

TOWN OF WEBSTER, NEW HAMPSHIRE
Zoning Board of Adjustment and Planning Board
JOINT HEARINGS
945 Battle Street/Rte. 127
Webster, NH 03303
Tel. (603) 648-2272

Zoning Board of Adjustment and Planning Board
JOINT MEETING Minutes
August 9, 2016

Present:

ZBA Members: Chairman Martin Bender, Barbara Corliss, Jaye Bowe and Bob Drown, Jr.

ZBA Alternates: Dee Blake (Acting member due to D. Barnes vacancy) and Guy LaRochelle, who had to recuse himself because he is an abutter to the applicant.

Planning Board Members: Vice Chair Susan Roman, Lynmarie Lehmann and Alternate Selectperson, Mike Borek, via telephone.

Planning Board Alternates: Tricia Ilacqua (Acting Member due to absence of Member Buckley) and Paul King.

Applicants in attendance: Mrs. Joseph DiPrima (spouse of Joe DiPrima) and Mr. Matt Augeri (business partner of Joe DiPrima), agents for Mr. Joseph DiPrima, (absent due to medical issues) who petitioned ZBA for a Commercial Exception and the Planning Board for a Site Plan Review approval to add 15 new campsites, additional bathrooms and a commercial kitchen.

Public in attendance: Mr. James Higgins, abutter.

7:00 PM Planning Board Vice Chair Roman opened the joint meeting and explained as per RSA 676:2, the Planning Board chairperson shall chair all joint meetings and public hearings when the subject matter is within the purview of the Planning Board.

At this time, ZBA Secretary Member Bowe did the roll call for the ZBA and then PB Vice Chair Roman did the roll call for the Planning Board. Attendance for both is shown as above. PB Vice Chair Roman then turned the meeting over to the ZBA Chairman Martin Bender.

ZBA Case No. 16-01 Commercial Exception:

Petition of JMJ Resort Properties d/b/a Cozy Pond Camping Resort, located at 541 Battle Street where in a Commercial Exception per Article V. Section 1.F is requested to permit construction of 15 additional campsites for a total of 137 and add outside bathroom at store, kitchen at store, bathroom at pool and bath house in "G" area.

7:04 PM Chairman Bender opened the ZBA public hearing. Acting Member LaRochelle recused himself because he is an abutter to the campground. Secretary Bowe read the application. After going over the public hearing procedures, Chairman Bender invited the agents for Mr. DiPrima to make their presentation.

Mr. Augeri, Mr. DiPrima's partner, referred to the site plan posted on the easel. The proposed sites and bathrooms were highlighted in yellow. He reiterated what was stated on the application. He also

explained that with the updated septic system they would like to put in a state approved commercial kitchen for fast foods, such as pizza, hot dogs, hamburgers, etc.

Secretary Bowe inquired about showers. Mrs. DiPrima stated that to her knowledge the showers would be in the bath house of "G" section; outside the store will be just a restroom and by the pool will just be a restroom. Member Corliss inquired about the septic. Mrs. DiPrima stated the new septic system was approved for the proposed kitchen and bathrooms. A brief discussion followed while the Board reviewed the site plans and DES septic documents.

Chairman Bender asked if anyone would like to speak in favor of the application. Mr. James Higgins, an abutter, stated he was "OK" with it. Mr. LaRochelle, an abutter, stated he was "OK" with it but was concerned about the septic design and capacity. Selectman Borek asked what was the kitchen going to be used for. Mr. Augeri replied that the kitchen would be used for preparing fast foods. He stated that they sell prepared foods currently. He informed the Board that the campground is currently licensed by the state and is inspected on a regular basis because of selling prepared foods. Mr. Augeri stated that he was not well informed about septic regulations for bathrooms or capacity, but he was confident that Mr. DiPrima had approached that with the design company that put the septic system in. Acting Member Blake inquired as to whether they planned on having a restaurant. Mr. Augeri said no; they are planning on setting up some picnic tables outside the store. Member Drown asked if the sale of foods would be limited to campers or open to the public. Mrs. DiPrima stated she thought that would be up to the Town. She stated that the public uses the store and gets propane tanks filled, but cannot go beyond a newly installed gate unless they are visiting campers. There is a new security system that uses keycards for campers to come and go. A brief discussion followed.

Mr. LaRochelle reiterated that the owners want to increase to 180 sites. He stated they have been good neighbors, he just does not want a septic system that has been designed for one thing and then fail because it was overburdened. At this time Mrs. Larson, Land Use Coordinator, handed a packet of documents to the Board to review. These documents were stapled all together and included the recent Septic Approval for Operation and two NH DES letters of deficiency with regards to the campground's public water system. Mr. Augeri stated he would have to talk to Mr. DiPrima to get answers about the specific questions from the Board. The both Boards took a few minutes to review these documents. A brief discussion followed.

Chairman Bender asked if anyone wished to speak in opposition; there were no comments.

7:27 PM Chairman Bender closed the testimony and opened it up for discussion by the ZBA. Member Drown stated he felt there were too many unanswered questions. Chairman Bender agreed. Member Corliss stated the Board needed more information about the septic system regarding the kitchen and the status of the DES letters of deficiency. After a brief discussion the Member Corliss made a motion to recess the Joint Meeting; seconded by Chairman Bender and approved unanimously.

7:30 PM ZBA Hearing adjourned.

Because of the recess, the Planning Board would not be able to consider the Site Plan Review application. Vice Chair Roman stated the Board would like to help the applicants with their site plan application and point out how the application does not quite fit the Site Plan Regulations yet and treat the discussion as a preliminary consultation. Vice Chair Roman asked the applicants if they would be extending any buildings. They answered in the negative, just remodeling. At this time Vice Chair Roman referred to the applicants' actual Site Plan Review Application, and went over the checklist.

After a brief discussion, the Planning Board point out several items on the list they will need to provide:

- Septic system to be shown on plat.
- Location of all water mains and sanitary sewerage facilities within the facility.
- Vegetative buffer for new sites to be shown on plat.
- Need more information about existing natural features in the new area.
- Location of solid waste disposal facility.
- Information on composition and quantity of waste water that is generated – needs to be specifically laid out for the PB.
- The size and location of any utility serving the new area.
Explain the deficiency of the public water system – must explain the size and what it is serving.
- Specify number of bathroom stalls and showers.

Member Lehmann stated in the future she would be interested in the additional traffic flow that would be generated as the campground expands. She understands that the business is seasonal and sporadic, but what would be that impact of coming in and out onto Battle Street. Member Lehmann stated she would be interested in an average daily count during a weekday and then an average daily count during peak volume which would probably be the weekend.

Vice Chair Roman stated that what was most important was that the Board would be able to see that the septic will be able to handle all the new development; all new development needs to be shown on the site plan, including the kitchen.

Mr. LaRochelle suggested an engineer or the State write down the septic design specifications for the entire campground. Vice Chair Roman responded that was what the Board was asking for. She also stated the Board will include the continuation of the previously approved Best Management Practices as one of the conditions of for the site plan approval.

After a brief discussion, Member Lehmann added that the longer the applicants wait to get the plans/mylars recorded from the previous joint meeting in 2014, the Board approvals won't be grandfathered in under the regulations as they were at the time it was approved, i.e., the approval may lapse. In that case, the applicants would have to apply all over again. She urged them not to wait too long.

Mr. Augeri then asked both boards if the applicants needed board approvals to install a solar array. Following a brief discussion, both boards told the applicants they did not need their approvals.

The next item of ZBA business was review of the draft minutes from September 8, 2015. Member Corliss made a motion to approve the minutes as written; seconded by Member Drown and approved unanimously.

7:45 PM Joint Meeting recessed until September 15, 2016 at 7:00 PM at the Webster Town Hall, 945 Battle Street, Webster, NH in the Select Board's conference room.

These minutes were approved as written at the Joint ZBA & Planning Board meeting of September 15, 2016.

Respectfully,

Susan Rauth, Chairperson