

Draft Minutes
Town of Lyndeborough
Meeting Minutes
Thursday February 17, 2022

The meeting opened at 7:33 pm

Board Members present: Bob Rogers, Paul Best, Mike Decubellis, Larry Laroche, Tom Chrisenton, Ray Humphreys (Alternate), Charlie Post (Chair) and Mark Chamberlain (Selectman's Representative)

Continued Business:

Public Hearing - Boisvert – Feel Good Farm AirSoft Business Permit Application

Map 217, Lot 14 at 52 Johnson Corner Larry and Sharon Boisvert are requesting a non-residential site plan review for a permit to operate their AirSoft Business. Their five-year renewal permit expired two-years ago. Review of proposed conditions from the last meeting.

Attorney Lombardi and Mr. Boisvert provided a counter proposal to the proposed conditions from the last meeting. The Planning Board reviewed the conditions for approval and the following action was taken:

Item 2 was changed to: Explosives: No explosive devices shall be permitted.

Item 4 was changed to: Setbacks: The Site Plan setbacks along Curtis Brook shall be 125 feet measured from the centerline of the stream. All other setbacks shall be 100 feet. All setbacks shall be clearly marked every fifty (50) feet with a minimum height of 3 feet and a maximum height of six feet above the ground to be completed within ninety (90) days from notice of decision. There shall be no Airsoft play beyond the stated setback markings. Players may use the gravel road that runs in the buffer area along Curtis Brook on the northeasterly side of the Airsoft Competition Area (as shown on the plans) but only for the purpose of accessing other portions of the Airsoft Competition Area, including those of higher elevation, to move props and equipment to those areas within the designated buffers, to be used for gaming, which shall be restricted to the Airsoft Competition Area. The road shall be marked with notices to this effect.

Item 5 was changed to: Overnight Sleeping Area: The designated area for 'occasional overnight sleeping' shall be limited to a maximum of 48 individual Airsoft players (*or not more than 24 tents inclusive of up to 3 pop-up campers*) and, furthermore, the area shall be screened from public view along Johnson Corner Road.

Item 7 was changed to: Timing for Renewal Report: This approval shall be renewed every 2 years. Furthermore, this approval is effective from notice of decision on February 23, 2022, thereby requiring the next approval by the Planning Board to be sought in the same month of 2024, and so on. Failure to submit a request for renewal by the specified date shall be grounds for a cease-and-desist order for activities associated with this approval.

Item 9 was deleted

Public Comment:

- Dave Romer Lyndeborough, NH conveyed his concern as an abutter that the noise from the games not interfere with his enjoyment of his home and property
- Ashley Shahari – Monadnock Ledger-Transcript asked if the explosive regulation was resolved
- Dave Garner – Stated that spring loaded grenades were adequate
- Michael Fell – Stated that there were low decibel game grenades available

A motion was made by Bob Rogers to accept the conditions for Airsoft Games at Feel Good Farms. The motion was seconded by Paul Best and passed as a unanimous vote. (See attached conditions approved)

A motion was made to approve the application of Feel Good Farms with the amended conditions by Paul Best. The motion was seconded by Bob Rogers. The vote was unanimous to accept the application with amendments.

The Public Hearing was closed.

Public Hearing - Two Lot Conservation Land Subdivision, Lot 288 Lot 1 – Noticed, Application Approval – Pending Tom & Ginny Chrisenton propose subdividing the 82 acre lot off of Driscoll Road, Greenfield into two lots of 50.4 acres and 31.8 acres.

The applicants withdrew their application. The hearing was closed

New Business

Lot line adjustment, five lots: Map 230, Lot 5; Map 230, Lot 05-02: Map 230, Lot 07; Map 230, Lot 08; and Map 230, Lot 08-01 (Noticed) The five properties total 122.8 acres off Woodward Road. Owners

Tom & Ginny Chrisenton propose adjusting lot lines to give access to Class VI portion of Woodward Road.

No action taken

Board Discussion

Botte – Pinnacle Road subdivision application review

Application submitted on-time – notice deadline missed by PB

Application will be heard at the next meeting

Public Hearing Continued:

Rules of Procedure and adoption - new

- Change meeting notice to web-based from newspaper requirement

Motion: Notice of planning board meetings and public hearings will be made on the town website and two public places i.e. the Post Office and Citizen's Hall

Tom Chrisenton made the motion, Paul Best seconded the motion

5 in favor, 1 opposed the motion carried

- Change application notice to 21 days from the current 15 days

Motion: All formal applications shall be submitted with the town offices not less than 21 days before the next meeting. Motion made by Mark Chamberlain Paul Best seconded motion

5 in favor, 1 opposed

- Change advance adoption agenda requirement

Motion: Planning Board agendas will be posted at least ten days prior to the meeting on the town website.

Paul Best made the motion, Tom Chrisenton was the second. Unanimous votes in favor. Motion carried.

Correspondence

Letter received from the Conservation Commission chair, Jon Polmer. The letter was read by Chair Post and is attached.

Approve Minutes

Mark Chamberlain made the motion to accept the minutes from the January meeting with the changes he proposed. The motion was seconded by Ray Humphry. Unanimous vote. The minutes were accepted.

Adjournment

Motion to adjourn: Larry Larouche, Second Paul Best Unanimous

Meeting ended 11:10 pm

Attachment 1 – FFG Conditions

The planning Board of Lyndeborough approved the application made by Feel Good Farms on February 17, 2022, with the following conditions:

Conditions RE: Airsoft Game

1. Bull Horn: Bull Horn shall be limited in use only to inform Airsoft players of a pending emergency (*i.e., thunderstorm approaching, etc.*).
2. Explosives: No explosive devices shall be permitted.
3. Setbacks: The Site Plan setbacks along Curtis Brook shall be 125 feet measured from the centerline of the stream. All other setbacks shall be 100 feet. All setbacks shall be clearly marked every fifty (50) feet with a minimum height of 3 feet and a maximum height of six feet above the ground to be completed within ninety (90) days from notice of decision. There shall be no Airsoft play beyond the stated setback markings.

Players may use the gravel road that runs in the buffer area along Curtis Brook on the northeasterly side of the Airsoft Competition Area (as shown on the plans) but only for the purpose of accessing other portions of the Airsoft Competition Area, including those of higher elevation, to move props and equipment to those areas within the designated buffers, to be used for gaming, which shall be restricted to the Airsoft Competition Area. The road shall be marked with notices to this effect.

4. P/A System: P/A System shall be limited in use only to inform Airsoft players of a pending emergency (*i.e., thunderstorm approaching, etc.*).
5. Overnight Sleeping Area: The designated area for 'occasional overnight sleeping' shall be limited to a maximum of 48 individual Airsoft players (*or not more than 24 tents inclusive of up to 3 pop-up campers*) and, furthermore, the area shall be screened from public view along Johnson Corner Road.

6. Inspections: The Feel Good Farm owners shall allow for inspections by the Lyndeborough Code Enforcement Officer at least annually. Said inspections shall be at a time agreed to by both the Town Code Enforcement Officer and the owners of Feel Good Farm. The Code Enforcement Officer and Health Officer shall inspect the facilities, including props, for safety concerns.
7. Timing for Renewal Report: This approval shall be renewed every 2 years. Furthermore, this approval is effective from notice of decision on February 23, 2022, thereby requiring the next approval by the Planning Board to be sought in the same month of 2024, and so on. Failure to submit a request for renewal by the specified date shall be grounds for a cease-and-desist order for activities associated with this approval.
8. Food and Store: The accessory food that is sold, as well as the shop selling goods relative to the Airsoft activities will be allowed as incidental and accessory to the Airsoft activity. Provided, both the food sales and the store remain both incidental and accessory to the Airsoft activities and are only available during the hours that permissible Airsoft activities are taking place. The owners of Feel Good Farm are subject to all State of New Hampshire regulations relative to both the food sales and the sale of goods relative to the Airsoft activities.
9. Timing for Annual Report: An annual Report shall be filed with the Planning Board and the Code Enforcement Officer within 30-days of the anniversary date of the Planning Board Notice of Decision. Failure to submit the report within the specified time shall be grounds for a cease-and-desist order for activities associated with this approval.

Attachment 2 Conservation Commission Letter

John Pomer <johnpomer@mac.com> Thu, Feb 17, 11:17 AM (7 days ago)

to me, Sharon, Kurt, Terry, Mark, Michael, Margaret, Apple, Greg

Charlie,

I appreciated your phone call making me aware that the proposed language change to Lyndeborough's Zoning Ordinances would not be in one of this year's Town Warrant Articles due to a "posting technicality".

As you expect, the Conservation Commission was surprised and disappointed that the language did not make it into a warrant article for this March Town voting to allow voters the opportunity to support this warrant to protect our town's natural resources. Town meetings are the best examples of democracy in action. Walter Holland as moderator expresses this sentiment most every year. It is a time where the voters make the decisions, not a small group or even an individual.

The Conservation Commission proposed a fifty (50') foot buffer – the bare minimum recommendation. A one hundred foot (100') buffer has been the preferred minimum distance for several decades (see ***Buffers for Wetlands and Surface Waters.pdf*** starting at page 25). We chose the 50 foot minimum to incorporate some value other than "zero". Also, the Commission desires to avoid any undue burden to the citizens of Lyndeborough since there is a significant amount of wetlands in town. This is a balance between protecting town resources and the town residents.

The building inspector has been requesting a defined setback. It provides the building inspector with tangible guidance.

The language change is something that will help Lyndeborough preserve its rural nature with minimal restrictions for the landowners. There are processes to obtain a variance in those few situations that may arise.

Again, the Conservation Commission is disappointed that the voters will not be able to allow voters the opportunity to support this warrant to protect our town's natural resources during this March Town meeting.

Respectfully,

John Pomer