to a parking area. Access to the yurts would be by ATV or golf carts or on foot. They plan low-impact usage. There would be piers for tent platforms (decks) and the ziplines run tree-to-tree with platforms accessed by trails. The yurts are like 30-foot diameter dome tents with frames, cables, compression rings, rafters, and snow kits wrapped with a polyester skin, insulated and heated. Each can be taken down and put up in a few hours. In Plymouth they were zoned as tents for recreational usage. Mr. Beno asked about composting toilets. Mr. Nassetta said there is no effluent and the ash-compost is trucked away. David Wall said he has one in the barn of his new house. It has been emptied about three times in six years. The ashy residue is used as fertilizer and has no smell. Mr. Nassetta said the shower house would have "real" toilets. The yurts would have kitchenettes with gray-water disposal units approved by the State. Mr. Wall asked about using the exiting cabin on Berea Road for commercial use and that in the Lake District that may be problematic. Ellie Lonske said they would have to consider a yurt a dwelling for a subdivision application. A surveyor like Alan Barnard can calculate the number of lots the land would support and plan the number of yurts from that. Dan Merritt said a few years ago an owner on Pike Hill Road wanted to put in a yurt, which is still sitting on his property. He is now applying for a regular septic system approval. Mr. Merritt would agree that a platform is a permanent structure regardless of what you put on it. Ms. Lonske asked Mr. Nassetta for questions. Mr. Nassetta said the upper land is rural and they would want to consider this a campground. Mr. Bogart said he wanted to know if they could use his cabin on Berea Road as a gathering place. Mr. Beno asked about the lot specifications of the lot and whether yurt customers would be able to use Mr. Bogart's beach. Mr. Bogart said he would not think so, and they would shuttle people to Wellington. John Dunklee asked about the use of the Berea Road cabin. Although the Lake District allows small office buildings, they then could not use it as a residence. Ms. Lonske said they would need a Site Plan review for a Change of Use with a plan showing parking, etc. Mr. Bogart said they could use his lot across the road for parking as it is more than an acre and he already has driveway access. Mr. Beno asked if that acre has wetlands and Mr. Bogart said there might be some in one

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small section. Ms. Lonske said if they planned night use there might be lighting issues. Mr. Bogart said he would not use fluorescent lights. Martha Twombly said he should check with Wellington State Park about shuttles for boats. There were issues last year and they may not allow it. Mr. Nassetta said the shuttle would be more for the beach. Boat launching is usually done by the West Shore Road causeway. Mr. Dunklee expressed concern about Berea Road. Mr. Bogart said the driveway access for that acre is on West Shore Road and then people could walk across to the cabin. Mr. Dunklee said there is a problem with the junction of West Shore Road and Berea Road to allow visibility for buses and cars to safely turn onto West Shore Road. Mr. Bogart said his cabin is about 150 yards down Berea Road. Mr. Nassetta said perhaps they could look at improvement of the intersection as part of the project. He asked about campground regulations. Ms. Lonske asked Mr. Merritt if this were regarded as a campground, what would be the minimum distance between units. Mr. Merritt said 50 feet. Ms. Lonske said it might be better to approach this as a camp rather than a subdivision. David Wall asked how much it costs to build a typical yurt of this quality. Mr. Nassetta said about \$100,000 each including the deck. They would partner with the Shenandoah timeshare company for the Blue-Green yurt development that would have direct booking on the Outdoor Traveler website. Ms. Lonske asked about State regulations for camps. Ron Ward said the regulations are online and also Forest Rangers have some oversight. Ms. Lonske asked Mr. Bogart and Mr. Nassetta if they were getting the information they need. Chuck Beno noted that the lot is about 500 feet wide and 3,000 feet deep. He asked if it is practical to run a road to the yurt sites. It would require substantial infrastructure for support and emergencies. The road would probably need to be paved and accessible for fire trucks and ambulances. Is that kind of access feasible? Mr. Nassetta said the clusters of yurts would be tied together by paths that would be accessible to emergency vehicles. Staff people are trained for evacuation of individuals as part of their qualifications. Plymouth had no issues with the system. Mr. Beno said Hebron is not Plymouth. The Board would want input from the Fire Chief, Police, Safety Committee, etc. Mr. Dunklee said that fire truck access is necessary. Yes, a camp or trailer park is allowed in Zoning. And a \$100,000 per-unit investment and all those people will be protected by Fire Engine #1 which requires a 150 foot turn radius and two lanes for water trucks in and out. Mr. Wall asked if a Class VI gravel road would be adequate. Mr. Dunklee said probably not as they will still need winter access. Mr. Bogart said they will do a Site Plan with Phases 1, 2 and 3. Ms. Lonske reminded him to include parking and landscaping. Ms. Twombly asked whether this should be considered a camp ground or a hotel. Ms. Lonske said it seems more like a cottage colony but year-round, and asked if there were any public comments. Dan Merritt said that changing the cabin on Berea Road would be problematic as it says in ZN-IV.J that a non-conforming use shall not be changed to another use. They would need to abide by general Zoning setbacks and distances. He gave more information about regulations and zoning and references for them to research. He noted that these would not be transient units like in a camper-trailer park, and the users, not the structures, would be temporary. Ron Ward said he had no comments until a real application was submitted. Mr. Bogart and Mr. Nassetta thanked the Board for its time and for providing a lot of information.

CIP Committee Update

Mitch Manseau reported that the CIP process has been improved, they expanded the timeline to ten years, and the public hearing was worthwhile. For 2010 the committee hopes to improve the calendar and get replies from department heads by June, work with the data in July and August and having a public hearing in September. That way they can provide the final CIP to the Selectmen before they start their budget planning process. Any Selectboard or Planning Board member is welcome to attend meetings, which will be on the Town website calendar. The composition of the CIP committee has changed, as David Wall and Lee Alexander have resigned. Mitch Manseau, Dian

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West, Dan Merritt and Ileana Saros will continue. Juli Pruden was on the committee in 2009 although she could not attend many meetings and mostly provided opinions, which were valued. She will not be on the official committee but will be invited to comment when appropriate. They are hoping to get Mark Coulson to handle the spreadsheet finale but he will not officially be on the committee or attend meetings. Mr. Manseau noted that the more they routinize the process, the easier it will be for department heads. The Planning Board appoints the CIP committee so there is no election and meetings are not public hearings so notices are not required. David Wall said when he did the CIP it was helpful to have a selectman on board as part of the process. Their requests had more impact with department heads when Dick Cowern handled them. He also helped with a broader overall understanding of what department heads need. Mr. Manseau said when they get into the later stages of meetings with department heads as part of the process in larger towns that would be good. Hebron is so small, the Selectboard and CIP committee ought to be working with the same items. Mr. Dunklee said there was no problem with Mr. Manseau appointing John Matthews, as he was not present to object. Mr. Wall said they will get more cooperation. Mr. Dunklee asked Mr. Manseau if they had any problems getting responses. Mr. Manseau said generally not. Safety Committee was most responsive. Mr. Dunklee said until further notice Bruce Barnard will continue to work for Roger Bedard in the Highway Department and can help get information for the CIP. Ms. Lonske said the Planning Board will take under advisement that Mitch Manseau will continue to chair the CIP committee and will come to the Board when they need help. Mr. Manseau said as a one-year update, there is not as great an administrative challenge. It's a good team. They are an advisory committee only and not obligated to publish minutes, but will post meetings in the Town calendar. Mr. Wall encouraged him to be sure when they do the annual report to get all the names correct.

Other Matters

Ms. Lonske asked if the Planning Board needs to bring on more alternates. The Board discussed recruiting new board members, and the idea of having a simple background-interests form and a sign-up list in the Selectmen's office for people who may want to serve on boards or commissions. Mr. Dunklee said there can be five regular members and up to five alternates. There is no problem with advertising for volunteers through the Town website and bulletins, newspaper, email list, etc. Curt Mooney agreed. Dan Merritt said the ZBA now has about ten people available. A notice will be posted for the Planning Board and a note sent to the Talk of the Town column.

Ms. Lonske handed out copies of the Vision Statement and Recommendations from the Master Plan and asked members and alternates to consider which parts they wish to present. Dan Merritt asked to be on the April 19 agenda to discuss suggestions for Zoning for items such as solar panels, outdoor furnaces and when non-conforming structures are expanded in terms of length, width and height.

Sheila Oranch reminded the Board that they need an alternate secretary for June, July and August. Ms. Lonske asked her to update the job description and authorized a notice in the Talk column.

Dan Merritt noted that Camp Berea had removed the five old cabins as agreed.

Ms. Lonske noted that Hebron Boat Sales could not appeal to the ZBA without a Planning Board rejection or if the Applicant makes a request. Mr. Robertie has said he will come to the Planning Board next month, May 5, to ask for information.

Mitch Manseau asked if anyone else was planning to attend the OEP conference, to maybe car pool.

Joe Hogan moved/ John Dunklee seconded a motion to adjourn at 9:15 PM. PASSED

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SUMMARY OF MOTIONS 4/7/2010

David Wall nominated Ellie Lonske for chair, Chuck Beno seconded the nomination. PASSED

Ellie Lonske nominated Roger Larochelle as vice chair, Chuck Beno seconded. PASSED

Chuck Beno moved/John Dunklee seconded a motion to adopt the minutes of 3/3/10 as written. PASSED

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