

Town of Tamworth

Planning Board

*** draft PLANNING BOARD Public Hearing MINUTES ***

January 9, 2013

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: Tom Peters

Alternates Absent: Nicole Maher-Whiteside, Dave Cluff, Peter Vanderlaan

The rules of conduct for public hearings were explained. Tom Peters was seated for Becca Boyden.

The hearing was opened at 7:02 pm. This topic of this hearing is to amend the existing Wetlands Conservation ordinance.

Herb Cooper – feels tht the petition is unorthodox in it's presentation with signatures on the back and on a separate page. He feels that this is an incorrect petitions and asks that the Planning Board research it. David Little responds that he would like to check with legal counsel about this.

Ned Beecher – the outcome of this petition is the same as the outcome of the other. This petition removes the teeth of the wetland ordinance. A map of the wetlands that was created in 1980 was shared.

Chris Conrod – (see typed outline of comments in minutes binder) – compared Tamworth to other wetlands ordinances in NH and shared information that Tamworth is less restrictive than man. Amending this ordinance will not address the failed septic issue. Wetlands need to be protected.

John Watkins – (see typed comments in minutes binder) – the Chocorua Lake Conservation Foundation was voluntarily established in 1968 to protect the area around the lake, currently 4500 acres are protected. 21 of those acres are prime wetlands. Water quality at Chocorua Lake has been monitored for 33 years. On a personal level, he has found the wetlands SUP process helpful and useable. He is afraid that the “urgent” will interrupt the important, and asks the board to vote no.

Cathy Arsenault-Shea – 25 feet is nothing. Would like to see 50' or 100'

Tom Vachon – asks if there is anyone here willing to defend the amendment. He feels that this amendment is perhaps about one specific project and not on behalf of the town as a whole.

Noreen Downs – (Madison) – spoke on behalf of the Green Mountain Conservation Group – we need to protect our aquifer. Retain and perhaps strengthen the buffer requirements.

Willie Farnum – NHDES will issue a permit that allows degradation of wetlands in the area as long as they can reserve a separate area. DES can levy a fine if there is a violation but Tamworth gets nothing. We need to maintain and protect water. Fishing is a revenue source in the state and in this town.

Louise Taylor – Charles River Watershed Assn – It took over 30 years to clean that river.

Kris Rines – wildlife biologist – these buffers are important to fisheries. Sedimentation and mineralization decrease native fish populations. The 25' buffer is modest, and is about the smallest that will work.

John Mersfelder – reinforced points that have been made. Google “buffers in NH” and you will get a chart of 88 towns, as of 2005. Most of these list buffers that exceed ours. We need local control.

Andrea Kennett – spoke about the drought across the country. We need to have clean water sources, we have to look to the future.

Bill McAdams – Does not want to ruin our water. This seems to be a big thing just over the track.

PETITION TO ABOLISH THE TAMWORTH WETLANDS ORDINANCE

Dave Bowles – Ossipee Valley Snowmobile Club – has trails in many surrounding towns. Other towns only require DES approval. In Tamworth it requires more money and time. He worked for NH DOT for many years and has been looking out for the environment for a long time. He does not want to ruin any wetlands, and feels that the process in Tamworth duplicates what has to be done for DES.

Scott Aspinall – not everyone is like Dave in following the rules. The WCO is critical to protecting aquifer recharge areas. Tamworth has a history of protecting the water in this town.

Willie Farnum – regarding the Snowmobile Club – who is the next person coming along and will they be as diligent as Dave?

Geoffrey Burke – speaks of the “elephant in the room” Abolishing the ordinance is “NUTS”

Chris Conrod – for NOT abolishing the ordinance. Refer to comments from before.

Kate Thompson – there are 17 or 27 towns below us on the aquifer Keep the buffers and the ordinance.

Dom has received 2 written statements against abolishing and changing the ordinance.

David has a letter from Blair Foltz – in support of upholding the ordinance.

Cathy Aresenault-She – this involves the whole town. Keep this amendment from being passed.

Ned Beecher – comments pertain to both articles. In the past, recreating wetlands did not work well. The amendment came from out of town and nobody showed up to state their case.

John Peter Swardock – Comments on how absurd this petition is. This is a waste of time.

Skip Nason – David mentioned a field trip to the site. When you apply to DES, nobody comes to look at the site of the area they are approving. Planning Board field trips have been real eye openers. This town has voted down the aquifer protection. To eliminate the wetlands ordinance would be “NUTS” DES does not have the personnel to come out to the site.

Ned Beecher – does the Planning Board vote to support the ballot petitions one by one (Dom – yes) Does the Selectboard have to approve? (David – no) Ned asks that the Selectboard be advised/requested to weigh in on these petitions.

The hearings were closed at 8:17 pm.

Would the Planning Board approve a petition to amend the tamworth Wetlands Conservation Ordinance? 0 approve, 5 disapprove, Jim abstained

Would the Planning Board approve of abolishing the Tamworth Wetlands Conservation Ordinance? 0 approve, 6 disapprove Jim abstained

David is concerned that the RSA states amend or repeal. Jim states that Town counsel has advised that the language is acceptable. Steve asks if the Selectmen are required to submit the article as it is written or shall they change it to read abolish/repeal.

Geoffrey Burk asks if the PB is going to ascertain that the first petition is legal as written? Will it be discarded?

David states that if it is not legal, it is too late to resubmit.

Ned states that that decision may affect other petition articles.

David made a motion to adjourn at 8:30. Pat seconded. ADJOURNED

Respectfully submitted,

Melissa Donaldson

Planning Board clerk