

TOWN OF TUFTONBORO PLANNING BOARD

April 21, 2022

7:00 PM

Town House, 247 Middle Road

Minutes

Members Present: Matt Young, Chairman; Gary Qua, Vice-Chairman; Carol Bush; Kate Nesbit; Bob Murray, Selectmen's Representative

Staff: Susan Burnside, Planning Board Secretary

Members of Public: Seth Kassels, Executive Director Camp Belknap; Tom Burack, Legal Counsel for Camp Belknap; Matt Found, Facilities Director Camp Belknap; Ben Herter, Architect for Camp Belknap; Sean Malone, Oak Consulting Group Civil Engineer, Don McWhirter of Chase Point Road, Bob McWhirter of Tuftonboro

7:00 PM Call to order

Matt Young, Chairman opened the meeting at 7:00 PM at the Tuftonboro Town House, 247 Middle Road, Tuftonboro

I. Public Comment

None

II. Approval of Minutes

Gary Qua made the motion to approve the Minutes from the April 7, 2022 Planning Board Meeting as written. Kate seconded. Matt recused himself since his application was reviewed at this meeting. All others were in favor. Motion passed.

III. Public Hearings

Camp Belknap Dining Hall Reconstruction – 35 Chase Point Road, Tax Map 40-39-3

Seth Kassels provided a summary of the Site Plan Review Application for the reconstruction of the Camp Belknap Dining Hall Reconstruction, which requests the removal of the existing dining hall, kitchen facilities, and other out-buildings and replacing them with a new dining hall, kitchen facility and drainage system. The current dining hall was built in 1907 and has not had renovations since 1963. As a result, it does not meet current building codes. The proposed new dining hall and kitchen facility are designed to meet all current building codes and to increase the setback from the lake to 50'. In addition, the new plans include a storm runoff drainage system where there is currently none. A state Shoreland Impact permit (2022-0325 dated 3/25/2022) has been submitted to the Planning Board and an approval from the Society for the Protection of New Hampshire Forests has been obtained. The letter is included in the file. Permitting for Alteration of Terrain is in process and a soil sample report has been submitted. Seth reiterated that the new dining hall plans do not include an expansion of camper capacity, but are designed to meet current building and fire safety codes, which makes this reconstruction a necessity. The number of campers and staff will not expand. The new dining hall has the capacity to allow all campers to be seated together for meals. The old dining hall did not have sufficient capacity and required the addition of an out-building and tent.

The new dining hall is designed to blend into the surrounding wooded area and the esthetics are pleasing. The plan includes bioretention ponds for storm runoff, which will be surrounded by trees and other plantings, as will a

catch basin for overflow that will be planted with blueberry bushes and shrubs. The Camp is working with NH DES for permits for a grease trap, septic system and pump station for upgrades.

Matt asked for placement of an 18" wood chip berm surrounding the construction site to provide a sedimentation barrier during construction. Matt also asked about a snow retention area and Seth stated it would be done as before.

Matt asked about road access for deliveries and camper drop off. Seth responded that the access remains basically the same on a gravel road as before with new portions added to be constructed of similar materials.

The Tuftonboro Fire Department inspected the area and had some initial concerns about the plans. The Fire Chief questioned road access related to the weight of large trucks and vehicles driving over septic tanks. Seth stated that new tanks graded for weight would be installed that can accommodate the weight of the trucks. The Fire Department signed off on this. The Fire Department also questioned the width of the road (17') and preferred 20', but accepted a width of 18'. The new plans also include a fire suppression system, adequate egress and the required 15.2 square feet of space for each person in the dining hall. The Fire Chief submitted a new letter of approval summarizing old and new capacity and describing the changes to bring the building up to code.

Seth hand-delivered a letter at the meeting requesting a waiver under Section X of the Site Plan Review Regulations from the requirements of Section 5.14 pertaining to off street parking. The SPR regulations reference the Town's Zoning Ordinance, which under a strict application of Section 6.2 could require the Camp to build a parking lot for anywhere from approximately 60 to 110 vehicles as part of the dining hall replacement project. As stated in the letter, this waiver is necessary because unlike a typical building, all campers and staff will access the new dining hall on foot. With the exception of food deliveries, garbage pick-up and emergency vehicle access, no one will access the building by car as foot traffic is the main form of conveyance on the campus. The new dining hall will serve the same number of people as previously and as such, there is no need for addition parking.

Justification of the waiver request is as follows:

1. Avoid construction of a large impermeable parking lot will protect camper safety, health and welfare, avoid potential injury to neighboring properties from runoff, and generally promote public interest.
2. Granting this waiver will not vary the provisions of the Zoning Ordinance because the Camp's plan provides more than adequate parking for the area's continued use for dining facilities, and is consistent with the Master Plan's goals of protecting natural resources and not unduly restricting recreational facilities.
3. This waiver will substantially secure the objectives, standards and requirements of the regulations because the Camp's plan already ensures an adequate number of safe, well-constructed parking spaces actually required for the Camp's operation of the replacement dining facility.
4. There is a very specific circumstance that warrants this waiver: the proposed use is a replacement dining hall for an overnight summer camp where everyone gets around by foot and only essential vehicles are allowed to drive within the Camp property.
5. By continuing to co-locate all dining facilities for the entire Camp, this plan minimizes overall environmental impacts, including the need for additional parking.

Matt asked for an explanation of the drainage system. Sean Malone, civil engineer who designed the system, described current storm drainage and the new plans for storm water drainage. It includes 2 bioretention ponds and a catch basin. The system is designed to reduce the rate and flow of storm runoff. Specifications for the system are found in the report included in the public file. Matt also asked for further clarification of the impervious surface area with the new plans. Sean described existing and proposed impervious surface area, which equates to approximately 3000 square feet more than current.

There were no further questions from the Board.

Matt asked for a motion to open the public session, which was made by Kate and seconded by Carol. All agreed. Motion passed.

Matt read a letter of objection from Randy Owen, which cited the New London case that went before the State Supreme Court regarding expansion of non-conforming use in a residential area. The letter was placed in the Camp Belknap Site Plan Review file as public record to his objection.

Tuftsboro resident Don McWhirter of 10 Chase Point Road stated that the submitted plan is a good plan with shoreland protection, but he had concerns about traffic on Chase Point Road. He stated that if the parking waiver is granted that camp activities should be restricted to camp activities only and that public activities such as Middle school, Boat Museum, Ropes Course, should not be allowed as additional parking is needed for those events. Seth stated that there are no changes to the way drop off and pick up of campers are handled and that parking is not allowed on Chase Point Road. When cars line up for drop off and pick up, the driver remains with the car and the cars are staged to enter the area in a controlled fashion. Seth explained that only a few of such non-camping events occur and cars are parked on the ball field, archery range and other areas on campus. This procedure will remain the same. Don asked for written assurance that no cars will be parked on Chase Point Road.

Don raised a concern about the amount of effluent entering the septic system and per his calculations, it is currently inadequate. Matt said this was examined during the last site plan review from Camp Belknap and the septic system was signed off on by a licensed engineer and was approved by the state. The Camp will obtain a signed statement from the engineer who designed the system re-affirming that the leach fields have the appropriate capacity.

Matt asked for a motion to close the public session. Bob made the motion and Carol seconded. All were in favor. The motion passed.

Matt asked the Camp's attorney present at the meeting to comment on Randy Owen's letter and the New London case. The attorney responded that he would not comment until he reviews the details of that case. Matt clarified that the concern was for an expansion of a grandfathered non-conforming use. The attorney thought that this a clearly reasonable and legally required modification to an existing/replacement structure. Matt asked if this would constitute a natural expansion to accommodate code. The attorney agreed.

Matt outlined 3 areas that the Board should be addressed: Is this an expansion of a grandfathered use, the parking lot waiver and the drainage system.

Matt asked each board member to comment on the application and whether this meets the definition of a natural expansion that is required to meet building codes and safety concerns. Matt stated that based on past application reviews and this application, the reconstruction of the dining hall is a necessity as the camp can't function with the existing situation and is not an expansion of campers. Each member stated their opinion and the consensus was that this plan is a natural expansion of a pre-existing, non-conforming use in a low-density residential zone, which was previously permitted by special exception and is a well thought out plan that presents benefits. This application does not require a special exception. Matt asked for a guidance vote that this is a natural expansion and not an expansion of use. The Board voted to consider this plan a natural expansion to accommodate code. In addition, the plan includes improvements that are beneficial to the area and the lake by providing a drainage system that did not exist previously.

Matt asked the Board to review the requested waiver regarding additional parking as specified in the SPR regulations. The consensus was that additional parking was not required as there are no changes to the capacity of the camp, traffic on the campus is designed for foot traffic, and that there are no changes to vehicles entering for deliveries and garbage pick-up. Bob asked for language added to the plan that for events out of normal camp activities, parking on Chase Point Road was not allowed. Seth agreed to add language to the waiver specifying that parking would be directed to the ball field and other areas on campus for non-camping events. The Board voted to approve the waiver and to add language that when special events take place, vehicles would be parked on the campus and not on Chase Point Road. Matt specified the following language: "Non-camping dining hall activities would limit parking to the Camp Belknap Campus."

Carol made the motion to approve the waiver, Kate seconded and all were in favor. The motion passed.

The Board discussed the improvements to drainage presented in this plan and noted this is a large improvement in storm run-off control and is favorable to the lake. The plan reduces runoff. In addition, the building design is aesthetically pleasing and foliage and plantings would be added with the removal of very few trees.

Matt asked the Board to vote on the acceptance of jurisdiction of the application as complete with acceptance of the parking waiver. Gary made the motion to accept and Kate seconded. All were in favor and the motion passed.

The Board voted to approve the application with the following conditions:

1. Submission of the Alteration of Terrain permit from the state.
2. Construction of an 18" woodchip berm surrounding the construction site.
3. Addition of language stating that parking for non-camping activities would be on campus and not on Chase Point Road.
4. Submission of a letter from the state stating that the septic systems meet capacity requirements.

Bob made the motion to approve the application with the above conditions, Kate seconded and all were in favor. The motion passed.

IV. Other Business

Adoption of documents that revised language that was voted upon at the April 7, 2022 Planning Board meeting.

1. Adoption of Revised Rules of Procedure – On April 7, 2022 the Board voted to add language regarding notification of public hearings on the town website.
2. Adoption of Revised Site Plan Review Regulations – On April 7, 2022, the Board voted to revise the fee schedule in the regulations so it is consistent with the fee schedule that was adopted 2 years ago.
3. Adoption of Revised Subdivision Regulations - On April 7, 2022, the Board voted to revise the fee schedule in the regulations so it is consistent with the fee schedule that was adopted 2 years ago.
4. Adoption of the Boundary Line Adjustment Checklist that was found in the paper files to simplify BLA applications.

Update on the nomination application submitted to the New Hampshire Planning Association for the annual award for the Master Plan.

Gary stated that the application was submitted and he is waiting to hear back from the Association. He will update the Board as soon as he hears from them.

V. Public Comment

Nothing further.

VI. Adjournment – The meeting was adjourned at 9:00 PM.

Respectfully submitted by Susan Burnside