

TOWN OF LYNDEBOROUGH
Lyndeborough Planning Board
May 18, 2017

7:30 PM

Call to Order & Roll Call

Chairman Bob Rogers, Mike Decubellis, Larry Larouche, Selectmen's Rep. Lee Mayhew, Alternate Julie Zebuhr and Alternate Paul Best were present.

Guest Wally Holt

NEW BUSINESS:

-Excavation Renewal Granite State Concrete

Map/Lot 213-006-000

Map/Lot 245-001

Map/Lot 212-001-000

Mike Decubellis inquired about resident's complaints regarding dirt bike noise from the Granite State Gravel pit. Selectman Mayhew informed the Board the situation has been addressed and progress made due to cooperation from the owner. The police chiefs from the three towns reviewed the town boundaries plus the pit is being checked regularly by NH Fish & Game. The Selectmen will pass new complaints to the Planning Board. It was noted, the owner is not allowing dirt bikes/ATVs to use the property.

VOTE: Mike Decubellis moved that giving the Selectmen have worked out an agreement with the owner of Granite State Gravel regarding ATV use he made a motion to accept the permit. Paul Best seconded the motion. Motion passed 5-0.

-Re-Appointment Swearing In

Selectman Mayhew swore-in Mike Decubellis and Paul Best for another three-year term on the Planning Board. Julie Zebuhr was sworn-in at the town office and re-appointed for a three-year term.

CONTINUED BUSINESS:

-Wetlands Discussion

Mike Decubellis provided documents via email titled "Wetland Buffer Information" on May 18, 2017. The documents include: Wetland Ordinances; a list of towns that have Wetland Ordinances; Wetland categories, NHOEP Water Resources; BMPs for Non-Point Source Pollution and other documents and links for more information. (see below)

Mr. Decubellis suggested tabling the discussion until the June meeting to allow members the time to review the documents. Member Tom Chrisenton is expected to provide additional information to include in the discussion.

Mr. Decubellis advocated for surface water buffers and mentioned the documents which illustrate other town's wetland buffer regulations. The research provided show that 100 feet is a recommended buffer. Bob Rogers mentioned that at the last meeting there were concerns a 100 foot buffer would make some lots unusable. Mike Decubellis used Mr. Rogers' property which is near a stream as an example of how runoff from his paved driveway and other impervious surfaces can get on the ground then go downhill to the stream.

The Board felt Wetlands Buffer regulations can be added to the Subdivision Regulations and enforced on future subdivisions and this would be a good start.

The Board discussed further regulations for the town and will continue the discussion. Some members would like to come to a slow resolution and noted there have not been issues. Examples of the wetland contaminations in Milford were sited and encouraged to put regulations in place before contamination happens to avoid the potential of disaster sites. The town currently has a low density but future subdivisions could change that.

The Wetlands Discussion will be continued next month.

-Home Business Amendment

Selectman Mayhew informed the Board he will start working on the Home Business Ordinance around June and it will be available around September.

The Home Business Amendment will be suspended until the Sept. 2017 Agenda.

-New Chairperson and Vice Chair

The Board will vote on a new chairperson and vice chair in June.

Julie Zebuhr mentioned that former Planning Board Chairperson Tracey Turner is willing to informally train members on the role of the chairperson.

Selectman Mayhew announced that the new ZBA chairperson, vice chair and a member will be training with Attorney Drescher and that training can be extended to Planning Board members.

ANNOUNCEMENTS:

None

CORROSPONDENCES:

None

MINUTES & OTHER PERMITS TO REVIEW:

-Review and approval of minutes

Ms. Zebuhr suggested adding “read and understood” when talking about business permits.

VOTE: Larry Larouche moved, Mike Decubellis seconded to accept the minutes as amended. Motion passed unanimously.

-Review of any new Intent to Cut Permits

None

-Review of any new Driveway Permits

None

Other Business

Resident Wally Holt wanted to address the Board regarding the building moratorium that started in the 1980s. He felt it was a deterrent for growth and large subdivisions and it worked well. He wanted to know if there is still a limit to building permits per year. He was informed it has expired. Mr. Holt suggested the Board keep the growth ordinance on the books.

Mr. Holt has a concern about the 150-acre Schmechel property which is for sale. The Board informed him that property was already subdivided into six 25-acre lots, including the lot the house is on plus there is a note that states, “No further subdivision.”

The 25-acre Large Lot Subdivision was discussed. Mr. Decubellis wondered if having a 30-acre lot that does not allow future subdivision could be a subdivision option.

The Board agreed to add Growth Ordinance and alternate subdivision alternatives to next month’s agenda. Chairperson Rogers will do research on the topic.

ADJOURNMENT:

VOTE: Paul Best made a motion to adjourn at 8:10pm. Lee Mayhew seconded. Motion passed unanimously.

Respectfully Submitted,
Kathleen Humphreys

From Mike Decubellis, 5-18-17

Wetlands Ordinances

Buffer areas are a common wetland regulation. They are land adjacent to a wetland or water body that is to remain undeveloped. The size required varies by function and site specific conditions. The most common width is 100 feet, because at this distance most of the contaminants have been removed by the environment before reaching the wetland. Besides filtering soils, at 100-feet, buffers also prevent erosion, moderate impacts of storm water runoff, moderate system microclimate, provide habitat for wetland wildlife, and reduce disturbances to wetland resources. However, buffers put in place specifically to support wildlife generally require much more than 100 feet.

(from http://www.nashuarpc.org/files/9114/8665/8054/FS49_Wetlands_Protection.pdf)

Science, reasoning and recommendations for buffer widths... (NH Guidebook)

<https://www.nh.gov/oep/planning/resources/documents/buffers.pdf>

List of NH towns with a wetland buffer ordinance (also attached pdf)

<http://www.nh.gov/oep/resource-library/water-resources/documents/wetland-buffer-chart.pdf>

NHOEP Water resources - Excellent guide to docs (go to Wetland – Wetland Buffer section)

<http://www.nh.gov/oep/resource-library/water-resources/>

BMPs for nonpoint source pollution, A guide for town officials

<https://www.des.nh.gov/organization/commissioner/pip/publications/wd/documents/wd-03-42.pdf>

Categories and general description of the different types and protection levels. (we are only discussing wetland buffer zoning)

Shoreland Protection Act RSA 483-B

in effect for 10 acre water bodies or 4th order streams.

Badger Pond, Burton Pond, Site 8 Souhegan River Watershed and Piscataquog River would be only candidates for Lyndeborough

Regulated vegetative removal within 150 ft buffer.

Prime Wetlands

RSA 485A:15

2 acre or larger, detailed mapping process for 100 foot buffer identification, requires town vote
100 foot buffer, allows forestry, no rutting

All Wetlands, streams

No dredge, fill, excavation or rutting from forestry

Allows forestry when no disturbance or erosion during frozen or dry periods.

Wetland protection zoning - 104 towns, see OEP list at top of page or

<http://www.nh.gov/oep/resource-library/municipal/documents/groundwater-surface-water-protection.pdf>

All protected areas are considered 'jurisdictional' by DES and subject to permit approval.

See file for Buffers in NH Towns