**Zoning Board of Adjustment**

**27 School Street**

**HILLSBOROUGHUGH, NH**

**November 02, 2020**

# DATE APPROVED: 01/11/2021

**TIME:** 7:00 p.m. – 9:00 p.m.

**CHAIRPERSON:** Roger Racette

**VICE CHAIRPERSON:** Robert Hansen

**MEMBERS:** Russell Galpin Meg Curtis-Sauer Nancy Torres

# PLANNING DIRECTOR: Robyn Payson

**ALTERNATES:** Lucy Pivonka, Katherine Charrette

**EXCUSED**

**Consultant** Glenn Shepherd - GWTS LLC

**Public Present:** Bill Lordan, Donna Andersen, Erik McCauley, Harry Andersen, John Segedy, Kevin McCauley,

**CALL TO ORDER:**

Chairman Roger Racette called the meeting to order at 7:00 p.m. and read the Covid-19 checklist. (attached)

**Roll Call**

Roger Racette-present, no one in the room

Robert Hansen-present, no one in the room.

Russ Galpin-present, on the phone no one in the room

Meg Curtis-Sauer present, no one in the room

Nancy Torres-present no one in the room

Katherine Charrette present no one in the room

Lucy Pivonka-present, no one in the room

Robert Hansen recused himself and Roger Racette appointed Alternate Katherine Charrette to continue to be seated on this application.

Minutes 8/10/20 Nancy Torres made a motion to approve the minutes as written. Meg Curtis seconded the motion. Russ Galpin said there were too many errors in the minutes to approve them.

Nancy withdrew her motion and Meg withdrew her second.

Russ Galpin made a motion to deny the minutes of August 10th, 2020, until they've been corrected. Roger Racette seconded the motion.

**Roll call vote:**

Russ Galpin-Y, Meg Curtis Sauer-Y, Robert Hansen, Roger Racette-Y, Nancy Torres-Y,

The minutes were denied and will be re-submitted following correction.

**Deliberations**

**Special Exception**

Kevin T. McCauley

25& 31 Carr Road (Map 1 Lots 21-1 &27)

RV Campground in Rural Zone

Case 2020-02

The purpose of this meeting is for the Zoning Board of Adjustment to deliberate and make a decision on the above stated Special Exception. There will be no public comment taken.

The ZBA addressed each of criteria in need of discussion individually:

**B. The requested use will not create undue traffic congestion or unduly impair pedestrian safety:**

Roger Racette read the applicants response to the criteria as stated in the application.

Nancy Torres said that the applicant did not sufficiently address traffic impacts, traffic congestion and wear and tear on Coolidge and East Washington Road as well as all other town roads.

The applicant did not address the traffic that would result during holiday weekends Rte. 202 and 31 are heavily impacted on holiday weekends. The applicant provided no traffic study that would confirm their assertion that the roads would not be impacted in a negative way. She also said that the applicant and did not address pedestrian safety.

Meg Curtis said that the applicant states that the RV’s will be directed to Coolidge Road and East Washington Road. She said there would also be people coming from the “north” and she felt the town of Washington should be spoken to about traffic impacts.

Roger Racette asked Nancy Torres what would be involved in a traffic study.

Nancy said the applicant would have to hire someone and pointed out that the criteria burdens the applicant with providing evidence.

Lucy Pivonka said not all people will go the direction the applicants want and that could bring them up School St. to Center Road and East Washington which is very narrow. These are going to be newer larger RV’s towing vehicles.

Katherine Charrette said a traffic impact assessment would have been valuable in looking at this.

Roger asked what would satisfy the Board.

Discussion indicated that a Traffic Impact Assessment and input from the town of Washington would be necessary.

**D. The requested use will not create excessive demand for municipal police, fire protection, schools, or solid waste disposal services.**

Nancy Torres said that the applicant did not provide any information to prove that there would not be any impact on police and fire. There was no comparison of how campgrounds of that size would affect a town.

Roger said that Robyn had solicited comment from Police Fire and Highway and there was no response from police, fire only stipulated that the road be at least 18’ wide and Highway expressed concern of the width of Coolidge Road, Carr Road and East Washington Road.

Roger said that the applicant testified that the solid waste would not be dumped at the Hillsborough sewer plant.

Nancy expressed concern over the condition of the town roads and if they could take the traffic of large RV’s.

Lucy Pivonka wanted to know why there would be no impact on Fire and Police with people over 55.

**F. The requested use will not create hazards to the health, safety, or general welfare of the public, nor be detrimental to or out of character with the adjacent neighborhood.**

Nancy said that the applicant did not answer the question and simply referred to the Planning Board. She didn’t know why it was on the ZBA’s criteria if the Planning Board would answer it. She said a few campsites might be one thing but 39 is a lot to consider. She also said she didn’t know how the campground would affect abutters property values. The applicant submitted no information to base any decision on.

Roger read the applicants response which refers to the Site Plan Review process with the Planning Board.

Nancy said she didn’t know what the review process with the Planning Board would be. The burden is on the applicant to satisfy the ZBA.

Lucy Pivonka said it seems to say that it is permitted so it could not be detrimental to the neighborhood. She said she really didn’t think there was enough information to make a decision about this and throughout the application.

Meg Curtis said this was especially true when it came down to impacting the neighborhood. She felt if people went down and saw the location that it would be quite out of character with the neighborhood.

Katherine Charrette said that she had only seen the spot a couple of times as well as the power point. She thought it was an exciting idea but as a numbers person, if you can’t cross check against a report it makes it hard to say yes.

Nancy Torres asked about attractions that relate to the camp ground and asked about the uses for buildings and if there would be a caretaker on the land. She was not sure if these were Planning Board issues.

Robyn said that the applicant had said they were going to have a care taker on site 24/7 and that questions about accessory uses or the site would be issues that the Planning Board would address.

Roger asked Robyn how much of these issues would be addressed by the Planning Board

Robyn said that all of them would be. The Planning Board will address the plan directly and the board will decide if they want to see changes made. The Planning Board deals with the specifics and the ZBA is supposed to be talking about the use.

Nancy said that if she had more information than saying it was “going to the planning board” she might be able to make a decision but she didn’t feel she was given that

Russ Galpin said neither the fire department have made any testimony that they had any serious problem with this project. He said he realized these were large vehicles but he is also a camper. He said he has met RV’s on secondary roads and he has never had any difficulty and he didn’t think there would be any difficulty on the town’s roads. He said there has been a tractor trailer tanker that goes to and from Eckhart’s farm for many years. He said to his knowledge there has never been any issue. If police, fire and highway have no complaints he didn’t know why others were so concerned.

Catherine Charrette asked Robyn if there was feedback from Police Fire and Highway. Robyn Payson said the only comment from Highway was the width of the road.

Meg Curtis said that 37 vehicles going on those town roads are more impact than a tanker truck going up and down the road twice a day.

Russ Galpin said there will not be 37 campers on any one day, that is not how campgrounds operate. There will be an influx in the spring when the campground opens and there will be an exodus when it closes in the fall. He said he had been going to campgrounds for nearly 60 years and I have never seen any issue with campers on secondary roads. So this business about the number of campers is borrowing trouble where none exists.

Roger asked for a solution to the issue.

Catherine said any approval would need to be contingent on a report. She said she can’t answer whether or not there will be impact without a report.

Nancy said that the decision needs to be determined by facts and she didn’t believe there were enough facts submitted in the application.

Roger said if the road widths meet the code the ZBA can’t change the specifications for the road. If the condition of the road is poor the Town should deal with it.

**G. The requested use is consistent with the spirit and intent of this Ordinance and the Master Plan**

Lucy Pivonka said A seasonally operated RV campground would not qualify as a high intensity development, and would therefore be consistent with the spirit and intent of the Master Plan.

But, there's nothing factual to back that up.

Following a lengthy discussion Nancy Torres made a motion that this special exception be denied without prejudice based on there being a lack of supporting evidence. The applicant has the burden of presenting evidence to support a favorable finding on this criteria, and they did not

Information required by the ZBA is

1. A traffic impact study
2. Impact statement from the town of Washington
3. Comparable study with three RV campsites
4. Written statements from police and fire.

Meg Curtis seconded the motion.

**Roll call vote:**

Russ Galpin-N, Meg Curtis Sauer-Y, Catherine Charrette-Y, Roger Racette-Y, Nancy Torres-Y,

The Special Exception was denied without prejudice

Roger Racette made a motion to adjourn.

Meeting Adjourned 9:00 pm

Respectfully Submitted,

Robyn Payson

Planning Director

Town of Hillsborough

ZBA

Right-to-Know Law Meeting Checklist

**Meeting 11/02/2020**

As Chair of the Hillsborough Zoning Board of Adjustment, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu’s Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor’s Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

We are utilizing the GoMeeting platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through the GoMeeting platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following:

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/699907637>

You can also dial in using your phone.

United States: +1 (571) 317-3122

- One-touch: [tel:+15713173122,,699907637#](tel:+15713173122,,699907637)

Access Code: 699-907-637

If anybody has a problem, please call Planning Director, Robyn Payson at **603-464-7971** or email at: **robyn@hillsboroughnh.net**

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let’s start the meeting by taking a Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.