

**PLANNING BOARD PUBLIC MEETING  
TOWN OF LITCHFIELD**

**Held on February 4, 2020**

minutes approved on 2/18/2020

The Litchfield Planning Board held a meeting in the Town Hall conference room, 2 Liberty Way, Litchfield, NH 03052 on Tuesday, February 4, 2019 at 7:00 p.m.

**MEMBERS PRESENT:** Michael Croteau - Chairman, Kimberly Queenan - Vice-Chairman, Kate Stevens, James Boffetti, Joshua Smith, Ronn Stephens - Alternate, Kevin Lynch Selectmen's Rep.

**MEMBERS ABSENT:** Curtis Sampson - Alternate

**ALSO PRESENT:** Joan McKibben (P.B. Admin. Assistant), Jay Minkarah, Executive Director Nashua Regional Planning Commission (NRPC)

**CALL TO ORDER**

Mr. Croteau called the meeting to order at 7:00 p.m. and led the Board in the Pledge of Allegiance. Roll call of members.

Ronn Stephens was appointed as a voting member for this meeting.

**Public Input:** No Public input on non-agenda items.

**AGENDA ITEMS:**

1. **A revision to the previously approved subdivision plan for 124 Hillcrest Rd. (Brookfield Acres COSD) map 15 lot 14. Estate of Fred D. and Janet M. McQuesten. Amending the stormwater infiltration per NH Dept. of Environmental Services (NHDES).**
2. **Mel's Funway Park proposed amendments to the site plan approved on 1/15/19 to show the following: (continued from Jan. 7, 2020)**
3. **Windsor Drive Extension to a two-year maintenance bond. Reduce bond amount to \$15,289 for 850' of roadway.**
4. **Approve 1/21/2020 minutes**

**1. 124 Hillcrest Brookfield Acres COSD**

Matt Peterson, project manager from Keach-Nordstrom Associates and John Noseworthy, executor of the estate are present.

The plan was originally conditionally approved 11/5/2019

Matt explains they are back with the amendment because NHDES does not want them to infiltrate stormwater from the site to the groundwater because of the possibility of PFOA's in the area. They could not get their Alteration of Terrain (AOT) permit until they revised the drainage. In addition they are requesting a waiver from Litchfield Site Plan Regulations section 155.5.1 Stormwater Management and Erosion Control

Spirit and intent provided by applicant: Stormwater on site was designed to meet Town regulations. In order to accommodate the States concerns about incorporating potentially contaminated water to groundwater, the stormwater treatment design was revised. The increase in flow is very minimal and non-erosive and the stormwater quality will not be compromised. The spirit and intent is to protect abutting properties and we do not feel these small increases will have any affect on abutters or downstream of the property.

Matt explained the four points of drainage and the amounts of the minor runoff.

Jay M. said granting of the waiver is reasonable.

Any approval of the amendment does not supercede the 11/5/19 conditions of approval.

The Chairman read the L.C. Engineering letter of 1/19/2019.

Matt P. said they will address all of the comments in the L.C. Engineering letter.

Joshua S. makes a **MOTION** to approve the waiver of section 155.5.1 of the site plan regs.

Motion seconded by Kim Q. seconds the waiver motion. Motion carries 7-0-0.

Kate S. made a **MOTION** to approve the amendment to the 124 Hillcrest Subdivision (Brookfield Acres COSD). Motion seconded by James B.

The bulleted items from the staff report will be followed:

- The plans entitled Brookfield Acres Conservation Open Space Development bearing a revision date of 12/13/19 should be amended to include a 16th open space lot fronting on NH Route 3A together with appropriate corresponding notes and references.
- Satisfactory resolution of the comments raised by Louis P. Caron, P.E. in his letter date 1/19/2020.
- Affirmation that all other requirements and conditions of the approval granted 11/5/19 remain in place.

The motion carries 7-0-0.

**Mel's Funway Park proposed amendments to the site plan approved on 1/15/19 (continued from Jan. 7, 2020).**

Andy Prolman, Esq., Wayne Caufield (owner) and Matt Peterson, Proj. Manager Keach-Nordstrom Assoc. Are present for the application.

The following are the planned amendments:

Replace carnage haunt with food service and temporary attraction area, b. Shiplap siding on pavilions one and two, T1-11 to remain on pavilion three behind the facade, c. expand kiddie area to allow family gathering area, d. Show overflow parking, employee parking and storage areas, e. Minor modification to landscaping and certain construction details.

Attorney Prolman comments we have no issue addressing all the outstanding staff comments from either Jay M. (NRPC) or Lou (L.C. Engineering)

PROPOSED AMENDED NOTES From Attorney Prolman

- THE FOOD SERVICE AND TEMPORARY ATTRACTION AREA DEPICTS THE GENERAL LOCATION OF VENDORS AND ATTRACTIONS, WHICH SHALL BE USED FOR SPOOKY WORLD EVENTS ONLY FROM AUGUST 1 TO NOVEMBER 30.

THERE WILL BE NO MORE THAN 10 FOOD SERVICE VENDORS IN THE FOOD SERVICE AND TEMPORARY ATTRACTION AREA. THE ZOMBIE PAINTBALL TENT, THE BAR TENT, THE FOOD SERVICES TRUCKS, AND PICNIC TABLES, SHALL BE REMOVED FROM DECEMBER 1 TO JULY 31.

- THE ZOMBIE PAINTBALL ATTRACTION IS IN AN ENCLOSED 40' X 80' TENT WHERE SPOOKY WORLD GUESTS USE PAINTBALL GUNS TETHERED TO TABLES TO SHOOT LIVE "ZOMBIES" AND OTHER LITCHFIELD CREATURES.

- THE BAR TENT SHALL PROVIDE APPROXIMATELY 10 PICNIC TABLES, AND THE FOOD SERVICE AREA SHALL PROVIDE APPROXIMATELY 10-12 PICNIC TABLES, SUBJECT TO THE APPROVAL OF THE NEW HAMPSHIRE LIQUOR COMMISSIONER.

- THE THREE PAVILIONS SHALL BE USED AS HAUNTS FOR SPOOKY WORLD ONLY; A 20' X 50' PORTION OF PAVILION #2 SHALL PROVIDE A PICTURE AND MERCHANDISE AREA.

- PARKING CONSTRUCTION & SUBSEQUENT AS-BUILT SURVEY OF A 4-FT WIDE ASPHALT SIDEWALK IS REQUIRED, ON THE EAST SIDE OF CHARLES BANCROFT HIGHWAY FROM COLBY ROAD THROUGH MAP 20 LOT 22 AND MAP 20 LOT 18, FOR PEDESTRIAN SAFETY SHALL BE COMPLETED BY THE EARLIER OF THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY OF THE BUMPER BOAT ATTRACTION OR AUGUST 31, 2020.

Also mentioned Note 24 on the plan set "No less than thirty (30) sanitary facilities will be situated around the site, at least 75-feet from the existing wetlands, during spooky world events. Approximate locations on the plan.

They are planning overflow parking to the south of the Laser Plex building. They will sketch out space for overflow on grass for Mel's and Spooky World.

They planned employee parking only on east side of 3A on lot 14.(note 6 in plan set).

There are 7-8 employees per shift for Mel's  
125-150 people for Spooky World with actors, and support staff.  
Note 30 on plan set states The improvements shown on this plan, as amended, shall be completed no later than August 31, 2020 (Exclusive of any appeals of the approval).

Attorney Prolman requests continuance of the compliance hearing to September 2020.  
Mr. Croteau asks about the status of the certificate of occupancy for the boat boats.  
Mr. Prolman We haven't applied yet for the certificate because there is still work to be done, the sidewalk, parking behind the green monster, etc. But we expect everything to be done by August.  
Mr. Prolman also mentions they have no less than 11 temporary light fixtures around the site during Spooky World events. (note 25 on plan set).

The Chair calls for Public Comment.  
Morgan Hollis representing Jill Charbonneau Rev. Trust and Rick Charbonneau are present.  
Attorney Hollis presents a lengthy response enclosed here.  
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Attorney Hollis it is important to clarify dates 8/1 -11/30 should be detailed.  
Lighting is important to specify.  
Every structure on the property should show a rendering.

Rick C. reminds the Board that 25 parking spaces were removed when the bumper boats were approved. Mr. Charbonneau still asks for a traffic engineer to look at the safety and volume of traffic. He feels there is no separation of pedestrian traffic and vehicle traffic

Attorney Hollis suggests the Board look at Development Agreement for Spooky World, he has enclosed the Development Agreement that exists for the Continental gravel excavation. They feel noise should be addressed, noise should cease at a certain time.  
Mr. Charbonneau still feels like they are getting away with too much and need to follow the rules.

Attorney Prolman takes exception to the above comment "my clients are not getting away with anything, they have received permits for the buildings". There is a raised sidewalk for safety near the bumper boats, between the parking.

Attorney Prolman doesn't think a development agreement is necessary, we agree to be in compliance by August 30.

Note 6 on the plan set referring to parking on lot 14 the applicant is agreeing to pulling lot 14 parking off the plan. They do want to keep temporary parking south of the Laser Plex building and not be required to pave that area.

Wayne C. We don't sell tickets for Spooky World past 11:00 p.m. On school nights ticket sales end by 10:00. We try to close by 12:30 a.m.

Mr. Caufield hands out photos of parking on the grass at the elementary school and at the 18 hole golf course.

Mr. Boffetti wants to see lighting and noise issues addressed on the plan and to see the changes before conditional approval.

Chairman Croteau we need to see parking notes on the plan and have the plans back in a timely fashion for review by staff.

Mr. Boffetti makes a **MOTION** seconded by Ms. Queenan to continue the Mel's Funway amendment to March 3, 2020 at 7:00 p.m. Motion carries 7-0-0.

The public hearing will remain open.

Windsor Drive Extension two year maintenance bond.

Joan explains the final coat of pavement was placed on Windsor Dr. extension.

Kevin Lynch made a **MOTION** to reduce the bond to \$15,289 for 850' of roadway for a two year maintenance bond. James B. seconds the motion. Motion carries 7-0-0.

A Charrette for workforce housing was briefly discussed and will be on the 2/18 agenda. Along with discussion for the next master plan chapter to work on.

Committee Reports

2/6 Conservation Commission 7:00 p.m. Town Hall

2/11 Heritage Commission

LMRLAC Mike C. attended Eversource had a presentation

The first CIP meeting was held Mike C. is the chairman

The annual report for 2019 has been done Mike C. reported.

Approve Minutes of 1/21/2020

James B. made a **MOTION** to accept the 1/21 minutes a written. Seconded by Ronn S. Motion carries 4-0-3

Chairman Croteau states Tony Tureki has stepped down from the Board.

A **MOTION** to move Ronn Stephens to a full member is made by Kim Q. and seconded by James B. Motion carries 7-0-0.

Kevin L. makes a MOTION to adjourn at 9:10 p.m. seconded by James B. All in favor.

Respectfully Submitted

J. McKibben

