

March 7, 2018

Re: **Preliminary Review** - Development of Regional Impact – MiTeJo Campground, Proposed Campground Expansion

Dear Committee Members:

Per NH RSA 36:55, a Development of Regional Impact means any proposal before a local land use board which in the determination of such local land use board could reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:

- I. Relative size or number of dwelling units as compared with existing stock.
- II. Proximity to the borders of a neighboring community.
- III. Transportation networks.
- IV. Anticipated emissions such as light, noise, smoke, odors, or particles.
- V. Proximity to aquifers or surface waters, which transcend municipal boundaries.
- VI. Shared facilities such as schools and solid waste disposal facilities.

Per the Town of Milton, on February 22, 2018 a declaration of potential regional impact was approved by the Zoning Board of Adjustment for the MiTeJo Campground application for a Special Exception related to the expansion of an existing campground (Tax Map #28, Lot 4) located at 111 MiTeJo Road in the “Low Density Residential” zoning district.

The Strafford Regional Planning Commission (SRPC) received formal notice from the Town of Milton of said ***Development of Regional Impact*** on February 26, 2018. Per the Town of Milton, notices were also sent to the Town of Lebanon, ME and the Town of Acton, ME. On that date, SRPC also received one (1) Town of Milton “Special Exception” Application package and draft meeting minutes for the February 22, 2018 meeting of the Town of Milton Zoning Board of Adjustment.

This review has been amended from its original format at the request of the Regional Impact Committee to contain additional discussion of issues raised by the Committee and members of the public at the March 6, 2018 public meeting of the Regional Impact Committee. Further discussion of these items appears in italics below as an addition to or revision of our original review.

Transportation – Access – Parking

1) Will the proposed development cause an increase in motor vehicle traffic or other traffic that will impact the safety of the transportation system?

Both the Traffic Impact Assessment, and the subsequent technical review concluded that the proposed site expansion was unlikely to result in large increases in traffic volumes. Additionally, analysis of crash data in the study and technical review concluded that the proposed expansion and traffic volumes would not have an undue adverse effect on the safety of Townhouse Pond Road. The third party review contains recommendations for further review that could positively impact safety conditions.

2) Will the proposed development cause an increase in motor vehicle traffic or other traffic that will increase congestion on the transportation system in the adjacent town?

Third party review of the Traffic Impact Assessment found that the applicant's consultants used accepted practices for an effective traffic study. Both the Traffic Impact Assessment and the subsequent technical review concluded that the proposed site expansion was unlikely to result in large increases in traffic volumes or additional congestion.

3) Will the proposed development create the need for infrastructure improvements?

The Traffic Impact Assessment and subsequent technical review both indicated good to excellent levels of service provided by the transportation facilities under consideration. The proposed expansion is expected to require additional on-site transportation infrastructure to allow for increased circulation. Milton may consider whether off-site improvements for traffic calming, visibility, or signage could improve vehicle and pedestrian safety as part of this project.

4) Will the development result in inadequate emergency access?

Proposed expansion at this site is not expected to result in insufficient emergency access to the interior of the site or to other facilities on Town House Rd. Consideration should be made during site review to ensure that safe access throughout the site is maintained.

5) Does the development meet minimum local parking standards or are there provisions for other modes that reduce the need for parking?

It seems reasonable to expect that parking access for proposed site expansion would be consistent with existing conditions and purposes (e.g. campsites). This site is not expected to result in insufficient parking. Additional consideration for minimal parking requirements will occur during site plan review.

6) Does the plan provide for safe access within the development for all modes (ADA compliance, sidewalks, crosswalks, lighting)?

The Traffic Impact Assessment and subsequent technical review both indicated good to excellent levels of service at relevant access points. However, in light of existing pedestrian safety concerns, Milton may consider whether off-site improvements for traffic calming, visibility, or signage could improve pedestrian safety as part of this project. Additional consideration for interior circulation and vehicle and pedestrian safety will occur as part of site plan review.

Conflicts with Policies, Plans, and Programs – Noise

7) Will the development expose persons to or generate noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies?

Noise levels in the expansion portion of the campground should be similar to the existing campground facilities. Construction activities related to the proposed expansion may create a

temporary increase in noise, but will not permanently alter ambient noise levels. Milton may wish to consider limitations on the hours of construction and site work for the expansion. Additional consideration of screening during site plan review may help to mitigate any noise coming from the campground.

The proposed expansion will result in an approximately 73% increase in the number of campsites (see item 42). When estimating future impacts related to expansion, such as noise levels, the existing campground conditions provide the best estimate of how the future expansion areas will operate. Where this report indicates that conditions “will be similar” to existing facilities it assumes that the expansion areas will have roughly 73% of the impact of the existing campground on top of existing conditions. For example, the expansion areas could be expected to produce 73% of the noise that the current campground produces, which would occur in addition to existing noise levels. The Regional Impact Committee reiterated the importance of ensuring adequate screening for abutters by maintaining existing vegetation and supplementing it as necessary.

8) Will the development expose persons to or generate excessive ground borne vibration or ground borne noise levels?

A campground is not expected to generate excessive ground borne vibration or noise levels. Any possible exposure would likely be a result of construction related to the expansion and would be temporary.

9) Will the development substantially and permanently increase ambient noise levels in the project vicinity above existing levels?

Noise levels in the expansion portion of the campground should be similar to the existing campground facilities. Construction activities related to the proposed expansion may create a temporary increase in noise, but will not permanently alter ambient noise levels.

10) Will the development substantially increase temporary or periodic ambient noise levels in the project vicinity above existing levels?

Additional information related to clearing the site and constructing the proposed expansion is necessary to determine whether substantial temporary increases in noise level are likely. Activities such as the clearing of trees or construction vehicle motion alarms activated by onto the site could be expected to result in temporary increases in ambient noise levels. Milton may wish to consider limitations on the hours of construction and site work for the expansion.

11) Is the development located within an airport zone or within two miles of an airport or airfield, where the project would expose residents or employees in the project area to excessive noise levels?

No. The proposed site is not located within two miles of an airport.

Hazardous Materials or Substances

12) Will the development create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Information provided by the applicant does not indicate that routine transport, use, or disposal of hazardous materials will be necessary.

- 13) Will the development create a significant hazard to the public or the environment through the reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Information provided by the applicant does not indicate that routine transport, use, or disposal of hazardous materials will be necessary. NH DES standards applied as part of Alteration of Terrain permit, subdivision permit, or septic plan approval should prevent any reasonably foreseeable upset or accident.

- 14) Will the development produce hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school?**

Information provided by the applicant does not indicate that routine transport, use, or disposal of hazardous materials will be necessary.

- 15) Will the development be located on a site that is included on a list of hazardous materials sites compiled by the NH Department of Environmental Services and, as a result, would it create a significant hazard to the public or the environment?**

No environmental hazards have been identified for this site.

Ecology and Resources

- 16) Will the development have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the U.S. Fish and Wildlife Service?**

Expansion of the campground will not be introducing a new use to this parcel. Expansion of the campground to new locations will modify habitat in new locations, but there is not expected to be a substantial adverse impact. Any adverse impacts as a result of expansion should be expected to be similar to those of the existing campground.

- 17) Will the development have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the New Hampshire Department of Fish and Game or U.S. Fish and Wildlife Service?**

See above.

- 18) Will the development have substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

The “Expansion Plan” submitted by the applicant does not appear to impact areas identified as wetlands onsite. Additional required review, including permits from NH DES and site plan review by the Town of Milton Planning Board will continue to monitor plans for possible impacts to wetlands.

While the proposed plans do not indicate physical disturbance of wetlands onsite, future plan submissions, including stormwater and septic infrastructure should be carefully considered to avoid possible negative impacts to wetland. The Regional Impact Committee suggests submitting such plans for third party review as necessary to ensure compliance with Town standards and environmental best practices.

19) Will the development interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Expansion of the campground will not be introducing a new use to this parcel. Expansion of the campground to new locations may impact wildlife in the impacted areas, but there is not expected to be a substantial adverse impact. Any adverse impacts as a result of expansion should be expected to be similar to those of the existing campground.

20) Will the development conflict with any local policies or ordinances protecting biological resources, such as a conservation easement, tree preservation policy or ordinance?

The proposed use is already established onsite. The proposed expansion is not expected to contain uses or facilities that differ significantly from the existing facility in relation to biological resources.

21) Will the development conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

The proposed use is already established onsite. The proposed expansion is not expected to contain uses or facilities that differ significantly from the existing facility in relation to conservation plans.

22) Will the development have a substantial adverse effect on Groundwater Quality?

The proposed expansion is most likely to impact groundwater quality as a result of increased septic needs. The applicant will require an Alteration of Terrain Permit, subdivision permit, and approved septic plan from NH DES. Acquiring approvals for the above plans should prevent substantial adverse impacts. The Town may consider subjecting septic, stormwater, and water supply plans to third party review as they become available to ensure compliance with the Town’s regulations.

Speakers at the public forum expressed concerns related to water quality, including possible spreading of invasive species due to increases in boat traffic from this site. The applicant indicated that washing facilities were provided and that campground rules currently require all boats to be washed when using boat launches. A commitment to these or other best practices may

be considered as a condition of approval by the Planning Board during site plan review if necessary. Future plan submissions, including erosion control measures and stormwater and septic infrastructure should be carefully considered to avoid possible negative impacts to water quality. The Regional Impact Committee suggests submitting such plans for third party review as necessary to ensure compliance with Town standards and environmental best practices.

23) Will the development have a substantial adverse effect on Air Quality?

The greatest threat to air quality would likely come from vehicle emissions. Milton may wish to discuss dust control measures during construction and site work as this project proceeds towards the construction phase. In both cases, any impacts to air quality would be temporary.

Speakers at the public forum identified concerns relating to the amount of existing smoke from campfires and the likely increases of these impacts as a result of the proposed expansion. The NH DES Division of Air Resources offers a variety of [resources](#) discussing the environmental impacts of wood smoke, though these resources are primarily concerned with residential wood stoves and boilers. The Regional Impact Committee also recommends that the Milton Fire Department be consulted during site review to ensure that the proposed expansion follows best practices for fire safety.

Hazards – Public Health and Safety

24) Will the development expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides or flooding?

The applicant will require an Alteration of Terrain permit from NH DES, which would consider possible impacts as a result of landslides or flooding and would require the applicant to mitigate expected negative impacts. Plans submitted by the applicant do not appear to include new development within the 100-year floodplain. A portion of MiTeJo Road accessing the existing campground and west expansion area crosses the 100-year floodplain. The applicant appears to have secondary access via Hide Away Lane and Lyman Road in case of emergencies.

25) Will the development result in substantial soil erosion or loss of topsoil?

The applicant has indicated that proposed site work would require an Alteration of Terrain permit from NH DES, which will consider potential for soil erosion or loss of topsoil. Plans for erosion control during construction and site stabilization after construction are typically considered during site plan review, but the applicant may be able to provide information about the types of strategies that will be applied if the ZBA has concerns.

26) Will the development be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

The applicant will require an Alteration of Terrain permit from NH DES, which would consider the stability of soils onsite.

27) Will the development be located on soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for disposal of wastewater?

The existing campground already has a state-approved septic plan for the existing facility. Suitability of soils will be further considered as part of the Alteration of Terrain permit, subdivision permit, and septic plan approval from NH DES to ensure that local soils are capable of supporting expanded septic service on this site.

Facilities

28) Will the development require new or expanded Fire protection facilities or services in the adjacent municipality in order to maintain acceptable service ratios, response times or other performance standards?

Expansion of the campground may impact interior circulation for fire protection services. Consideration should be made during site review to ensure safe access throughout the site. The proposed expansion is not expected to require expanded facilities or services in adjacent communities.

29) Will the development require new or expanded Law Enforcement facilities or services in the adjacent municipality in order to maintain acceptable service ratios, response times or other performance standards?

Expansion of the campground may impact interior circulation for law enforcement services. Consideration should be made during site review to ensure safe access throughout the site. The proposed expansion is not expected to require expanded facilities or services in adjacent communities.

30) Will the development require new or expanded School facilities or services in the adjacent municipality in order to maintain acceptable service ratios, response times or other performance standards?

The proposed expansion is a seasonal recreational use and is not expected to impact school facilities.

31) Will the development require new or expanded Parks facilities or services in the adjacent municipality in order to maintain acceptable service ratios, response times or other performance standards?

The proposed expansion is a seasonal recreational use and is not expected to impact park facilities in neighboring municipalities.

32) Will the development require new or expanded Solid Waste facilities or services in the adjacent municipality in order to maintain acceptable service ratios, response times or other performance standards?

The proposed expansion is a seasonal recreational use and is not expected to impact solid waste facilities in the adjacent municipalities.

33) Will the development cause an increase in new or expanded utilities, treatment facilities, storm water, water supplies, etc., that would result in a negative financial or environmental impact to the adjacent municipality?

The applicant has indicated that this site will require an Alteration of Terrain permit, subdivision permit, and septic plan approval from NH DES. Review of stormwater, water supply, and onsite treatment facilities will be required as part of these permitting processes. Further review of these calculations will be conducted by the Planning Board during site plan review. In order to ensure compliance with provisions of the Town of Milton Zoning Ordinance and the Town of Milton Site Plan Review Regulations, either the Planning Board or Zoning Board of Adjustment may consider subjecting septic, stormwater, and/or water supply plans to third party review as they become available. The applicant has not indicated to date that any variance or waiver to these provisions will be requested.

Scenic and Visual Character

34) Will the development convert Prime Farmland to non-agricultural use?

No. There is no Prime Farmland located on this site.

35) Will the development conflict with existing zoning for agricultural use?

Agricultural uses are permitted by right in the Low Density Residential district.

36) Will the development involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

The campground use is already established on the site, and undeveloped portions of the site are not currently used as farmland.

37) Will the development have a substantial adverse effect on a scenic vista?

The existing campground is concentrated near the shore of the Northeast Pond/Salmon Falls River. Expansion of the campground is not expected to alter views from this location. While the existing site is heavily wooded, it is possible that the "East Expansion" will be visible from Townhouse Road. Both expansion areas may be visible from "Fish Pond".

38) Will the development substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The proposed expansion is not likely to be visible from White Mountain Highway.

39) Will the development substantially degrade the existing visual character or quality of the site and its surroundings?

As mentioned above, alterations to this site may be visible from Townhouse Road and Fish Pond. However, the expansion is not anticipated to be different in character from the existing

campground. Milton may consider whether additional screening is necessary to mitigate the impacts of the expanded campground.

40) Will the development create a new source of substantial light or glare which would adversely impact day or nighttime views in the area?

Information submitted as part of the Special Exception application does not suggest that development will create a substantial source of light or glare. If the Special Exception is granted, the Planning Board should consider onsite lighting as part of site plan review and could consider requiring additional screening as a condition of approval if necessary.

41) Will the development conflict with any applicable land use plan, policy, or regulation including, but not limited to the Master Plan or Zoning Ordinance?

Per Article III – Establishment of Zoning Districts of the Town of Milton Zoning Ordinance, campgrounds and youth camps may be permitted in the Low Density Residential district by a Special Exception from the Board of Zoning Adjustment. Per Article VIII – Zoning Board of Adjustment of the Town of Milton Zoning Ordinance, the ZBA must affirmatively find the following criteria exist to issue a Special Exception:

1. That the specific site is an appropriate location for the proposed use or structure.
2. That the use will not be injurious, noxious, offensive, or detrimental to the neighborhood.
3. That there will be no undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking.
4. That adequate and appropriate facilities and utilities will be provided to insure the proper operation of the proposed use and structure so that the use will not be contrary to the public health, safety, or welfare.
5. That the proposed use or structure is consistent with the spirit of this ordinance and the intent of the Master Plan.

The Milton ZBA initially heard this case on September 7, 2017 and affirmatively found criteria 1, 2, 4, and 5 to exist. The ZBA found that criteria 3 did not exist and subsequently denied the request for a special exception. The applicant requested a rehearing on October 26, 2017 to provide additional information, and the ZBA agreed to a limited rehearing covering information related to criteria 3. A public hearing was held on December 28, 2017, at which the applicant presented the findings of a traffic impact assessment. After testimony from abutters, the ZBA tabled the case to allow the traffic impact assessment to be subjected to third-party review. The ZBA held a public meeting on February 22, 2018 at which it was determined that the application had the potential for a regional impact related to all five criteria.

Housing and Population Growth

42) Will the development induce substantial growth in an area, either directly (for example, by proposing new homes or businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The applicant is proposing to expand the existing 223 site campground by adding 173 new sites. This is a roughly 78% increase in the total number of sites on a 225-acre parcel. Average density would increase from approximately 1 site per acre to 1.76 sites per acre. These sites would be supported by on-site improvements for water, septic, and other amenities, but are not likely to result in substantial growth or infrastructure off-site. The campground is a seasonal, meaning the most intense impacts of on-site growth would be during the summer.

The applicant indicated that 10 campsites had been removed from the proposed East Expansion Area in response to abutters' concerns. This would result in 163 new units, which is a 73% increase over current campsites and a density of 1.71 campsites per acre on the entire parcel.

43) Will the development displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No. No housing – permanent or temporary – will be displaced by this proposal. The proposed project is to increase the number of available campsites.

44) Will the development displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No. The proposed project would increase the number of temporary campsites on this property.

45) Is the development compatible with existing or planned cross border development?

MiTeJo Campground is adjacent to Northeast Pond, which is formed by a widening of the Salmon Falls River and forms the boundary between Milton and neighboring Lebanon, ME and Acton, ME. Existing development on the Maine side of the river consists primarily of single unit residential development, and many waterfront properties contain docks, boat launches, or other equipment providing access to the river. This site is immediately across the river from the Town of Lebanon, ME, whose Shoreland Zoning Ordinance identifies land in the 100-year floodplain as part of the “Resource Protection” district. Other waterfront property along the Salmon Falls is part of the “Limited Residential” district. Campgrounds are allowed in both the Limited Residential district and the floodplain portion of the Resource Protection district with a permit from the Planning Board.

Please contact me should you have any questions at 994-3500 or jburdin@strafford.org.

Sincerely,

James Burdin
Regional Economic Development Planner
Strafford Regional Planning Commission

cc: Town of Milton
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