

# Town of Tamworth

## Planning Board

\*\*\* MINUTES \*\*\*

May 26, 2010

**Meeting called to order at 7:05 pm.**

**Members Present:** Dom Bergen Chairman, David Little, Becca Boyden; John Roberts, Selectmen's Rep, Steve Gray, and Skip Nason.

**Members Absent:** Nicole Maher-Whiteside

**Alternates Present:** Pat Farley, David Cluff (7:24 pm)

**Alternates Absent:** Tom Peters

Pat is seated for Nicole.

### MINUTES:

Minutes from 04/28/2010 – corrections noted. Becca made a motion to approve as corrected. Pat seconded. APPROVED. John abstained.

Minutes from 05/20/2010 site walk - correction noted. Becca motioned to approve as corrected. David seconded. APPROVED

**Treasurers Report:** Steve reports that we are doing fine. PB has collected 99.03% of the budget for application fees. We are losing money on the application fees, needs to be addressed later in the meeting. OK is given to Melissa to order envelopes. Ann has requested that the Planning Board spend approximately \$75 to purchase an additional chair for the meeting room.

**Secretary's Report:** David reports that there are applications for Thompson Trust – subdivision and boundary line adjustment., AT&T cell tower, a Boundary Line Adjustment (Haen) and an SUP. The planning board has received a letter from PSNH regarding tree cutting that will need to be addressed later in the meeting.

**Land Use Regulation Committee:** David distributed a list of performance standard objectives and categories.

**Capital Improvements Committee:** Steve will ask to appoint John Cleveland to the CIP at a later point in this meeting.

**Ordinance Review Committee:** Dom reports that the ORC will be focusing on subdivision regulations to see if the application and procedures can be improved. Special focus on delivery of information at the last

minute, not allowing time to review prior to the hearing. Next meeting of the ORC is June 7, at 7 pm, Town Hall.

Reports are postponed until after the hearing(s)

David reports that Thompson and ATT have both submitted requests for continuances. For Bemis/Thompson, Dave made a motion to continue to the June meeting. John seconded. APPROVED

AT&T – David motioned to continue this hearing to June 9, 7pm at the Tamworth Town House, for a joint meeting with the ZBA. Pat seconded. APPROVED

### **HAEN Boundary Line Adjustment, Map 206 Lot 57**

Belinda Haen submitted an application for a boundary line adjustment on May 7, 2010. Abutters were noticed. An additional noticing fee of \$6 is due, for re-sending a notice to an abutter whose address was provided incorrectly. David made a motion to accept the application as complete, pending receipt of the additional \$6. Skip seconded. APPROVED.

The public hearing was called to order at 7:23 pm by Chairman Bergen. The Board was introduced. Kevin Tilton of HEB Engineering (agent for Belinda Haen) presented the proposal. A boundary survey was done by the Haens, who are preparing to build a house on this lot. In this survey, it was found that the Merrithew's home and septic are on land belonging to the Haens. It is a 6 acre lot, the portion affected is approximately ½ acre. A test pit has been dug. Ned Beecher has no issues with the septic, which will be outside of the wetlands buffer. .43 acres will be transferred to the existing Merrithew lot.

Sally Ann Garcia, neighbor, has a question about whether certain pins were found. Kevin replied that yes, they were.

The public hearing was closed at 7:29 pm. A motion to approve the boundary line adjustment as presented was made by Becca. Steve seconded. APPROVED

### **REPORTS CONTINUED:**

**School Board** – Pat Farley – Regular meeting for May has not happened yet, it has been postponed to May 27.

**Economic Development Committee:** Pat Farley- Lakes Region Planning Commission Annual meeting is June 28.

**Lakes Region Planning** – Pat reports that broadband is coming. She would like to send special thanks to Dennis Quinn, Bryan Foyer, the early and the new EDCs for all their hard work. A grant for \$100,000 was received from the Tamworth Foundation for implementation , which will provide town wide wireless internet access. This money will cover installation and software for levels of access. New Hampshire Charitable Foundation is hoping to use Tamworth as a model for other towns. LRPC deals with the whole region. Pat is anxious to share ideas with other geographical areas in regards to mutual efforts.

**Selectmens Report** – John Roberts introduced himself.

**Conservation Commission** – Skip reports that the Conservation Commission, and Dick Fortin of Tin Mountain are working on a project to bring native brook trout habitat to Sanborn Brook. A SUP is required, The application is dated May 11, it will be discussed at the next meeting of the Planning Board.

**Earth Excavation Committee:** defer to later in this meeting

Alternates: Two individuals expressed interest in being alternate members to the Planning Board, Lianne Prentice and Peter Vanderlaan. Lianne is not present tonight. Peter Vanderlaan introduced himself, sharing his background as Fire Chief and a member of the Land Use Board in Santa Fe. Pat made a motion to appoint Peter as an alternate to the Planning Board. John seconded. APPROVED.

John Mersfelder expressed concerns about Lianne being an alternate, as she is a member of the ZBA. David has researched this issue, and sees no conflict.

Draft of Groundwater Protection Ordinance: A draft copy was handed out. Ned and Cathy made the first round of edits. Cathy is on hand this evening to present the draft, and requesting feedback. Can this ordinance stand alone in a town without zoning? Des said yes. A conditional use permit is allowed, with an application to the Planning Board. The next step is a work session on June 11. A discussion was held regarding what the grandfathering time frame is for gas stations. This information is unknown at this time. Skip would like to say thank you to Ned and Cathy for their work on this ordinance.

**Earth Excavation Regulation and Application:**

David made a draft regulation and matching application from the information Dave C provided last month. Dave C. likes the application, as it follows 155E and contains additional Planning Board controls for new operations. Steve would like to know how frequently, and who would be doing the inspections. The Planning Board must inspect all pits that receive permits. This regulation would require a visit before the permit is issued, with annual re-issue. This Planning Board can not issue a permit if the State and Federal regulations are not met.

A discussion as held regarding whether this should be a regulation or an ordinance.

As a pit owner, John would like it noted that he is not opposed to this, but wants to be sure that it is not too restrictive.

Becca recommends seeking advice from Atty Sager.

Homework for all Planning Board members is to read the Earth Excavation Regulation draft that was presented tonight.

**New/Old Business:**

A joint meeting with the ZBA will be held on June 9, 7 pm at the Town House. John Mersfelder led a discussion regarding joint hearings. The ZBA is recommending that one clerk take the minutes from this hearing. The applicant must apply to both boards. AT&T has found that it can not meet the height guidelines, and has asked for a special exception. Abutters should not be double noticed. Abutters from Map 414-90 should be notices. AT&T sent the labels, with the stipulation that they reserve the right to challenge the inclusion of these abutters. Ann Abear will assist in getting the notifications sent out.

The Zoning Board recommends:

- Having the Town Attorney present at the joint hearing

- Melissa to take minutes at the hearing
- Consider meeting with the attorney prior to the hearing

Becca made a motion that the joint notice is a good idea. Pat seconded. APPROVED. Abutters will be noticed in one joint letter.

It is asked if the ZBA has a mechanism to continue the hearing if they need more information. Yes, this can be continued.

John would like to have Atty Sager present. Dom will call tomorrow. Send your thoughts and concerns to the chairman of the board, who will be meeting with the ZBA chairman and the town attorney prior to the hearing.

Fee schedules were discussed. Currently the newspaper noticing fee is charged at \$26. It costs the planning board \$45 to place the ad in the newspaper. Abutter notices are charged at \$6.00 each. The postage alone on a registered letter is \$5.54.

Becca made a motion to increase the newspaper fee to \$45 and to increase the abutter notifications to \$10 each. Steve seconded. APPROVED

Steve makes a motion for the Planning Board to appoint John Cleveland to the CIP. Becca seconded. APPROVED

LeTarte – Dom read the letter that was sent to Mr. LeTarte, asking that he supply the information required by RSA 155:E . He would like it attached to the minutes. (see binder)

June 23 is the next regular meeting of the Planning Board.

Becca makes a motion to spend approximately \$75 to purchase a chair, as similar as possible to the existing chairs. Steve seconded. APPROVED.

Mr LeTarte has questions regarding what information is being requested, that is not already on file at the Town Office. Steve advises reviewing the list of 7 required items in the RSA. John R will assist Steve with this project. Mr LeTarte will provide copies of his state permits.

A motion was made to adjourn at 9:37 pm by Pat. David seconded. APPROVED.

Submitted by

Melissa Donaldson, Planning Board Clerk