

TAMWORTH PLANNING BOARD

PUBLIC HEARING

December 14, 2022

6 PM, Town Office Building

Draft Minutes

Topic: Groundwater Protection Ordinance

The public is welcome to join the meeting in-person at the Town Office Building at the above address or via Zoom by clicking on the following link:

Join Zoom Meeting

<https://us06web.zoom.us/j/7085209579?pwd=WlllWWNFQlhKTTRoVk5MK2xCNGxiZz09>

Meeting ID: 708 520 9579

Passcode: 334104

1. Meeting Called to Order. The meeting was called to order at 6 pm by Sheldon Perry. Present are: Sheldon Perry, Ian Haskell, Nick Grant, Randall Dearborn. Jeremy Phillips and Kit Morgan (GPO Committee) are also present. Karen McCall (GPO) is present on Zoom. Pat Farley, Lianne Prentice-Select Board Representative, Andy Fisher are absent.
Members of the public present: Paul King, Ned Beecher, David Little, Nelson O'Brien, Kelly Goodson.
2. Introductions – The Board and committee members introduced themselves.
3. Nick Grant gave a brief summary of the purpose, process and progress of the Groundwater Protection Ordinance.
4. Opening of the Public Hearing and the Rules of Administrative Procedure.

Sheldon read the rules of procedure and opened the public hearing at 6:09 pm.

5. Changes made to the Ordinance based on public input from the 10/25/22 Public Hearing – Jeremy led the audience through the list of changes that have been made to the draft ordinance. Article VII should be Article XII.

The RSA we are following is RSA 675, which addresses noticing and posting, hearing procedures.

The hearing was opened for public discussion.

Paul King – forestry/agriculture as well as excavation should all be treated the same. Modifications have been made, and he applauds the fact that loggers have been exempted in XII.k . Agriculture is half exempted, under VI, detailed in XII.j . Excavation contractors have not been included. He recommends lumping all three and giving them all the same exemptions.

The Board discussed this, perhaps include off site excavation activities?
Discussion about home base vs. activities out in the field.

Paul King – XI – prohibited uses – gas stations for example. Env WQ-401 does not have any prohibited uses. The grandfathering section in XI says that uses that don't conform to this regulation can continue. Under XI.e, there is a catch 22 phrase that says a nonconforming use must be in compliance.

Ned Beecher – XI.e – refers to State and Federal requirements, not this regulation. This section could be deleted.

Sheldon asked if ending E after state and federal requirements solve the problem.

Paul's recommendation is to eliminate E. When the Planning Board reviews this, he recommends that they eliminate E.

Paul spoke about the new definition under impervious. He was unable to locate items online that would fit that definition.

Check portable spill containment devices. Temporary short term operations defines where the item would be used.

David Little – by eliminating VI.k, that is where impervious surface was listed, so you no longer need impervious surface definition.

Eliminate the portion that was added in.

6. Closing of the Hearing. The hearing was closed at 6:42 pm.

Sheldon thanked the Conservation Commission for getting us started on this, and the Planning Board for stepping this up.
The GPO is scheduled to meet on Friday morning at 9 am.

7. Adjournment. – Nick made a motion to adjourn at 6:47 pm, Ian seconded. The meeting was adjourned.

Respectfully submitted,
Melissa Donaldson
Planning Board Clerk