

These minutes are considered DRAFT until approved by the Board at the next scheduled meeting.

Present: Kevin Lee, Mike Howard, Don Hill, Ken Jacques and Darrin Patten and George McCusker (alt.)

Absent: Peter Keene, Neal Huntoon, Ken Rodgers, Bob Baker

Also present: Leigh Callaway, Bryan O'Day, Clayton Platt, Bruce Allen, Justin Hastings, Beverly Richardson, Travis Richardson, John Trachy, Cynthia Hayes and Janet Roberts

Minutes of December 15, 2011 Ken Jacques moved to accept as revised, Darrin 2nd Board passed.
Minutes of December 23, 2012 Ken Jacques moved to accept as revised, Don 2nd Board passed.

Kevin Lee (chairman)

Section 4.13 Kevin verified that changes can occur to non-conforming structures through the granting of a Special Exception

Section 4.25 The high water mark is used to measure the linear distance of water front frontage.

Section 6.30 Development created run off must stay on property, non development created runoff must also stay on property.

Section 8.10 Special Exceptions

Upper Valley Lake Sunapee Planning Commission feels requesting and being approved for a Variance is a higher hurdle than that of a Special Exception. Special Exceptions are the avenue for most parties, and many people from other towns also feel this way.

Cynthia Hayes voiced that she didn't feel the Town's Zoning Ordinance is set up to make receiving a SE easier than that of a Variance.

Kevin wanted to address Cynthia's question from the prior meeting as to why there was no work session scheduled. He did not see that there would be a substance of change so there would be no work session.

Section 4.11

Mike Howard brought up that he did not feel what New London does would be helpful for Springfield. And that at the seminar he attended most people in attendance were from southern NH where the wetlands they were concerned about have already been damaged and are in need of protection to stop further damage and attempt to restore them. The 100' buffer is very unusual for NH. The state has no set buffer for wetlands, and that the 100' Springfield has set is substantially more than anywhere else in the state.

Travis Richardson spoke that because the Town's people voted for the 100' setback that should be what is kept.

John Trachy felt the Board should look at the science behind the distances that are required for filtration. The map the Board is looking at using does not show hydric soils. While he has no

problem with using a map to show the wetlands the town wants to protect, he does not like the map the Board has chosen. Some communities put in their Ordinances that if someone come in to the Town with a request the Town has a scientist look at the property to determine what is there in regards to wetlands but do not delineate it until needed.

Darrin voiced his concern that if the Town voted for the Ordinance then the Town should be paying for the work of the scientist not the landowner. He also reiterated that at the time the Board was being sold the idea of the 100' buffer around wetlands the wetlands were truly Aquatic wetlands not just wet areas. Other members of the Board agreed with him.

Janet Roberts brought up to the Board that even scientists come into the office saying they have a hard time because the town has no delineation of wetlands.

Mike Howard suggested that a committee be formed to define the wetlands in the town.

Darrin moved to recess the hearing until after the continuation of the Bell hearing. Board agreed.

Old Business

Continuation of Bell subdivision hearing. Clayton provided the Board with new maps of the property.

Travis Richardson asked if he could show the Board where on the map they plan to use for showing wetlands where the property owned by his parents was located. The Board agreed. Travis pointed out where he felt the property was located and the river/stream runs through the area. In regards to the culvert in question on the property he said that the state requires 2 of 3 conditions for wetlands to be present. The 3 items are type of soil, type of plants and hydrology.

Clayton provided to the Board a letter from Bruce Gilday of BAG consultants dated 15 December 2011. Below is the body of the letter....

In July 2011, we delineated the wetlands on the above-referenced property. The wetlands on this property are not unique or sensitive, but are swale areas that collect runoff from the surrounding slopes when snow melts and rainfalls are heavy.

The wetlands on this property are not contiguous with any other wetlands. We observed, in the field, that the wetlands we delineated are separated from other wetlands by an old town dirty road that was built many, many years ago. The dirty road acts as a dam and the existing culvert under said road has failed and is in need of major repair or replacement.

This concludes our environmental consulting services as requested. Please call if you have any additional questions concerning the wetlands and/or soils on this project.

Mike Howard announced to the public that the letter stated the wetlands were not contiguous.

Travis Richardson asked the Board about the private road frontage and if indeed the subdivision was a minor one or should it be classified as a regular one.

Board decided that subdivision needed to be classified as a regular subdivision, the private road will need to be brought up to Town standards, and the driveways will need to be at 90 degree angles to the road (which they already are shown on the plan).

Travis Richardson is concerned that the brook is 35' from his parent's house with the way the town ordinance is written now the town can become liable for runoff from any approved action by the Board.

Discussion by the Board as to whether or not to note on the plan any construction will require a drainage plan to mitigate storm water runoff. (6.30 Storm water and Erosion) Darrin did not feel it was necessary.

Mike Howard asked about the letter Travis Richardson had given the Board at a previous meeting from Pierre Bedard regarding the wetlands. Below is the body of the letter....

This is in response to your request through your son Todd for an appraisal of an area near your westerly property line. In particular you were interested in whether there were any jurisdictional wetlands and if the drainage was an intermittent or perennial stream.

I visited the site on July 11, 2007 with Todd. He indicated the approximate location of the westerly property line at the road. This property line abuts property owned by Michael Hansen. My evaluation was only preliminary. I did not perform any soil tests. My assessment is based on observations of vegetation and hydrologic indicators or evidence of surface water.

The property line at the road is near a culvert. The area immediately upslope of the culvert was a mixture of small trees, shrubs and herbaceous or grassy vegetation. There appeared to be a swale which contained plant species common to wetlands. The lowest area of the swale was also wet on the surface. My initial opinion is that wetlands are present at this site.

I continued up slope roughly following the property line. The vegetation transitioned into a forest canopy. At this point I observed a small flowing stream about 2 to 3 feet wide. The stream bed was scoured or eroded to mineral soil. This indicates that water flows within this stream with enough frequency and velocity that plants and organic matter cannot become established.

Although this stream may not flow during the entire year my initial assessment is that it would qualify as a jurisdictional wetland. The USGS topographic map for this area shows two streams crossing Maple Lane. I have included a partial copy of this map. I feel that the stream mentioned above is the most westerly of the two. Being present on the map would identify it as a perennial stream. If it is not that stream but a tributary to it, it is my belief that it is still a wetland.

After reading it Mike voiced to the public that the area Pierre looked at was a wetland.

Clayton told the Board that if they wanted lot #2 to have the required 200' of frontage he would be able to that.

Kevin moved to approve Subdivision with conditions below:

Receipt of the State sub-division

DES culvert

Drainage noted as per 6.30

Road will be built to Town specifications per the selectmen or their agent

Ken Jacques 2nd Board passed unanimous Kevin abstained.

Reopened Hearing for Zoning Ordinance changes

Kevin closed the public comment portion of the hearing. Asked the Board if they were comfortable with moving the proposed Zoning Amendments to the warrant minus any typos and with the addition of change in adding #3 to Section 4.11 Wetlands Conservation Overlay District Boundaries as worded below:

#3 The wetlands to be protected by this ordinance are delineated on the Springfield Wetland Map dated August 2005.

Board agreed.

Darrin moved Don 2nd Board passed unanimous Mike Howard abstained.

New Business

Dredge and Fill application submitted by Mike Howard.

Notice from Enfield regarding construction of 154 housing units on 77 acres off of State Route 4.

There is a Bill before the state to remove Planning Commissions in the state of NH.

Mike asked for those interested in being on the wetlands committee. Board thought that Vickie Davis from the UVLSPC would be good, Bryan O'Day said he would be, George McCusker said he would be on it. Board thought John Trachy would be a good candidate but he had left the meeting so was unavailable to ask.

Kevin asked Tamara to send out an email to the listserv asking if anyone is interested in being a part of the committee.

Darrin moved to adjourn at 10:00 pm

Respectfully submitted,
Tamara Butcher