

TAMWORTH PLANNING BOARD

Minutes

August 23, 2023

6:00 P.M.

In-person: Town Office Building, 84 Main Street **or** Join Zoom Meeting:

<https://us06web.zoom.us/j/85216848886?pwd=ZzZ0ekY4TnNsRjBrTE03Vlg3TXRGdz09>

Meeting ID: 852 1684 8886 Passcode: 334104

- 1). Call Meeting to Order – The meeting was called to order at 6 pm by Sheldon Perry. Present are: Sheldon Perry, Andy Fisher, Randall Dearborn, Greg Hufford, Ian Haskell, Pat Farley-Alternate, Lianne Prentice-Select Board Rep. Nick Grant is absent.

Pat is seated for Nick

Anna Paddock is present as interested in being alternate

- 2). Approval of Minutes:
 - 7/26/23 –Remove Lianne from present. Sheldon made a motion to approve as amended. Andy seconded. APPROVED
 - Work session 8/9/23 – Randall made a motion to approve, Andy seconded. APPROVED
- 3). Officer and Committee Reports:
 - Secretary's Report – Andy – 5 public hearings tonight.
 - Treasurer's Report – Ian – All checks were received and submitted. No budget report has been received.
 - Rep to Economic Development Commission (Greg) – no updates
 - Lakes Regional Planning Commission (Lianne) – next executive meeting is September 13. Reps meet on 25th. Pat recommends Richard Doucette as a replacement. Kelly and Wyatt are discussing who will be the alternate. Sheldon made a motion to accept the nomination of Richard Doucette, Andy seconded. APPROVED
 - Rep to Conservation Commission (Nick) - absent
 - Select Board Representative.- Lianne – Sandwich Tamworth perambulation is ongoing. Selectboard put out a call to townspeople regarding filling the space over the front door. Town logo got a facelift by Janina Lamb. Energy audit – concluded, waiting for report. Posted for part time compliance liaison.
 - CIP Committee – Ian – meeting next week. Nothing new to report
 - GPO Committee – Sheldon – will be meeting after Labor Day. He and Kit met with Keats.
 - Subdivision Regulations Review (SRR) Committee – work session earlier this month. Another work session is needed, to be scheduled tonight.
 - Education – Weds, Oct 4 – Hard Road to Travel workshop. Thurs, Oct 12 – Right to Know workshop.

- 4). Public Hearings:

- **Robinson Earth Excavations Permit Application- Map 410 Lot 57, 38 Gardner Hill Rd.**

Ian recused himself. Paul King is presenting.

Sheldon read the rules of procedure.

Opened at 6:19 pm.

This application is for a 6.5 acre expansion, 200 feet.

A reclamation estimate was provided.

Reclamation plan is not provided, other than on the plat.

There are depth limits, e.g. 2.5 feet from seasonal high water table

Ian Haskell has a concern about the application having been accepted as complete, while now asking for the reclamation plan as part of the application.

Pat Farley asked if a conditional permit could be provided if Paul delivers a reclamation plan.

Lianne asked about the notes re: reclamation standards, then the note about plan and timetable being provided. She read the requirements listed in the Earth Excavation Regulation.

C – topography, as Sheldon mentioned

d- no surface drainage other than streams shown

e & f- timetable – listed in the notes.

Adam – contours can change, Exact contours are unknown. Slopes will be reclaimed.

Sheldon would like to get legal advice about approving a plan without a reclamation plan.

Paul – issues other than topography have been addressed. Change title to earth excavation and reclamation plan.

Surety estimate may be used as a condition of approval.

2 conditions suggested– town legal advice that this is appropriate

Surety will be in the form of escrow to the Board of Selectmen.

AOT permit is pending. This would also be a condition.

Paul will add reclamation plan to the plan.

Ian asked about the waiver (for topography?) but not for reclamation plan. Just for the topo section.

Hearing closed at 6:49 pm.

Lianne made a motion to waive (c) topography of the reclamation plan, Andy seconded.

APPROVED

Lianne made a motion to approve the application conditional on:

Addition of reclamation plan to document

Surety presented to select board for escrow

AOT permit to be received

Pat seconded. APPROVED

Ian rejoined the Board.

- **T & B Investments, LLC Subdivision- Map 217 Lot 21, 425 White Mountain Highway.
(Continued from 7/26/23).**

Wes Smith – T&B Investment – septic applications have been submitted, State subdivision is being reviewed and approved. A continuation to the next meeting is requested.

Andy made a motion to continue to September 27 meeting, no earlier than 6:15 pm. Lianne seconded. APPROVED

- **The Maduskuie Family Revocable Trust of 2020 Subdivision- Map 401 Lot 9, 1912 Chocorua Mountain Highway. (Continued and amended from 6/28/23.)**

Wes Smith – the hearing was reopened at 6:56 pm.

Changes were State subdivision approval. Landowner discovered that he could have a slightly smaller lot because of State law changes. Going from 1.34 acres to 1.00 acres. The State is now 2000 gallons per acre, with soil factors. DOT permit and State subdivision permits were submitted.

Pat asked about the change, if it is an RSA. No, the landowner wanted to carve off a lot that met minimum standards.

Hearing closed at 7:05 pm.

Andy made a motion to rescind the approval dated 6/28/23 as per the request of the applicant and approve the revised application as presented. Randall seconded. APPROVED

- **Cleveland Subdivision- Map 405 Lot 10, 113 Locke Falls Road.**

Andy recused himself.

Randall made a motion to accept as complete, Lianne seconded. APPROVED

Hearing opened at 7:08 pm.

Andy Fisher presented.

Two lot subdivision on Locke Falls Road.

Removing 5 acres from larger lot, remainder has house, well & septic. New lot will have its own well and septic.

State approval was not required.

Waivers requested for test pit and perc test for remainder of existing lot. Request that the Board recommend to Select Board that they allow a new lot to be created on a class VI road. Richard Roberts had no issues.

There is existing development on the Class VI road. RSA 674:41. Sheldon commented to reflect the fact that this is a known access road with development permitted. Must be registered at Carroll County registry that the town will not be held responsible. The Planning Board approves such development as consistent with the development on that road. Consensus of the Board is reached.

Ian – had a question about road frontage. It is an easement.

Sheldon closed the public hearing at 7:19 pm.

Waivers – perc test for remainder lot, test pit.

Ian made a motion to approve the waivers, Lianne seconded. APPROVED

Lianne made a motion to approve as presented, Pat seconded. APPROVED

- **Roberts Living Trust Subdivision- Map 410 Lots 87 & 88, Chocorua Road.**

Andy made a motion to accept as complete, Randall seconded. APPROVED

Hearing opened at 7:22 pm.

John McAllister, HEB presenting.

3rd party review, Moser Engineering.

Constructed per all State regulations, came back with an as-built survey information.

Permit numbers are on the plan.

Waivers were reviewed and recommended as approved by Moser.

Waiver of engineer's estimate

Construction phase is completed.

Lots meet town requirements.

Closed hearing at 7:28 pm

Waivers:

Roadway surface & section width

Design speed and curve radii

Engineer's estimate of construction costs

Andy made a motion to approve the waivers, Lianne seconded. APPROVED

Andy made a motion to approve the application as presented. Pat seconded. APPROVED

Mylar will be delivered.

5). Old/New Business:

- Board interest in receiving 2023- 2024 addition of NH Planning and Land Use book. 6 will be ordered.
- First of three readings to amend the Rules of Administrative Procedure- Section IV, Meetings of the Planning Board, D. Notice Requirements:
 - 1. Meetings, b.: A notice of the time and place of all regular and special meetings (i.e., site inspections and work sessions) of the Board shall be posted in two appropriate places in Tamworth or posted on the town website (www.tamworthnh.org) at least 24 hours, excluding Sundays and legal holidays, prior to such meetings.
 - 3. Public Hearings Relative to Proposed Ordinances or Regulations, 3.a.: Notice of public hearing shall be posted on the town website (www.tamworthnh.org) in accordance with RSA 675.7

Sheldon read the above items.

6). Action Items – Work session – September 20, 6 pm.

Randall made a motion to adjourn at 7:41 pm, Lianne seconded. The meeting was adjourned.

Respectfully submitted,
Melissa Donaldson
Planning Board Clerk