

Town of Jefferson
Board of Adjustment

Minutes

March 14, 2019

Chairman Kim Perry opened the meeting at 7:30 p.m.

Members present: Chairman Kim Perry, Jason Call, Rodney Houghton, alternate; Tom Walker, Biff Wyman

Members absent: Cricket Ingerson

Others present: Charlene Wheeler, Board secretary; Jen Kenison, Mike Kenison, Earl Brooks, Sally Brooks, Jeff Young, Donna Laurent, Kathy Conway, Dave Conway, Cheryl Marshall, Ron Hanson

In the absence of a regular member, Rodney Houghton was designated a voting member for this meeting.

Hearing of Appeal – Kenison

Chairman Perry opened the public hearing for case # 188-2019 before the Jefferson Zoning Board of Adjustment to consider an application from Michael and Jennifer Kenison, Jefferson, NH, who are asking for a Special Exception in compliance with Article III, Section 2 of the Land Use Ordinance. The applicants propose to construct and operate a campground with approximately 225 campsites, to be completed in stages of approximately 50 sites each over a period of time. The property is located at 43 Bailey Road (also known as Route 116), Jefferson, NH, Map 5A, Lot 47. A map showing the entire lot with proposed sites, road, etc, was examined. The location of the first phase would be on the eastern half of the property in the approximate location of sites numbered 1 through 100. Jason Call said there are four requirements for granting a Special Exception in Article VII, Section 1C of the Land Use Ordinance.. The Board shall take into consideration:

- (1) The proposed use shall be one permitted by this Ordinance as a Special Exception.
- (2) The specific site is an appropriate location and of adequate size for such use.
- (3) This use will not adversely affect the adjacent area.
- (4) The proposed use will be in keeping with the stated purpose of this Ordinance.

What is this proposal defined as, tourist accommodations, lodging? A campground is not specifically named as a Special Exception.

Chairman Perry opened the hearing to comments or questions from the public. Dave Conway said he is not opposed to the proposal but he is very concerned about a neighboring field used to raise crops. Sometimes people wander especially children who like to explore. Crops or equipment could be damaged and when heavy farm equipment is being operated there may be a danger of someone being injured. A fence to keep people from the field and warning signs should be considered. Manure is spread on the field. The present owners might not mind but what if the campground is purchased by someone else in the future. Kathy Conway said all information to make a decision isn't available. What about soil loading, the public water supply? This plan is basically a

concept we are approving. However, the Jefferson Planning Board will be examining such items as occupancy density, public water supply, septic requirements, traffic, utilities, safety, etc. State permits will be required before final approval is granted. Biff Wyman said this business would fit into the rural nature of the town. Ron Hanson had questions about some of the proposed campsites being closer to the lot lines than 50 feet. The Kenisons said in the current plan there are sites that would be closer. This would require the Kenisons coming back to the Board of Adjustment to ask for a variance. And that may occur after the Planning Board makes its decisions after their scheduled hearing. Jen Kenison indicated they have developed rules for operation of the campground such as quiet hours, use of fireworks, campfires, etc. Camping would be seasonal only from May through October. No mobile homes would be allowed. Cheryl Marshall expressed concern about increased traffic on Route 116. It is a state road and would require any necessary permits from the state. Mr. Hanson asked if the Kenisons could be required to build a fence around the entire property. Kathy Conway said they didn't doubt the word of the current owners to police their campers but are concerned about what could potentially happen years down the road. Jason Call asked to be shown the location of the proposed septic system. There would be one driveway entrance and road leading to the sites. The fire chief wasn't able to attend the hearing to make any statements about emergency or safety issues. The Board secretary reported no written correspondence had been received from any abutters. Chairman Perry said he had received a phone call from Ronald Tocci saying he was in favor of the proposal. Biff Wyman said there seems to be two major concerns. People wandering off campground property, causing damage to adjoining land or property or creating situations where someone might be injured. Also a variance may be needed. Dave Conway said installing fence would be appropriate. There is a possibility of perhaps an average of four people per site which would mean at maximum occupancy more than 800 people. Is the site adequate to handle such a load? This is one of the many questions the Planning Board and the NH state agencies will have to make decisions about. What about police protection? There have been some reports of rowdy camper in area towns.

There being no other questions or comments, Biff Wyman made the motion to close the public comment portion of the hearing, seconded by Rodney Houghton. The vote to accept the motion was unanimous. Deliberations began. Board members agreed that this could be called a tourist accommodation and therefore is permitted as a special exception. It seems to be of adequate size to support use as the proposed campground although there are still issues which have to be addressed by the Planning Board in their hearing scheduled for March 26. The Kenisons will need to get final approval from them including all required permits from the state. The first sites to be developed will be in back away from the highway. Board members said they were familiar with the site and didn't think a visit was necessary. Biff Wyman said this project kept with the spirit of the Land Use Ordinance. Jason Call said he still had some hesitation about the substantial size of the proposal. Biff Wyman made the motion to grant the special exception with the following conditions: Signs and/or fencing will be required if necessary to protect neighboring properties. An application for variances may be required depending on decisions made by the Planning Board on this proposal. Tom Walker seconded the motion. The vote to accept the motion was unanimous. The Kenisons thanked the Board

and said anyone was welcome to visit their property to observe what they were planning. All members of the public left the meeting.

Minutes

The minutes of the November 8, 2018 meeting were read. An error was noted, Jason Call was erroneously identified as the acting chairman. It was Chairman Perry who should have been recorded. Jason Call made the motion the minutes be approved as amended, seconded by Rodney Houghton. The vote to accept the motion was unanimous.

Other Business

Kim Perry suggested the Board meet to discuss issues facing the town once every few months. There is the Master Plan update with which the Zoning Board should be involved. Jason Call said perhaps the Board could invite Ben Gaetjens-Oleson, who works for the town of Lancaster, to a meeting to talk about issues there and how they have been dealing them. Others agreed. Jason will speak to Ben. The Board secretary was asked to phone Kim every couple of months to schedule meeting dates for doing this.

Biff Wyman made the motion to adjourn the meeting, seconded by Jason Call. The meeting was adjourned at 9:15 p.m.

Charlene Wheeler
Secretary to the Board