

Town of Tamworth

Planning Board

*** draft PLANNING BOARD MINUTES ***

December 19, 2012

Meeting was called to order at 7:00 pm

Members Present: Dom Bergen Chairman, David Little , Steve Gray, Pat Farley, Skip Nason and Jim Hidden, Selectmen's Representative,

Members Absent: Becca Boyden

Alternates Present: David Cluff

Alternates Absent: Nicole Maher-Whiteside, Peter Vanderlaan, Tom Peters

David Cluff is seated for Becca

Minutes:

11/28/12 Meeting: Date correction noted. Motion to approve minutes was amended by David, seconded by Steve. APPROVED

Treasurer: Steve reports that all is in order

Secretary: There is one application for a boundary line adjustment tonight, as well as two zoning amendment petitions.

CIP: no report

Ordinance Committee: No report

School Board: No report

Economic Development: Pat spoke about last week's meeting, which discussed developing a web cam for Tanworth. Funds need to be raised, approximately \$2000

Lakes Region Planning Commission: Pat reports that LRPC met last week. In January the Commissioners will be meeting to hear from the State Commission for Site Review for Wind Towers

Selectmen: Jim reports that the Selectmen discussed the fire tower camera that Pat spoke of.

Conservation Commission: Skip reports that at the last meeting, easement possibilities were discussed, and the budget was approved.

Public hearings for the petitioned warrant articles to amend the wetlands ordinance and to abolish the wetlands ordinance need to be scheduled. David made a motion to schedule the hearings for January 9 at

7 pm, at the Brett School cafeteria. Skip seconded. APPROVED. Dom will check availability for that date. If that date is not available, he will try for the 16th of January.

The proposed meeting calendar for 2013 was approved as presented on a motion by Steve. Pat seconded. APPROVED

Town of Tamworth/Helen R Steele Rev. Trust of 2006

Boundary Line Adjustment

Map 404 Lots 17 and 18

Chinook Trail

The Conservation Easement is not on the plat. Steve made a motion to accept the application as complete. Skip seconded. APPROVED

Dom read the procedures for the hearing. The hearing was opened at 7:15 pm

Paul King presented the application. There are discrepancies between how the lots are set and the deed lines. He would like to adjust the boundaries so both lines line up with the fences. David states that it appears that the lines from the 2008 boundary line adjustment do not appear to line up. Paul explained that by using 2 points and mathematics the points could be determined. There are three math mistakes on 113, so the easements cannot be pinpointed. Easement holders are going to have to correct their easements. Green Mountain Conservation Group and US Department of Agriculture hold easements on the property.

Sue Knight, from the USDA, has questions about the BLA and subdivision. Blair Foltz, from the Green Mountain Conservation Group, feels that the Planning Board does not have the authority to consider this. She would like to know if Paul's numbers match the deed. Sue Knight feels that the legal description should close and trace the cemetery boundaries. Blair feels that this is a corrective deed process, not a BLA. John Wheeler, Cemetery Trustee, explained why Paul King was hired and is looking for suggestions on how to fix the problem. He does not want to cause problems for the Town, easement holders, etc. David Cluff asks what would happen if nothing is done. Paul states that some plots and headstones are outside the boundaries. Steve would like to know if the conservation easement surrounds the property, and if the easement holders will lose 4' on one side, but gain it on the other side.

Blair Foltz states that Helen Steele, NRCS and GMCG need to resubmit the survey and get a corrected easement deed.

Sue Knight feels that the original surveyor needs to match up their data with Paul's data before a land swap can happen.

David made a motion to continue this hearing to March 27th.

Helen Steele would like to know if this can't be handled internally. How much is this going to cost? She doesn't want to make trouble for this easement. Is there a way to fix this?

David Cluff seconded the motion. Paul King grants an extension to the hearing date proposed. John Wheeler stated that the Cemetery Commission will inquire about adjusting the lots.

The motion was APPROVED

The hearing was closed at 8:02 pm.

SUBDIVISION REGULATION AMENDMENTS

The hearing was opened at 8:02 pm. Proposed changes were reviewed page by page.

On page 3, section III.e, Jim suggests dropping the last line. Paul King agrees. Change "new" to additional. Dave C. suggests that NHDES has a definition for Boundary Line Adjustment, and perhaps we should use that. Consider adding a definition of Boundary Line Adjustment.

Page 4 – Paul King made the following suggestions:

H – Driveway – definition should include existing and state approved driveways

I – easements – strike "irrevocable"

J – Frontage – strike the stuff about Class VI highways

K – Change plat to "plan"

L- add "or divided by a road" at the end

Q – strike "site plan"

V – "dedicated road" – town has very few of these. Delete everything except the first sentence

Page 5 – Section Y - David Cluff – define by Army Corp of Engineers or per industry standard

IV :a – Paul feels this section is way too vague and that it should be removed

Page 6 –

A – remove the whole sentence

E – NH WSPC is now NH DES. The State regulation is now at 35% slope. We are at 15%, Section F is the same deal

B, C, D – all relate to # of bedrooms. Let the State decide that.

B- strike "of not more than 4 bedrooms

C – remove

Minimum lot size shall be determined by a table in Appendix A.

New A – lot sizing shall be determined by the Soils and Slopes table in appendix A. C&D are gone

Section E becomes section B. Start with minimum lot size, delete all prior, end after services.

Delete F and G

H is up for consideration. Dave C and Paul will research.

Page 7 –

2b – or 50' access strips to back land

3 – setback of 50' for dwellings. Septics have to be 75' in poorly drained or 125' in very poorly drained soils

Remove entire section?

3. Reference WCO – Construction activities and septic systems shall conform to Tamworth WCO

Insert 4. State Fire Code needs to be adhered to. Remove all of the previous #4.

Strike F and strike H

Page 8

I – strike last sentence

J&K – remove

L – delete “private”

FEMA requires the changes to the subdivision regulations. We need to get this done.

Section 9b – approve change to 9b as recommended, but include “FEMA supplied base elevation data”

David made a motion to approve the amendment as written. Pat seconded. APPROVED – Opposed by David Cluff and Jim Hidden

This hearing was continued to January 23, 2013.

FLOOD PLAIN –

The hearing was opened at 9:48 pm.

Paul King's comments (by page) are listed below:

1a – remove the shaded stuff

3 – maps are dated in the future. This is not appropriate. Go to original maps.

4 – development includes storage of materials

6 – shaded area – effective date (16 July 1991)

7 – we don't have floodways in Tamworth. Definition of special flood hazard area. Violation – development includes storing stuff

8 – top, building permit – should be zone AE only. As built, elevations, etc. No base flood elevations are available

9 – g 3 and 4 – no floodways

10 - #2 – zone A 100 year flood data is not available

I – elevations, zones A and AE – delete Zone A

11 - 5 - delete Zone A

The public hearing was closed at 10:12 pm.

David made a motion to submit the proposed amendments to the town clerk to put on the ballot for Town Meeting on March 12th, 2013. Skip seconded APPROVED - Dave C and Jim H opposed.

The following proposed amendment to the Planning Board Rules of Procedure was read.

“III: Application, submission and review procedures

B. Lot Merger

An application/Notice of Merger is approved by the Planning Board. Copies are filed with the Carroll County Registry of Deeds and with the Town of Tamworth Assessor's Office. Application/Notification Form (including fees) is available at the Town Offices, by Mail (84 Main Street., Tamworth, NH 03886), and downloadable at the Town website: <http://www.tamworthnh.org/ord.html> (see “Applications For Town-Issued Permits, etc”).

Skip made a motion to adjourn at 10:18 pm. Pat seconded. APPROVED

Respectfully submitted,

Melissa Donaldson
Planning Board Clerk