

Town of Tamworth

Planning Board

*** MINUTES ***

September 22, 2010

Meeting called to order at 7:03 pm.

Members Present: Dom Bergen Chairman, David Little, Nicole Maher-Whiteside, Steve Gray, Becca Boyden, Bob Abraham, Selectmen's Rep,

Members Absent: Skip Nason

Alternates Present: Pat Farley, David Cluff

Alternates Absent: Tom Peters, PeterVanderlaan

Pat was seated for Skip.

Approval of Minutes:

Minutes from 08/25/10 - one correction noted, spelling of David's name. Becca made a motion to approve the minutes as corrected. David seconded. Nicole abstained. APPROVED

Minutes from 09/08/10 Work Session - one correction noted, addition of the word "reporting". Bob made a motion to approve the minutes as corrected. David seconded. APPROVED

TREASURERS REPORT: Steve Gray reported that statements are up to date. The budget needs to be revisited.

SECRETARY'S REPORT: David reports that we will be reviewing an application for an SUP tonight.

LAND USE REGULATION COMMITTEE: Nicole reports that the LURC hopes to present the draft Land Use Regulations to the Planning Board at their work session on October 13. Consensus was used to draft the performance standards.

CAPITAL IMPROVEMENTS PROGRAM: Steve reports that the CIP information is being gathered, and that the rescue, fire department and school board have all made contact today.

EARTH EXCAVATION: Will be covered later

ORDINANCE COMMITTEE: did not meet

SCHOOL BOARD: Pat reports that the SAU 13 office is moving into the Brett School in October. A citizens group is studying cost savings through consolidation of Tamworth and Madison. The School will be returning approximately \$150000 to the town.

LAKES REGION PLANNING COMMISSION: Tom and Peter are at the groundwater meeting in Moultonboro tonight. They will give a lengthy report at a future meeting.

SELECTMEN'S REPORT: Bob reports that the Selectmen are anxious to get budget information from all the departments. They are following the groundwater protection ordinance and Land Use Regulation Committee.

CONSERVATION COMMISSION: no report

WILLIAM CELKO - SPECIAL USE PERMIT

MAP 414 LOT 10 Durrell Road

David made a motion to accept the application as complete, refer to the Conservation Commission, and schedule the Public Hearing. Steve seconded the motion. APPROVED. This hearing is scheduled for October 27, 2010.

DEFINITION OF A DEAD END ROAD - MARK LUCY

Mark distributed a generic graphic to those in attendance who did not receive a copy last month. He is looking for clarification on the definition of dead end road in Tamworth. Dom has brought the issue to the attention of the Fire Department, who has stated that they have no issue with the design that was presented, as long as there are no more than 20 units. Dom doesn't feel that this proposed road is a dead end road, as it has a loop. David feels that it is a "no way out" road if there was an emergency. Becca is concerned about a disaster blocking the road and isolating the community. Steve feels that this proposal would meet the requirements. Nicole agrees. Becca has a 2000' limit in mind. David and Pat agree with Becca. David Cluff does not recall any issue with the cul de sac in Sokokis Pines. The maximum length does not apply.

GROUNDWATER PROTECTION ORDINANCE

Ned Beecher presented a draft of the proposed groundwater protection ordinance. Two versions of the draft were distributed, one using the clear language of the ordinance, the other containing annotations and definitions. The Town attorney has reviewed the draft and added some information. In the definitions, Gasoline Stations have been changed to service stations. Ned feels that a couple of the annotations contain incorrect information, and would like to correct this before sending people home with this draft.

LRPC and GMCG looked at the possibility of establishing protection for the aquifer. Belmont has been successful and was used as an example.

The purpose of the ordinance is not to be super restrictive, but to reduce risks to the aquifer. Most of this is already covered at the State level, but by adopting the ordinance, the Town will be able to educate, enforce locally, and allow an inspection program to be set up.

1/4 to 1/3 of Tamworth is defined as being a groundwater protection district. Current nonconforming uses are grandfathered. Most of these standards apply to businesses already under State regulations. Prohibited uses were determined by DES. They defined the wellhead protection areas. The Planning

Board can make changes to their map as the ordinance is written. The intention is to allow changes to be made only on the basis of scientific data. The map provided does not show the roads clearly.

Exemptions include private residences - 5 gallon limit-Heating fuels and fuels used for the generation of electricity- Temporary storage of construction materials. Pesticides are controlled at the State level.

A Conditional Use Permit process will be the responsibility of the Planning Board.

Performance standards of the groundwater protection ordinance include the proper storage of manures and fertilizers, away from drains, impervious surfaces, etc. Storage in a locked facility, checked weekly by the owner.

The town will have to establish an inspection program, which is meant to be educational. The inspector would be appointed by the Selectmen, or may be the health officer.

Becca made a motion that the Planning Board present this draft ordinance at a public hearing on October 27, 2010. Pat seconded, APPROVED

Ossipee Valley Snowmobile Club has presented two applications for wetland waivers for bridge installations. These are scheduled for public hearing on October 13, 2010, no earlier than 7:15 pm.

EARTH EXCAVATION REGULATION

PUBLIC HEARING continued...

Corrections are noted in purple ink on the copy stored in the Planning Board binder. A list of corrections is below.

- Date is corrected to 9/8/10
- Section V – A, This is the State law. The paragraph is left as written.
- Section VI – A-1. Last line is to read ...however, in no case shall the amount be less than the recommended cost estimate, prepared by a professional civil engineer licensed in New Hampshire, hired by the Town and paid by the property owner. Steve made a motion to correct the line as read above. Pat seconded. APPROVED. Bob OPPOSED
- SECTION VII –
 - A) Change to read: For excavations not requiring a permit, the following standards apply. Requirements 1-8 from RSA 155-E:4a will be inserted.
 - B) Section B will be added here. The paragraph will be the remainder of the old section A, and the 13 steps listed below will apply to excavations requiring a permit.

David moved to make the changes listed above in A and B. Becca seconded. APPROVED

3.) “permit” changed to “notification” – David moved, Steve seconded, APPROVED

11.) changed to read”or any other wetland greater than 5 acres in area, as defined by the Department of Environmental Services. Bob made a motion to make these changes to item 11. Nicole seconded. APPROVED. After discussion which resulted in the changes to 1 A and B, Steve made a motion to reconsider the previous motion and to restore item 11 to it’s previous state. Pat approved. Nicole abstained. APPROVED

13.) (NEW) Dom motioned that he would like to require pit owners to install the most current technological equipment in back up alarm systems to generate white noise. Paul King feels this language is excessive. David made a motion to change this item to "Install white noise technology". Steve seconded. APPROVED

SECTION XI - David made a motion to remove a large sentence, leaving the first sentence in the paragraph to read "After approval but before issuing any permit, the applicant shall submit to the Planning Board a bond with sufficient surety as determined by the Tamworth Planning Board. Steve seconded this motion. APPROVED

David made a motion to strike the line about the bond amount, and to replace it with the language used in Section VI, "... in no case shall the amount be less than the recommended cost estimate, prepared by a professional civil engineer licensed in New Hampshire, hired by the Town and paid by the property owner." Becca seconded the motion. APPROVED. Bob opposed.

The Earth Excavation public hearing is continued to the work session on October 13, 2010.

Budget discussion: Steve has been informed that there was money remaining in a subdivision application account, \$9. Another account has \$24 remaining. Becca motioned to return this money to the applicant. Pat seconded. Becca withdrew the motion. Pat withdrew the second. Becca motioned to transfer the monies to revenue, Pat seconded. APPROVED

Steve is concerned that legal fees have been under-budgeted on the proposed budget worksheet. Discussion ensued. David made a motion to leave the amount at \$16000. Pat seconded. APPROVED.

Nicole made a motion to approve the proposed budget. Pat seconded. APPROVED.

Nicole motioned to adjourn at 10:06. Pat seconded. APPROVED

Respectfully submitted,

Melissa Donaldson

Planning Board Clerk