

**Board of Adjustment
Canterbury, NH
Minutes of Hearing
2 December 2020**

Case No. 2020-13 Special Exception

Present were: Chairman Joe Halla, Calvin Todd, Christopher Evans, Web Stout and Lisa Carlson (Alternate). Jim Wieck was an excused absence.

Chairman Halla advised those present LeeAnn Mackey, Manager of Pitch Perfect at Canterbrook is seeking a special exception on behalf of the **Virginia LaPlante Revocable Trust** as regards a “simple primitive campground” on the Trust property. The application involves Tax Map 238, Lot 008 located at 137 Old Tilton Road. It is located in the Agricultural Zone. The application references Article 5.3, Section C, Ordinance 8.2, Section A 1-7. Prior to explaining the conduct of the hearing Chairman Halla stated if anyone has a problem with concerns about COVID or closeness of seating proximity and they want to leave for a period of time and sit in your car he will come and get you. If you are uncomfortable with what is going on tonight, we can try to accommodate you. He asked several things: if you wish to speak, LeeAnn is going to present her case and he will have her move to the room side and people who wish to speak will come up to the specified speakers table seat simply because of the acoustics and we need to get a recording. He asked people to not speak from the back corner but to speak only from the table at the appropriate time. Please no cell phones and no talking around the thing that distracts from us hearing. He asked if anyone had a problem with the spacing here? Doris Hampton asked if a window could be opened to provide fresh air. No one was able to get a window open, so the front door was left ajar for the entire evening. He gave a detailed description as to the conduct of the hearing procedure.

LeeAnn Mackey introduced herself to those present saying she is the Manager of what they are calling Pitch Perfect at Canterbrook. For those of you who don’t know me I grew up at Canterbrook and worked with my Dad to build it into an equestrian event center and campground in the late 70’s. I returned home 3 years ago with the idea of reviving elements of that business so that the family farm might move in the direction of becoming a little more economically self-sufficient. If she is right and under the Town’s 2020 Zoning Ordinance 8.2, Section A 1-7, she is here tonight to propose how they are meeting the requirements for the special exception application they filed with this Board.

1. That granting the permit would be in the public interest. Our operation would benefit local business and tourism in our area in terms of increased patronage which does help promote public interest. Additionally, through design and intent it would promote a love of nature and the outdoors in a way that is very much in keeping in the spirit of Canterbury.
2. That the proposed use would not adversely affect the property values in the district. Considering our property was formerly an equine event facility and campground without any adverse effect on our property value or others, we do not anticipate our new venture to alter or change that status in any way. Additionally, there is a book put out by the State of New Hampshire called the New Hampshire Statewide Comprehensive Outdoor Recreation Plan. And to that point, in that book it says, “nationwide studies show that quality parks and recreational facilities are sited as one of the top three factors

considered when making recreation decisions and that real estate values are 10 to 30 percent higher on average for property located near parks, trails, and recreational facilities”.

3. That the specific site is an appropriate location for the proposed use. Our location has already successfully demonstrated the natural appropriateness as mentioned. And with well over 100 acres available, we will only be utilizing a considerably small amount of the property for this purpose.

4. That 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. There is nothing in our proposal that poses a health hazard or conditions could affect nearby residents or others. Further, our property is definitely wooded at the periphery of our proposed campground and thereby provides an extremely healthy buffer between us and any adjoining residences.

5. That the proposed use would not constitute a nuisance because of offensive noise, vibration, smoke, dust, odors, heat, glare or unsightliness. There isn't anything in our proposal which poses a risk to any of those things. There will be some campfire smoke that should not in any way constitute a nuisance / or affect any adjacent property due to the densely wooded buffer. Additionally, no part of the campground is visible from the road or neighboring properties and campers will be given instructions upon entry which includes general guidelines about fire safety and local noise ordinances.

6. That granting of the permit would be in the spirit of this ordinance. Canterbury in general likes to promote a healthy interest in small businesses and this proposal falls well into that category as well as encouraging patronage to other small businesses in town. It will also help our family with continuing to preserve such a large property and maintain its undeveloped status.

7. That the proposed use would not constitute a hazard because of traffic, hazardous materials or other conditions. Reservation and check in and check out times will naturally be staggered and therefore not pose any undue strains, hazards or concerns regarding traffic. We do not foresee any other conditions nor issues with hazardous materials since we will have refuse picked up with a contracted service. We will have a clean out service for portable toilets and are not offering any kind of hook up or dump facility for camping trailers. Campers will be clearly instructed that dumping of any of these materials will be strictly prohibited. Additionally, we are proposing a seasonal business operating from Spring to Fall, i.e. March through November beginning in 2021 (with a repeat weather permitting timeline yearly thereafter). Other than the mandatory amenities like a firepit and a table and ample space to pitch a tent, we will only be offering simple amenities like firewood, bug spray and flashlights. We will not be taxing the local waste treatment facility because we are paying for waste collection. They are basically bringing in a dumpster. Regarding concerns of fire and safety, I spoke with Dave Nelson (Canterbury Fire Department) and he is naturally concerned, but admits it is not practical to pre-predict impact. When I explained how we want to take a pre-emptive approach he listed the following things that would be important to the fire department: as long as we have an ample water supply, we do, we have a brook, a pond and a well, easy access for trucks, we do for each and every campsite, and are adhering to code in terms of fire, we are, we have passed the inspection. He was assured that we are doing all we can to help mitigate risks.

In terms of the local economy we have already begun contributing to the local economy and we haven't even opened our doors yet. We have hired two locals that fall under the category of general labor, one

of which would have been here tonight but he was unable to make it but I do have a letter of his support which was submitted (letter from Kevin Fife, see file). We've already paid him for work that he's done this Fall which he has explained in his letter. Additionally, he's been hired to continue on working for us in the Spring. We've also hired two local professional services, one of which is also here with me tonight to attest to the work he has already completed. He too will be coming back to us in the Spring for additional services. I've already been in contact with several local businesses to discuss ways we can grow a more substantial reciprocal style of business to business relationship geared towards boosting patronage as well as contributing to the local economy. In addition, to printing out a handout book of businesses to each camper, we will also be verbally promoting local events of businesses that offer campers a unique or convenient service such as goods at the local store, events up at Hackleboro, the Fair, farm tours, golfing, special tours such as child entertainment or education, i.e. Petals in the Pines or horse focused recreation which we are very keen on promoting personally.

Now I would like to take the opportunity to talk a little bit more about the reservation we're using called Hipcamp. What you already know about Hipcamp is that it is a national air bnb style online reservation system geared solely toward rustic, landowner style camping. But I'd like to focus a little on what you probably don't know about Hipcamp. There are many articles written in the press about Hipcamp, particularly in Forbes Magazine. You can type Forbes articles about Hipcamp into a Google browser and you will come up with dozens of them. The one that stood out to me as the most appropriate to mention tonight was one where they feature Hipcamp ads, quote "one of the leading pioneers in sustainable recreation. The headline reads "How CEO Alyssa Revaquio is Changing American Camping". And here is why the headline is so appropriate to my focus tonight: Hipcamp company creed is sustainable recreation by funding the conservation of open land. This I believe, is what Canterbury has always promoted through lifestyle, businesses, and social practices. Farmers and ranchers all over the country are marketing their properties through Hipcamp and being featured in the press with headlines such as "Successful Ways to Sustain Open Land Properties Ethically, Environmentally and Profitably". So, Hipcamp affiliated partners include Green Info Network which is a leading advocacy group supporting public interest organizations to better meet environmental, conservation, public health, and social justice missions. Another one is the National Center for Outdoor Ethics. Their environmentally friendly camping wing called "Leave No Trace" is featured on the Hipcamp home page. Outdoor Magazine, a leading outdoor travel magazine, focused on conservation. And the Sierra Club, the oldest, largest and most influential grassroots environmental group in the country.

These are all affiliated partners with Hipcamp. Additionally, we should also look at how Hipcamp spends their money. Hipcamp has expanded their business to cater to nature-based events. In addition to promoting sites in the path of the total solar eclipse a few years ago, they now coordinate with landowners to promote camping in sight of meteor showers and butterfly migrations.

Last year they spent a considerable amount of money mapping affiliated campgrounds with the least light pollution so that users could celebrate National Astronomy Month. And then they spent advertising dollars for affiliated organizations to drive interest and awareness to those campgrounds. In conclusion, Hipcamp's website may be air bnb style but air bnb they are not. They are all about conservation minded preservation of open land which is the theory of how we want to run our campground and I believe goes directly to the heart of what Canterbury has always been about.

I'd like to turn your attention back to the study on recreation put out by the State of New Hampshire.

It is the 2019-2023 New Hampshire Statewide Comprehensive Outdoor Recreation Plan. They call it the SCORP for short. It is put out by the New Hampshire Department of Natural and Cultural Resources. It is a big book that you can get for free off the nh.gov website. I paid to have it printed out because I really wanted to study it because it covers things such as a policy guide for both regional and state planning initiatives. It's a data source for economic supply and demand and help plans for recreational programs and facilities. It's an informational resource for recreational related issues in the state and recommendations for addressing them. And it's also a list of performance goals that the support committee who did the report wants to achieve in the townsthe printing. She is not going to provide copies because anyone can obtain this for free, but wanted to read a few excerpts which she submitted at the end of her presentation for her file. Under Executive Overview which is part of the goal section it says, "Outdoor recreation has strong economic impact in New Hampshire. When the Outdoor Industry Association recorded \$528 million in annual state tax revenue and \$8.7 billion in annual consumer spending attributed to this factor of the state's economy, moreover outdoor recreation supported over 79,000 jobs in New Hampshire in 2017 which is the year they did that part of the study. Under Supply, Uses and Demands section it says, "it is imperative for local, state and federal governments to work collaboratively with private and quasi-public-sector organizations (such as myself) to secure a future where New Hampshire residents live healthier lifestyles, the economic well-being of communities is sustained, and wildlife and natural resources are conserved". They have a big graph on this page that is also under Supply, Uses and Demands and it lists priorities that this group that did the study which is also a committee that's fulltime with the state, two of them she thought were worth mentioning, one of them on the graph comes in third place...supporting local and regional planning to promote open space and trails usage. Another one that comes on the graph...."Providing incentives to encourage public outdoor recreation on private lands". Under Priorities and Goals the committee would like to: "Recognize the importance of stewardship in fostering a community culture of support for recreation, including elected officials and decision makers" such as yourselves. Also, under Priorities and Goals: "Ensure communities and governing bodies are aware of the value of the SCORP and the LWCF including Select Boards, Conservation Commissions, and Planning Boards". This was submitted to the Board for the file.

Lastly, according to the checklist that you all gave us for instructions for applicant form there are five things on the front page plus the part that RSA 216 that were applicable to what we had to do in order to fulfill the criteria for approval. So, the five points on the checklist: I have done the proper application process, I've completed abutter notifications, I'm intimately familiar with the governing ordinances, particularly RSA 216, I have carefully prepared my case and included state studies, maps and satisfied all zoning, safety, fire and building related concerns. I have passed inspections, I have established any and all criteria for being granted a special exception and I have paid my fees in order to be in front of you today.

The booklets provided to each Board member has the opening address you just heard, as well as maps, a copy of my fire inspection letter, photos, and a cursory look at a few of my ideas for promoting more in-depth business to business relationships around town. I thank you for accommodating this meeting safely, and I welcome your questions.

Chairman Halla stated at this time before I ask for testimony from those present if the Board members had any questions. Christopher Evans said he had a couple. Referencing your layout of tent locations and sites what about access to site 6-10? I see that you show parking there, but there is no access to there. Is that something that is planned for the future? LeeAnn replied she did not understand what you mean by no access. There is a woods road that goes right to all of those. Chris, stated well ok you show access roads all throughout the park. LeeAnn responded because that is a giant meadow. The access road takes you to the giant meadow and they have mowed paths to the various campsites that are in that meadow. Does that answer your question? Chris, so from what he understands there is no road per say to those places, just a mowed path. LeeAnn confirmed this. Chris stated another question he has is when it was an equine facility how much traffic in general did that facility receive on a weekly basis? LeeAnn responded a whole lot more than what we are proposing here, but it was very concentrated to certain times of year when we held our events. Chris, single events? LeeAnn confirmed this. A couple of them were 2 or 3 day events because they were clinics. So, people would camp in the campground and we had built natural stalls in the wooded part of the campground so they could put their horses in them. These events would last 2 or 3 days. And any time there were actual shows which were one day events, but we actually had people coming in the night before or staying that night because we had the campground. And a much higher number than anything I am proposing here. We probably would have 400 people or so between the competitors and the spectators. Here we are talking about 12 campsites. Chairman Halla asked approximately how big is the area you have where the 12 sites are, roughly how many acres? LeeAnn pointed out it should say right in the center on the survey map provided in the application and booklet. Chris noted 25 acres. Where you show the campground entrance on Borough Road, is there a parking area there or do they take their vehicle directly to the campsite? LeeAnn advised they drive directly to their campsite. Chairman Halla asked am I right that you are encouraging people to come who have horses? LeeAnn, we will be eventually, we haven't even started our promotion in that arena yet. Chairman Halla asked what would they be doing with the horses, keeping them at the campsite or in your barn? LeeAnn, they would be keeping them on their own in the campsite. Horse campers are pretty good. They bring their own temporary fencing and they'll be bringing it and putting it around their campsite so that their horses can stay with them. Chairman Halla asked one other question, campsite number 2 which is the one that looks like it's the closest to Borough Road, about how far it that from the campsite to Borough Road? LeeAnn advised maybe 200 feet roughly. Web Stout said he thought he'd read something about winter maybe? LeeAnn responded, no, not at all. They do not want to have to plow all that. Chris asked if there is any reason why there is no designation for parking on sites 11 and 12. LeeAnn replied it's an apparent thing. If you look at the insignia those insignia are RV insignia. We are not really actually planning on promoting much of that. So, we have an area that we used to call spectator parking. It is sort of a wide open tiny area where years ago we had people all park their cars and trailers. And what we decided to do was just make two spots in there and build the ring according to code so that when we do, or if we do decide to do RV camping those would be the two designated areas. So, because they are inherently RVs, there is no parking insignia here at all. Chris noted but you have one up on number 5 so that parking insignia is actually for that tent site number 5. LeeAnn, concurred. Five is actually our old campground headquarters. It's a small little clearing at the top of a hill in the middle of everything. It used to be

where we'd have our jamborees and all of our other things, so it is a big area. And we decided to use it as.....it could be used for a family because we are limiting out sites to 4 adults. If someone came in with two other extra adults from another family, we want a place to put them and that's where we would put them at number 5 because it is a bigger lot to accommodate them. LeeAnn stated to Joe on site number 2, that is actually the only site on the entire map that I'm hoping not to ever have to use because if I were camping I wouldn't want to be 200 feet from a road. Web stated so you're not promoting RV, you're just putting it in here just in case. LeeAnn, yes, it's more of an idea for if we have an RV sort of like I've heard from other people that are actually running that thing, but the only time they've ever hadis on a holiday weekend when they were going from say Rhode Island up to Campton and they wanted a one night stop with their RV. We want to be able to accommodate that if we can. Web asked you did say that there is no dumping? LeeAnn confirmed this. It says very clearly, or it will say and if you read in the very back of the booklet there is part of a blurb that is actually going to be on our reservation home page on Hipcamp's site. It explains that in a lot of detail that we don't provide any of that stuff. This is rustic camping, pitch a tent, throw a few logs on the fire and that's it. Web asked this is it, 12 sites, that's what you're asking for? Nothing down the road? LeeAnn replied I don't know, I have no idea. Right now this is our plan, I'm the only one running it and I am disabled now technically and I don't know how well I'm going to handle 12 sites, we'll see. Web said he wanted to commend LeeAnn for how well she put her presentation together. Chairman Halla asked if there were any other questions from Board members.

Chairman Halla asked LeeAnn to sit off to the side of the room and if anyone wished to speak in favor to come to the speaking table. John Polizzi introduced himself as a resident of Canterbury Spruces. He will make a brief statement of support and beat a hasty retreat due to COVID concerns. He has been hired by LeeAnn to do promotional photography for her site and will be going back in the Spring to do some more when she gets her signage up. He thinks it will be a real benefit to local businesses, Canterbury Country Store, Shaker Village, the Farmers Market, Brookford's Farm Stand and the arts community. He thinks it can all benefit from the Agritourism end. He thinks it's a real good idea and it is a lovely campground, he has been going back and forth several times to take pictures during foliage season, so approves. Dave Scanlon spoke saying he is an abutter and he and his wife have talked it over and they are not ecstatic about the idea of a campground, but they are not opposed to it. Doris Hampton asked where does someone who doesn't have a stand ask questions. Chairman Halla invited her to the speakers table. She stated she is an abutter and has not seen the campground and is eager to learn more about it. They live on Borough Road right at the top of the sites map. They hear Ginger from their house calling the dogs, so they are wondering about the noise and what are the limitations in Canterbury around noise? What do we currently have in our regulations? Chairman Halla advised none. So she is wondering how the LaPlante family feels, they are living there, they will have the most noise. What are they hoping will happen as far as noise. What are their guidelines for the campground? Chairman Halla responded because of Hipcamp and if they are approved tonight, they have to go to site plan review. At site plan review with the Planning Board and with Hipcamp there are certain requirements about how late can you stay up, when can you not have a fire, what are you going to do with trash, how many port o potties are there going to be, are you going to supply fresh water, are you going to supply this, that. etc. There is not anything in the ordinance that deals with noise. Doris said

you mentioned that Hipcamp will have these guidelines. Chairman Halla replied they will have some of the guidelines. Doris asked if you or LeeAnn can share what they are. Chairman Halla replied he is not certain they have guidelines as far as noise. They have guidelines as far as trash, etc. he is sure...whether someone has to be at the site 24 hours a day, etc. He asked LeeAnn do they have anything about noise? LeeAnn advised not specifically. It is up to the host to determine how they want to handle camping noise. They live on the property and she lives on the back of the house that is very close to where the campground is going to be. If it bothers me, I am not going to put up with it. So that is going to be the yardstick that she is going to use. We are looking to attract the kind of campers that really just want to come and enjoy nature. They are not going to be partying and drinking and all that. That is not what we want at all. Doris asked if LeeAnn has any concerns about the brook that goes through the property. Chairman Halla said it is not close enough that it would be an issue. LeeAnn spoke saying actually there are two sites right on the brook. Chairman Halla re-spoke they are going to have rules for trash, garbage disposal, port o potties, whatever they need to have, etc. Doris asked and those horses are going to be at those sites 9 and 10 and this brook is right there? Chairman Halla replied there might be horses, I don't know. Doris replied it does seem to her that if you have horse waste at the sites 9 and 10 which is right next to the brook, that might be something that needs to be thought about. Doris said another thing is lights. She asked LeeAnn if there is going to be a time you are going to ask for lights to be out? Are people in tents or.....Chairman Halla stated they will have some kind of regulations regarding this or they will be imposed by the Planning Board at site plan review. Doris responded so at this point because I live there, I would love to know what those are. LeeAnn responded there are zero lights. We will not have lights in the campground period. We have little, teeny solar pen lights that will be shining on the doors of the 4 port o potties. That is the only light in the entire campground. Web advised you are going to have another chance to ask some of those questions at the Planning Board when she goes for site plan review. John Udalo, abutter spoke saying he is not opposed or in favor, but came because he is curious and tonight is the first time he is seeing where the sites are going to be as they relate to his property. Elle Bezanson spoke in favor saying she has been working with Hipcamp successfully for a year. Campers appreciate clean port o potties, social distancing, privacy, quiet, peaceful quiet. As far as the horses, you've got horses on a farm you are going to have horse waste. You just clean up regularly and keep things clean. She was there in the 70's and 80's when they did the horse shows competing there and worked at the farm and also stayed in that campground many times back then. Barbie Tilton spoke in favor saying she thinks LeeAnn is going to do a good job. She also was part of the horse show business in the 70's and 80's. It is a farm and if she does the horse thing does not think that will be a problem. She is in support of the campground.

Chairman Halla advised he has letters expressing concerns. Cynthia Clark and Willard McGraw are not abutters, but neighbors living on Borough Road. Their concerns are about more traffic on the road, more people.... "We have owned property on Borough Road since 1967 and built our house, etc. We love the quiet rural setting of living on a dead-end road with other property owners we've gotten to know and trust, us and they. We have some great concerns about the proposal under discussion tonight. In the past two years, Borough Road has seen 3 new houses built, increasing the total to around two dozen, and much increased traffic. At least three of our neighbors have had valuable property stolen in the last 6 months", etc. Chairman Halla stated the rest of this letter is that main thing about

trash, more traffic. Obviously, they didn't know how close to the intersection the entrance to this would be, but it's pretty close to Old Tilton Road, it is right around the corner to get in there. They are not going up the hundred acres up that way going in. The letter in its entirety is in the file. Chairman Halla stated a letter was received from Hattie McGraw containing questions of her concerns that have been answered during this hearing tonight. This letter is on file as well.

Chairman Halla then asked if anyone was opposed to come to the speaker table. Lee Davis, a butter on Borough Road directly across from the campground. We have neighbor who is building a brand new home right at the entrance of this proposed campground and he is sure he is not going to be happy when he finds out all of this. I will raise concerns and say there is not enough water on that property. That spring dries up in the summer, that brook dries up in the summer and I don't know about that well. I like Ginger and John and have known them for a long while, but I can see tragedy in this whole thing coming down the road about fires that can happen very easily. We've been having very, very dry weather and I'm going to have somebody out there with a pit and a fire, I don't care how big the pit is sparks fly, things happen, so that worries me to death. My wife and I in 17 years have sunk how many hundreds of thousands of dollars in our home and it's going to be right across from there. And now we are going to have to listen to this? There will be noise. I don't care if there is one or twelve campsites there will be noise. I'm 60 years old. We lived through the horses, we lived through all of that so we know the..... of the road. When you come up from John and Ginger's place and take that right opposite Borough Road it's extremely narrow and it's..... on both sides and they can't seem to keep, the town can't seem to keep that road in proper shape. So, it's terrible meeting two, I have a pick-up truck, I don't even like meeting another pick-up truck coming the other way. It used to be that they'd bring their wagons up and their horses up and it wasn't a tragic thing at the time, but it was a lot of work to get around and I can see that happening this time. There's going to be a lot more traffic, there's going to be a lot more people running around in there. These people are going to want to go hiking. I don't want them hiking on my property. I don't want them walking around my property. I'm sure the fellow that is building a half million dollar home next to me isn't going to want people hiking on his property and he is right across the street from that. I wish he was here to hear all this. He doubts that the fire department said it had adequate water because he sees it dry up every year, this year especially. No fire truck will find water to take out of a hole in summer there. Chairman Halla advised she has to be inspected again he believes. The Fire Department and Code Enforcement both have to inspect the property, the fire pits.....I believe there is something in here that each one of the locations has got to have 5 gallon container to put out a fire pit. Mr. Davis stated a fire can get away so quick because where they are talking about putting these things.....Chairman Halla spoke saying when you get into a situation like we had this year where it is extremely dry, he does not think they are going to be allowed to have fire pits. Mr. Davis continued well that's it, will we actually allow fires in a situation like we had all summer? The fire danger was high every day. Chairman Halla stated he thinks if the fire danger is high this campground, any of the ones in Canterbury are going to be notified no fires. Mr. Davis responded that's if the people will abide by it. We all know how people act in campgrounds. They do drink, I know you say you don't want them there but they do drink and they come up here to get loose and have a good time, we're going to live right on top of it. We're going to live right on it and we're going to hear it.

We hear Ginger calling the dogs all the time. We hear them talking down there all the time. And if I can hear them talking at their house, then I know 12 campgrounds are going to be extremely loud at my house and the Hamptons. It just happens....sound travels, I just have to say it's going to be a nuisance. It's going to be a big, big nuisance. I don't know all the legalities about it. One thing that I would do and I will do with the Planning Board is ask for time to acquire a counsel, to have a counsel go ahead and represent us in this matter because I think it is that important that not be done. I would be willing to take the money from my own pocket and have a lawyer come in and represent us at least at the Planning Board. So, they know the legality and they know what they are talking about much better than I do, I'm only speaking from my gut that this is going to suck. There is nothing right this minute that I can do about it but to tell you that I think it's going to suck. And I'm going to have to live with John and Ginger.....if they know I'm against it.....you can take it for what it's worth, I love the two of them to death, I've gone down and chopped firewood for them and everything else but I don't know about this. Chairman Halla asked if anyone else wished to speak in opposition. Mark Hampton spoke saying he would just like to add to what his wife said. They live at 38 Borough Road which means that they are about 4/10 of a mile from Ginger and John's house. About twenty years ago they had an old dog named Laddie who was a wanderer. We had a dog at that time and Laddie liked to come up and visit with our dog. As Doris mentioned earlier, Ginger was always calling Laddie from her house and it was very clear to us 4/10 of a mile away. Some of these campsites, the ones closest to Borough Road are maybe a tenth of a mile from our house. I'm just really concerned about the potential for loud noise affecting the Davises, the Barretts who are building a new house, us and anybody else within a half mile of this site. It really can be very loud. Tyson Miller spoke saying he wanted to know if the new neighbor was notified. He is not opposed, just asking a question. The Barretts were notified as abutters with a certified letter. Jessie Tichko advised she and her husband just recently sold their house on Route 132, they have been here in town for 37 years. They are building a new house up on Borough Road at 169. They should be moving in in the next month or so. She advised she has a couple of questions that LeeAnn did not touch on. Having this campground, does it change the current use status of the property? Chairman Halla said to the best of his knowledge and he didn't talk with Mandy in the Assessing Office, the understanding that he got from talking with Tyson, I think, or someone was no it does not. Tyson confirmed it was not he who said that. Then it was somebody else because I asked when we had two other campgrounds, I asked somebody in the Selectman's Office. I did not speak with Mandy, I spoke with someone who had knowledge of the situation, I said do you think it's going to go out and he said no I talked to Mandy and she said no. I do not remember who it was. But she has the correct answer to that and if you are asking me now, I'd say from what I know, no, it's not going to change the current use status. Jessie asked the property is zoned agricultural, is that correct? So, running a campground, now income is involved, so is that now a commercial use of that property? Chairman Halla responded, no, it is a use that is allowed by special exception. That doesn't make it a commercial property. She also wanted to commend LeeAnn on the presentation, you did a great job. Thank you so much. One of my other concerns is, it's being presented as sort of an equestrian theme campground for the future, horses, horse trailers and all that. I have a concern about the entrance to the property coming off of Old Tilton Road. I think that the entrance is very close to the intersection. I'm concerned about traffic safety. That's been brought up quite a bit tonight, so I'm just reconfirming that. Chairman Halla advised that is an issue that will be brought up at site plan review if she is approved. The Planning Board has the ability to say that entrance

isn't in the right spot, it needs to be moved this way, it needs to be moved that way, etc. That is something that will be reviewed. Jessie spoke saying the other concern she has the property right now is under current use, so it is open to the public, so it is open to hunting, for example. So, will that still be allowed if people are camping on the 25 acres? It will be unless they post it No Hunting, yes but if you are going to be in current use you cannot post it No Trespassing. Jessie said her last concern is I feel this is the third Hip type campground here in Canterbury, I feel personally that this is opening Pandora's Box here in town. And this allows almost anyone to really come forward and apply for a special exception if they have land to open up a Hip campground. Chairman Halla concurred saying they could. Jessie said and I'm not sure if the town really wants to move down that road and change that whole atmosphere to this community. That's probably my biggest concern. We've been here 36 years, we decided to stay in town because we love the sense of the atmosphere in our community. That's just a personal thought and a personal feeling. Chairman Halla responded his guess without any knowledge is that the Planning Board is dealing with changing the ordinance at this point in time. He thinks what's a little bit unusual about the two we've approved and the one that is on tonight is that they are on pretty big pieces of property. To me it's twelve campsites on a hundred acres or fifty acres or forty acres is a lot different than ten campsites on six acres. He said he understands everybody's concerns about it and he does believe that the Planning Board is working on an ordinance change for the Town Meeting. What that's going to be I have absolutely no idea. He asked Tyson Miller, Planning Board Chairman if that were so. Tyson confirmed that it is and public hearings will be held prior to. Jessie said the reason she is opposing it tonight is I think further study has to be made by the Town, by the Planning Board, by the Selectboard and the ZBA concerning the future of the town and campgrounds status. Chairman Halla asked if anyone else wished to speak in opposition. John Udalo said he had a question about these twelve sites. Could that be expanded without getting approval. Chairman Halla stated no. If she wants one more site she has to come back to the zoning board. John asked about if they started having campers....Chairman Halla stated anything bigger than what she.....we are voting tonight on exactly what she is presenting. If two years from now she wants ten more sites she would have come back and go through the zoning board, etc. John asked if that would include RVs. Yes, it would. Chairman Halla asked if anyone else wished to speak in opposition. Richard Tichko asked so you are going camping with a horse, what do they do? Are they going to ride them around their fields or they're out on the road? Chairman Halla said they might have trails to ride there, they might ride them up and down the road. That used to be quite common, I was one of them for about fifteen years, five days a week I'd ride my horse up and down the roads. Rich said he just wasn't sure. Chairman Halla said he is assuming there might be trails for horses? LeeAnn advised actually there are. There are tons of trails all around the..... property and off their property that the town maintains or organizations in the town maintains for snowmobilers, four wheelers, equestrians, they all use those trail systems. We're in the process of building maps and paths on our property as far as walking or for a horse, but there are vast trail systems in this town that welcome horses. Rich asked so you will coordinate with social clubs, hiking clubs, whatever it is to allow your horses to go on their trails so you've got horseback riding covered. LeeAnn said she assumed so. Chris said they wouldn't require permission anyway if they are posted, permission wouldn't be required. It would have to be posted No Trespassing before someone couldn't use a trail. And ATV's can't ever use trails, that's something that cannot be used on any trail. It requires written, in possession, home property owners' permission. Chairman Halla added pretty much all the snowmobile

trails in town that are maintained are open to horses. Chris added as are all the roads, in fact they have the right of way if I remember correctly. LeeAnn responded. Chairman Halla asked if anyone else wished to speak in opposition. Kent Ruesswick stated he lives on Old Tilton Road and we know each other very well. Ginger asked me the other day how I felt about it and I thought about it because I've lived in town since 1957. I realize things change and you used to not be able to go up into the Borough because that road was closed when it snowed and it wasn't opened again until after mud season. You could go up as far as Cushman's and Gilmore's at the time and we used to slide down that hill onto Old Tilton Road. Now since that time the Borough has just exploded with growth and it doesn't seem to me that there's not enough land up there to keep on doing that. The Witschonke girls just bought the Harris....whatever the farm building is up there, we've got another building going up at the bottom of it. It was just a constant parade of trucks all summer from the construction projects or what at Tichko's is conducting up there. I don't know where to come down on this, I don't want to be against their campground, but I'm kind of tired of all the cars that are going by and the fact that the Town does not maintain that road so that you can drive over it at a decent speed and the reply I get is well if you don't fix the road they'll go slower. Well, that hasn't been my experience at all. They just go extra fast to skip the bumps or something, I don't know. And the other thing that bothers me about it is if you come down Borough Road into the intersection with Old Tilton Road it's a Y there. And you are coming from the Tilton side and you want to swing onto Borough Road and go up there which a lot more people are going, you are taking your life into your hands. It's foolish not to go around the other way and go up the hill because you cannot see anybody coming over that hill. And the other thing that's involved in that is that your Mother, bless her soul, Ginger has always objected to the road being paved. The only way that that road is going to stop being such a mess all the time is for it to be paved. I'm guessing she is going to continue to object to that. How many cars a day are going to go into that campground. LeeAnn replied the most would be twelve if we were full. Kent responded, yes, but they don't stay there. They come back out and at the end of the day and leave or the next morning and they were proposing that they were going to take trips over to various people and buy things from them, well there's another trip in and out. Twelve becomes twenty-four becomes, I don't know how many trips it is. If there are two people arriving in their cars, that's forty-eight. If it's two people riding in their cars and they have friends arriving, now it becomes sixty or something, I don't know. And we've got the trash guy coming in and out and we've got the septic guy and I don't know what else is included, but somehow this has to be addressed by the Town because we are just opening our roads up allowing access to these properties that are out of the center or off the main roads and you are asking the Town to accept a lot of maintenance on a road that you are not going to get any money for. What do you charge a campground in taxes....nothing. So, I think you guys need to think about that somehow and yes it is going to the Planning Board and I'm assuming I'm not going to be able to sit on it because I am an abutter and I am going to have a conflict of interest there. But I think you need to help answer this question. Chairman Halla asked if anyone else wished to speak in opposition. No one else spoke.

Chairman Halla returned to the applicant for a final statement adding if it has already been spoken, don't bring it up again. LeeAnn, spoke saying the only other thing she would add regarding traffic is that we have two campgrounds that you mentioned that are already in operation, one for over a year and

one for at least half a year and one of them as she accounted to a moment ago when she came up and spoke to you is voted third in New Hampshire right now. And it's interesting to note that there's not been one single notice or adverse effect traffic wise communicated to either the campground owner or the Town and we are talking about over a year already. Most people don't even know what's happening up there other than the abutters who were notified. So, I think it bares mentioning that because of the staggered nature of the way campers are going to come and leave and because of it being only a Friday to Sunday largely enterprise, that we are not talking about giant numbers such as the trucks that Kent mentioned. Those are just atrocious coming in day in and day out. I don't think it's going to be like that at all. That's it.

Chairman Halla asked if Board members had any questions. There being none he asked for the last time if anyone wished to speak in favor. Barbie Tilton spoke to traffic saying the road is a shortcut just like her road is, it's a straight shot from here to route 132 without going out and around. You have tourists, you have people here in town taking shortcuts that have no business being on that road if you want to put it that way. There are eight houses on her road and people have no business being on that road and yet there is constant traffic. And if you are going to go that route you have all these home businesses and are you going to stop people from going to those? We all pay taxes on the roads and you cannot stop people from going to these home businesses like Clough Tavern or campgrounds.... Aurora Weger who lives on Welch Road said food for thought....are you providing horses for people or are people bringing horses in? Chairman Halla said he is assuming if they bring a horse to Hipcamp they have to take care of the horse. Aurora stated no, that's not the question. The point is that if somebody is coming to camp somewhere....Chris interjected there was nothing in the proposal about people renting or leasing horses. Aurora, ok, so they are bringing their own horses? Yes. My point is that if somebody is going somewhere with their horse as I have done many times, you go there to be with your horse. You are going there to ride; they are probably going there to land for the time of their camping with less intention of venturing out numerous times a day. They basically have everything that they need right with their horse and the trails. So, just some food for thought for traffic. Elle Bezanson advised New Hampshire state law and in Canterbury says all gravel roads have to be maintained for horse travel. Chairman Halla asked if anyone else wished to speak in favor. No one else came forward.

Chairman Halla asked if anyone wished to speak for the final time in opposition. Lee Davis said he wanted to touch on one aspect about the entrance on that road. It is in an extremely dangerous location. He went on to explain how fast trucks and cars travel through the intersection at the Y of Borough Road and Old Tilton Road from both directions. There is no way to pull over to the sides because the roads are so narrow. That intersection is not made for traffic. It is an old country road and that's what it is. Now you want the horses on it and they may do the carriages like they used to do. I don't mind people riding horses, but they are right on the road, we had a problem with a moose one night. It's too small a road, it isn't maintained mostly, it should be and if it's going to be a campground now and we're going to have an influx of people, I don't care if it's twelve cars a week, that's an influx in cars. It's going to rip the hell out of that intersection, I'm going to tell you that because it's all sand up to where the pavement starts going up Borough Road. The constant trucks and cars all summer have been a nightmare this year and they really tore it up. I'm not a construction guy but I've seen people drive through it every day. This is another big problem. Chairman Halla asked if anyone else wished to speak

in opposition. No one spoke. He asked if there were any questions from Board members. There were none. Chairman Halla closed the testimony part of the hearing which means we cannot take testimony from LeeAnn or anybody else. The Board will attempt to reach a decision.

Chris asked for a clarification. He said he was confused about the last one we did. Someone said this is not commercial, it is not a commercial campground. Then what does the Table of Use, a proposal like this state? Isn't this a commercial campground? Chairman Halla responded, it's a campground and I'm assuming that what the Planning Board is working on is something.....Chris interjected, no I mean specifically tonight what use is she requesting relative to our principal uses? Chairman Halla, a campground. Chris, the commercial campground. Chairman Halla, it does not say commercial. Chris, yes it does. Ok, so it is a commercial campground. Chairman Halla, it is commercial in the fact that she charges money. Chris, right. Chairman Halla, but if you looked at another definition of a commercial campground, it accepts RVs, it has waste disposal for RVs, it has public showers, it has all kinds of stuff. Chris, but that's not stated. Chairman Halla concurred. Chris, I just wanted to reiterate what this is is a request for a commercial campground. Chairman Halla, I think it is very much in keeping with the other two we have heard. It is commercial in nature, whether it meets the definition in the State RSAs of a commercial campground, it probably doesn't. Chris, I'm hoping it does because her request has to meet one of these uses. And so therefore, the use that I'm assuming.....Chairman Halla interjected what I'm saying Chris is that there is no follow up in this zoning ordinance. In other words, it says campground or commercial campground, but you cannot page through here and go to page 47 and there are 3 pages of what a campground is. There is nothing. Chris, I know. I don't think you are understanding my point. Chairman Halla, it's a campground, a commercial campground. Chris, ok, then we agree. Chairman Halla queried the Board. Web and Calvin concurred. Chairman Halla, I need to know where everybody is on this. Chris, I have no issues. I think it was an effectual proposal, did an excellent job. I understand the neighbors concerns but it is an allowed use with a special exception, and I have heard no reasons that it should not be allowed. Chairman Halla asked Web and Calvin again if they had a problem of any kind. Web said what was said tonight was some noise. He thinks that is the biggest thing and the road. I think the road can be addressed at the Planning Board portion. As far as the noise, I think the noise can be divided into two separate meaning day versus night. During the day you are going to have noise. I don't care where you are, there will be noise. I'm guessing their concerns was probably at night. Chairman Halla, I think that will be addressed. Web agreed. Chris, I think that's the only way to address offensive noise is to have a time stamp on it. Really, that's the only way to do it. Web, and I'm just relating to the nighttime and darkness. Everybody listens to noise during the day. That's where we are.

Chairman Halla made a motion to **GRANT** special exception, Case No. 2020-13 for the following reasons:

1. That granting the permit would be in the public interest. It would provide another outlet for people to come to Canterbury, it would possibly help some of the other businesses in town and Canterbury has always promoted small businesses, small agricultural things, etc.
2. The proposed use would not adversely affect the property values in the district. It doesn't appear that if you drove down there right now and you drove down when it was open that it would look any different from the road. It would not adversely affect the property values.
3. The specific site is an appropriate location for the proposed use. A twelve-site campground is being requested on a total of 150+ acres in an area that is forty acres. It's not something that is crammed

together. It is more than an appropriate location and an appropriate amount of land being used.

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. There is nothing here that says it is going to affect the health and safety of residents. It is not going to affect the development of adjacent or neighboring properties.
5. The proposed use would not constitute a nuisance because of offensive noise, vibration, smoke, dust, odors, heat, glare, or unsightliness. The only issue basically brought up was the one of noise which will be dealt with at the Planning Board, hours of operation, hours at night, hours during the day, etc.
6. That granting of the permit would be in the spirit of this ordinance. It is a use that is allowed by special exception that it is specifically allowed and is specifically sited in the ordinance.
7. The proposed use would not constitute a hazard because of traffic, hazardous materials or other conditions. Nothing has been presented that there is going to be hazardous materials or those type of conditions. The traffic situation can be dealt with at the Planning Board level.

Chris seconded the motion. The Board vote was a unanimous decision to **GRANT** the special exception. Chairman Halla explained the thirty-day appeal process.

Respectfully submitted,

Lisa Carlson, Clerk
Board of Adjustment