



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

HEBRON PLANNING BOARD
NOTICE OF DECISION
Site Plan Application
Newfound Serenity LLC

Site Plan for Seasonal RV Park with full hookups with nine sites
Matthew Lane/Groton Road Map 24, Lot 15-1

Following a public hearing on February 2, 2022 and continued to March 2, 2022, and a Site Walk on March 14, 2022 which was publicly noticed, at the regular Planning Board meeting held on Wednesday, April 6, 2022 the Board took the following actions:

The proposed Site Plan was **denied**.

Motion : I move to DENY the application for Site Plan for a Seasonal RV Park at Map 24, Lot 15-1 with full hook-ups for nine sites on the basis that the applicant failed to meet the Town of Hebron land use regulations for the reasons discussed by the Board.

Moved by Ivan Quinchia seconded by Larry Goodman. All in favor: Larry Goodman, Karl Braconier, Richard James, Chuck Beno and Ivan Quinchia. All opposed: none. Abstained: none. Recused: Patrick Moriarty. Motion PASSED.

1. The Property is prone to flooding and contains series 1, 2, 3, and 4 designated wetlands which were not adequately addressed by the applicant.

There are series 1, 2, 3 and 4 designated wetlands on the Property that were identified by the Applicant's hydrologist and are in the submitted Site Plans.

There are at least 3 RV sites, pad 6, 7 and 8 that are within the 100' buffer set back to the series 4 wetland.

2. The proposed Site Plan does not contain a minimum of 20,000 square feet for each rental space as required by the Hebron Zoning Ordinance, Article VII Rural District B.6:

"Campgrounds, transient trailer or camper parks shall be allowed provided that adequate and approved waste disposal is provided by the owners of said park, and each rental space for any tent, camper, travel trailer or other transient unit shall contain a minimum of 20,000 square feet."

This section does not allow for *aggregation* of the 20,000, it says “each rental space . . . shall contain a minimum of 20,000 square feet.”

3. The Property is located in the Wetland Protection Overlay (“WPO”) District, and the use of wheeled and motorized recreational vehicles are prohibited in the WPO District, Table 2.

The property is within the WPO District. Article VIII, Section S, Floodplain District Ordinance provides: “If any provisions of this ordinance differ or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.”

Table 2 – PROHIBITED USES IN THE WETLAND PROTECTION OVERLAY DISTRICT: “d. Use of ATVs, OHRVs, motorcycles, dirt bikes, and/or other wheeled and motorized recreational vehicles.”

4. The proposed Site Plan does not satisfy the following purposes of the WPO District by proposing to locate 9 RV units within the WPO District where this Property is susceptible to flooding and given the proximity to the Cockermouth River which flows directly into Newfound Lake.

The property is within the WPO District. Article VIII, Section S, Floodplain District Ordinance provides: “If any provisions of this ordinance differ or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.”

The purpose of the WPO District is “to protect health, safety and general welfare of the community by controlling and guiding the use of wetlands areas and wetland buffers within the town.” Further, allowed uses within the WPO District shall, in part: “Prevent the degradation of surface water and ground water quality:” “Prevent the development of structures and land uses on naturally occurring wetlands and areas adjacent to wetlands which will contribute to the degradation of surface and/or groundwater quality including but not limited to wastewater, toxic substances, excessive nutrient release, accelerated runoff, erosion and sedimentation:” “Protect fish and wildlife habitat, and maintain ecological balances:” and “prevent expenditure of municipal funds for the purpose of providing and/or maintain essential services and utilities which might be required as a result of misuse or abuse of wetlands.”

From the Site Plan Application’s own Design Narrative:

- “The property is approximately 4.9 acres (as recently re-surveyed) and abuts the Cockermouth River. . .”
- “The [2004 subdivision] Plan [#11872] also depicts a 210’ x 210’ area ‘to be filled to an elevation of 615.5 or higher’ to address flooding concerns raised by the Planning Board at that time. I note that this fill area was never constructed.”

NOAA National Centers for Environmental Information has projected changes in precipitation patterns and how it will impact New Hampshire:

Precipitation since 2005 has average 6.8" inches more than the 1895-2004 average and the highest number of extreme precipitation events occurred during 2005-2014. Annual average precipitation and the frequency and intensity of extreme precipitation events are projected to increase, with associated increases in flooding."

Preliminary new FEMA Floodplain Maps for Hebron have been released and were not taken into account by the application. These maps show this proposed project well within a flood-prone area.

Given the above, there are health and safety issues (flooding where up to 9 RV's will be located, some for long periods of time during the season without owners present, septic concerns during flooding, concerns about oil and gas spills from RV's given the proximity to the river) for the proposed use for this Property that have not been appropriately addressed by the applicant.

- 5. The 10-year flood analysis was not reviewed by applicant.**
- 6. Preliminary new FEMA Floodplain Maps for Hebron have been released and were not taken into account by the applicant.**
- 7. When this subdivision was approved, the intent was for this lot to be developed residentially.**

This is stated in the deed with the condition that before a building permit was issued, that the 100' x 100' area be elevated using the fill from the adjacent lot owned by Mr. Mathews.

For the Hebron Planning Board:



Charles Beno, Vice Chairman

Date: 4/9/2022