

**Board of Adjustment  
Canterbury, NH  
Minutes of Hearing  
8 January 2014**

**Case No. 2013-5 (C) Special Exception**

Present were: Chairman Joe Halla, Web Stout, Jim Wieck Board members. Christopher Evans and Lisa Carlson, Alternates.

Chairman Halla provided a description of the special exception continuation and gave a detailed explanation as to the conduct of the hearing procedure. Testimony about the commercial campground was closed at the first hearing held 4 December 2013. Chairman Halla advised there were questions about regional impact. The towns of Loudon, Gilmanton and Belmont were not notified. He advised he would hear testimony from any representatives from those towns tonight. Selectman Dustin Bowles from Loudon spoke saying their biggest concern is the impact of traffic and fire and police coverage. They will probably have to cover that because they are closer than Canterbury. That is their biggest concern at this point. He advised their Fire Chief was present as well. Fire Chief Rick Wright spoke saying their concern is as it is now they cover Route 106 in Canterbury because it's closer for them, have done it for a long time at no charge. They are just concerned if we put in a big operation up there, a commercial campground that it will affect their fire department, more incidents they will have to respond to with the ambulance and fire department. Chairman Halla asked if they respond to any campgrounds that are on Route 106 already. Chief Wright advised they respond to their own, Cascade Campground which is a pretty good sized campground. Chairman Halla asked if there are quite a number of fire calls to campgrounds. Chief Wright responded that he could not say there are a lot, but occasionally. They do get quite a few medical calls where their ambulance has to respond down there. It would affect them. Chairman Halla asked the applicant if he wanted to respond to either of those two testimonies. Mr. Tim Bernier, land use consultant speaking for the applicants said certainly any impact that they would have; they are going to have to address that. They are going to have their own rangers on staff. He is not certain how the towns will divide up the calls and regions. If they have an impact, they will have to address that at the Planning Board. For additional calls, obviously they are going to be paying taxes to the Town of Canterbury. He is not sure how that arrangement works. Chairman Halla asked if there was anyone else present from the Town of Loudon. George Saunderson advised he is present as an observer only. There were no other representatives from other towns to speak. Chairman Halla asked if there were any questions from Board members. There were none and the testimony was formally closed.

Jim Wieck said a problem area he recognized had to do with the pond and whether or not we approve this separate from all the rest. Chairman Halla advised he thought the Board could. There are three special exceptions that the Board has to vote on separately. While the use of the pond might affect the use of the campground, you could theoretically approve any one of these three, two of these three or three of these three separately and one is not necessarily going to mean you have to approve the other. Rather than having to get back to a discussion about the campground which the Board has already been through, that is why the Board needs to vote on it now and then move forward to the convenience store and the resource reserve natural which abuts Rocky Pond which is where a great deal of the problems seem to be. Jim said he doesn't have a problem with excluding the pond issue which would be part of a next hearing. Christopher, advised independent of the other issues that the Board is going to hear, does not personally see any use issues as it's been presented as a campground,

independent of the others. Web said there are going to be a lot of issues that have been brought up to be handled at the Planning Board stage, driveways, access.

Chairman Halla made a motion to **APPROVE** 2013-5 (C), the commercial campground for Mourning Dove Holdings, LLC for the following reasons:

1. Granting the permit would be in the public interest because it would increase the tax base in Canterbury. Commercial campgrounds are allowed in that zone by special exception and the proposed piece of property is 265 acres which is more than adequate to handle the size of the campground.
2. The proposed use would not adversely affect the property values in the district. Most of the testimony heard where there was concern about property values have to do with property that directly abutted Rocky Pond. There has been no specific evidence that this would adversely affect property values.
3. The specific site is an appropriate location for the proposed use because it's on a state road. It's one of the few parcels left in Canterbury that is that big that can accommodate a commercial campground that size.
4. The proposed use would not adversely affect the health and safety of the residents and others in the area and would not be detrimental to the use or development of adjacent or neighboring properties. All the setbacks for this particular use, the minimum setback from any side are 750 feet. There is no evidence that it's going to be detrimental to anybody else using a building lot or adjacent properties.
5. The proposed use would not constitute a nuisance because of offensive noise, vibration, smoke, dust, odors, heat, glare or unsightliness. There was no overwhelming evidence that said any of those would be an issue.
6. The granting of the permit would be in the spirit of the ordinance. It is allowed by special exception in that zone.
7. The proposed use would not constitute a hazard because of traffic, hazardous materials, or other conditions. There were some concerns about traffic, but it would seem that a state highway would be able to handle the traffic in and out and no hazardous materials or other conditions would be a problem.

Condition attached as part of the record: There would be no one residing there from October to the beginning of May. The concern there is that someone would be allowed to leave their thing there, which they can, but the Board does not want somebody establishing some sort of residence because they happen to come back and say they are going to stay for a month here or a month there and pretty soon they are a resident of Canterbury. Specifically stated is the condition to this is nobody is going to be staying in an RV from October to May.

Jim Wieck seconded the motion, there was no discussion, and the Board vote was a unanimous decision to **APPROVE**.

Respectfully submitted,

Lisa Carlson, Clerk  
Board of Adjustment

