

Moultonborough Planning Board
P.O. Box 139
Moultonborough, NH 03254

Organizational Meeting and Regular Meeting

March 25, 2015

Minutes

Present: Members: Rich Kumpf, Joanne Farnham, Scott Bartlett, Kevin Quinlan, Ed Charest;
Russ Wakefield (Selectmen's Representative)
Alternate: Kathi Margeson
Staff Present: Town Planner, Bruce W. Woodruff; Administrative Assistant, Bonnie Whitney

I. Pledge of Allegiance

As senior member, Mr. Charest called the annual organizational meeting to order at 7:00 P.M., and appointed Kathi Margeson with full voting privileges.

Josh Bartlett briefly addressed the board and read his Letter of Resignation into the record. With deep regrets, the board accepted Mr. Bartlett's resignation from the board due to his recent election to the Board of Selectmen. Mr. Charest thanked Mr. J. Bartlett for his service.

II. 2015 Board Organization – Election of Officers and Review of Policies and By-Laws

Mr. Charest stated that this was their annual organizational meeting to elect their Officers and review their Policies and By-laws. Mr. Charest called for nominations for Chairman.

Motion: Mr. Kumpf moved to nominate Scott Bartlett as Chairman, seconded by Mrs. Farnham.

There being no further nominations for Chair, Mr. Charest called for a vote on the motion on the floor. The motion was unanimous.

Mr. Charest then opened the floor for nomination for Vice-Chair.

Motion: Mr. moved to nominate Rich Kumpf as Vice-Chairman, seconded by Mr. Quinlan.

There being no further nominations for Vice-Chair, Mr. Charest called for a vote on the motion on the floor. The motion was unanimous.

As Chair, Mr. Bartlett continued with the organizational meeting. Planner Woodruff stated that the Planning Board needed to appoint a Planning Board member to be the representative to the Master Plan Implementation Committee (MPIC) and to the Capital Improvements Program Committee (CIPC). He noted that Scott Bartlett was the Boards representative to the Conservation Commission until 2016. Members briefly discussed amongst themselves if there were any volunteers for either the CIPC or MPIC.

Motion: Mrs. Farnham moved to appoint Kevin Quinlan as the Planning Board representative to the MPIC, seconded by Mr. Kumpf, carried unanimously.

Motion: Mr. Quinlan moved to appoint Joanne Farnham as the Planning Board representative to the CIPC, seconded by Ms. Margeson, carried unanimously.

Board members had been provided with a copy of their policies which were approved in 2014. Mr. Bartlett asked if anyone had any comments. There were none from the members. Planner Woodruff referred to Section IV. Meetings, suggesting the board consider amending the times from 10:00 PM and 10:30 PM to 9:00 PM and 9:30 PM as the output and efficiency of members drops dramatically after 2-2 ½ hours. Members briefly discussed this noting that they may waive the meeting end time if necessary during a regular meeting.

Motion: Mr. Wakefield moved to amend Section IV. Meetings. A to read "... to not begin any new hearings after 9:30 PM and to conclude the meetings by 10:00 PM, unless otherwise agreed upon in advance." Seconded by Mrs. Farnham, carried Unanimously.

The Chair pointed out two Sections in particular (IV.F. and VII.A), asking members to notify staff if they will not be in attendance for a meeting and to review Section VII. A. Conflicts of Interest.

Motion: Mr. Kumpf moved to approve the Policies of the Moultonborough Planning Board as amended, seconded by Mr. Charest, carried unanimously.

III. Approval of Minutes

Motion: Mr. Quinlan moved to approve the Planning Board Minutes of March 11, 2014, as corrected, seconded by Ms. Margeson, carried unanimously.

IV. New Submissions

1. New Hampshire Electric Cooperative (165-3)(311 Moultonboro Neck Road) Site Plan
AND Arcadia/Moultonborough, Inc. (146-4)(201 Hanson Mill Road) Site Plan Amendment

This is a request for a site plan review for a proposed solar array and access road to the array property for public information and Planning Board Suggested Recommendations.

Planner Woodruff noted that the Co-op is exempt from normal Planning Board site plan review regulations and zoning regulations. The process here is one where it benefits all parties including the applicant, the Coop, abutters and the Town to know in advance what is being planned for development on a particular land even though it's for a public utility and for the public benefit. Another good thing that comes out of this is that they may see other things that are affected around them. He feels the process in which the Planning Board reviews the plans of an exempted applicant, and provides a list of suggestions is a good one because a lot of parties, a lot of heads come together to illuminate those things that the applicant may not think of when they are doing their public benefit project. There is a list of suggestions in the members packets and is up to the board to decide which of those suggestions are good suggestions to give to the applicant.

V. Boundary Line Adjustments

VI. Hearings

1. New Hampshire Electric Cooperative (165-3)(311 Moultonboro Neck Road) Site Plan
AND Arcadia/Moultonborough, Inc. (146-4)(201 Hanson Mill Road) Site Plan Amendment

Ms. Whitney removed herself from her position as Administrative Assistant at this time, seating in the audience. She stated that that she is an abutter to the properties requesting site plan review, discussion and input from the Board this evening. Vice-Chair Rich Kumpf prepared the notes relative to the discussion.

Please see attached supplemental notes prepared by the Vice-Chair.

Ms. Whitney resumed her position as Administrative Assistant at this time.

VII. Informal Discussions

VIII. Unfinished Business

1. MPIC – Recommendation to BoS on revised charge

Planner Woodruff commented that this may be a moot point now. This was brought up at the last meeting and the Board chose to table it until this evening, but in the meantime the Board of Selectmen did approve the changes and so the Boards weighing in on this would be after the fact. The Chair noted that when discussed before the question raised was, is the committee really needed? Planner Woodruff replied that so long as you have a town planner, you may not need it. He feels in Moultonborough that there really should be, and there has been a history of community oversight. It is the Planners recommendation that the committee be continued. It was the consensus of the Board to maintain the MPIC.

2. Master Plan Steering Committee creation

Planner Woodruff noted the last time this was brought up the board was asked if they wanted a steering committee to receive input, to give input to the preparer of the Master Plan (Town Planner) and steer that preparation given the sections given to them and also to serve as a sounding board for the public in all of the meetings, or does the board want to do it as a whole. It was the Planners recommendation to form a steering committee as this will require a lot of work. The Chair stated that they did treat this as a whole for the two sections that have been updated to date. Planner Woodruff noted that the vision chapter was less complex. There was some discussion on this matter and the Board reached a consensus in that they will form the Master Plan Steering Committee. Planner Woodruff suggested that this be a five member committee with one representative each from the Board of Selectmen, Planning Board, Conservation Commission, Heritage Commission and Master Plan Implementation Committee.

Motion: Mrs. Farnham moved that the Planning Board establish a Master Plan Steering Committee of five members as suggested by the Planner, seconded by Mr. Wakefield, carried unanimously, with Mr. Kumpf abstaining.

Motion: Mr. Quinlan volunteered to be appointed as the Planning Board representative to the Master Plan Steering Committee, seconded by the Chair, carried unanimously.

3. Discussion on Draft 2015 Work Plan

Members then reviewed the proposed Draft 2015 Work Plan. Planner Woodruff noted that they had agreed on the five items on the work plan, and he then asked the board to prioritize them.

Planner Woodruff noted Item #2 on the Draft Work Plan, the development of specific criteria for special exceptions on identified specific commercial uses in the R/A zone. He stated that this was one item that had not been completed on their 2014 Work Plan, reminding members that this was the follow up piece they need to complete in order to now be able to look at the Table of Uses in the Zoning Ordinance that they worked on in 2013. They need to be prepared for when someone makes application for a special exception for a specific use, having in place, the criteria for it to be granted.

Planner Woodruff noted Item #5 was a follow-up to a dropped proposed zoning amendment from last year. Members had expressed the importance of this and asked that it be placed on their 2015 work plan.

After a brief discussion it was a consensus of a majority of the board to change the order of prioritization of number 4 to 5, and 5 to 4.

Motion: Mr. Quinlan moved to adopt the 2015 Planning Board Work Plan as amended this evening, seconded by Mrs. Farnham, carried unanimously.

4. State Ten Year Transportation Plan

Planner Woodruff commented that in the Lakes Region Planning Commissions endeavor to push up new transportation projects that will go into the Ten Year Plan and be funded through that plan, asked towns to submit project submissions (similar if you were writing a grant) that included things such as vicinity maps, crash records, and all of the ancillary information needed so that the Commissions transportation advisory committee could rate and rank the projects from the region and then have it moved up to the state, for hopeful inclusion into the Ten Year Plan. Planner Woodruff added the Highway Safety Committee got together and looked at the previous priorities of the town and discussed the new ones, then crafted a letter to the Board of Selectmen, who reviewed the letter. Over a couple of meetings, the BoS prioritized the eight (8) projects that were submitted by the Highway Safety Committee. Planner Woodruff provided members with LRPC's synopsis of those projects that were submitted by the towns in their region. Eighteen projects were submitted, two were deemed to be not eligible. In the end 50% of the projects were submitted by Moultonborough. Hopefully these applications will be included into the Ten Year Plan for funding. Planner Woodruff briefly described some of the project locations. The TAC will meet on Wednesday, April 1st to rank the sixteen Ten Year Plan application submittals.

IX. Other Business/Correspondence

1. Planner Woodruff noted that the annual NH OEP Spring Planning and Zoning Conference will be held this year on Saturday, May 2nd at the Grappone Conference Center in Concord, NH. He encouraged all to attend this training. [Click here](#) for additional information.

2. It was also noted that New Hampshire Municipal Association will be hosting the **Local Officials Workshops** in April and May for new elected and appointed municipal officials. This one day workshop will be held in five different locations throughout the state. [Click here](#) for dates and locations of a workshop near you.

3. Planner Woodruff stated the next meeting is on April 8th and there were no new applications submitted. He has suggested that they cancel that meeting as there are five Wednesdays in April, with April 29th being a work shop. He would like to discuss training and the Master Plan at the work session.

Motion: Mr. Wakefield moved to cancel the April 8th, 2015 Planning Board meeting, Seconded by Mrs. Farnham, carried unanimously.

X. Committee Reports

The Chair noted that there will be a special meeting of the Conservation Commission this Friday, March 27th, 2015 at 2:00 PM in which they will discuss pursuing the land acquisition of the Lee's Pond Preserve.

XI. Adjournment: Mr. Quinlan made the motion to adjourn at 10:00 PM, seconded by Ms. Margeson, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant

MOULTONBOROUGH NH PLANNING BOARD MEETING - 3/25/2015 (A)
SUPPLEMENTAL NOTES FROM AN INFORMAL DISCUSSION WITH NHEC

Submitted 3/31/2015 by Rich Kumpf, Vice-Chairman of the Planning Board

Notes taken in lieu of Bonnie Whitney who recused herself because she is an abutter and interested party to the proposed NHEC site development project.

Discussion Overview:

NHEC came to the March 25, 2015 meeting of the Moultonborough Planning Board for a *3rd update discussion* about their plans to develop land that they own on Moultonborough Neck for an electric power generating PV (Photo Voltaic) solar array. Their main goal for the meeting was to present the detailed site plan and the updated site plan with road access for Arcadia.

They brought the following plans, referenced throughout the discussion:

- 8 Sheet Plan - NHEC Site Plan drawn by McCourt Engineering Associates PLLC
- 2 Sheet Plan - Arcadia Site Plan
 - Sheet-1: Arcadia Campground Plan, drawn by SFC Engineering Partnership (Older Drawing - Updated)
 - Sheet-2: NHEC Moultonborough & Arcadia Moultonborough, drawn by McCourt Engineering Assoc PLLC
- 1 Sheet Plan - NHEC Proposed Timber Cutting Plan

In attendance for NHEC (Lot 165/3):

- Mr. Gary Lemay, Renewable Energy Engineer. NHEC, Plymouth NH - Main Presenter
- Mr. Thomas Sokoloski, Soil Scientist & Certified Wetland Scientist. Schauer Environmental Consultants LLC, Bow NH.

Abutters in Attendance:

- Mr. Dennis Wakefield & Ms. Bonnie Whitney - 35 Private Road ([Lot 164/3](#))
(Owns 1800' of frontage on Pickering Pond)
- Mr. & Ms. Bob & Barbie Bernstein - 417 Moultonborough Neck Road ([Lot 175/1](#))
(Owns 1900' of frontage on Pickering Pond)

Abutter Discussed - Not in Attendance, Represented by NHEC:

- Arcadia Campground ([Lot 146/4](#)) will provide access to the NHEC site.

Discussion Overview:

Mr. Lemay summarized the plan and participating members of the project team. He emphasized that this is a 'Community Array' for the benefit of members. NHEC is a Non-Profit organization. He reviewed for the PB & Public the previous history of the site development.

Some highlights: NHEC owns 65 Acres. Pickering Pond (the name they chose to call the large pond on the south) is adjacent to their 35KV line which runs through town. Mr. Lemay stated the lot is land-locked (editor's note: land-locked means that a parcel does not have frontage on a public way) and that the proposed array access via Arcadia Campground is their only negotiated access lot (editor's note: because of the extensive wetlands). No curb-cuts are needed since they will be coming off of Arcadia's

land. A gate will be built, with a small crossover wetlands at the access road. He summarized abutter concerns:

- Mr. Bernstein's main concern was the change to their views and diminution of value.
- Mr. Wakefield's main concern was the change in wind patterns due to the removal of trees, as well as diminution of value. NHEC changed the access road plan to minimize this effect.

Mr. Lemay reviewed the cutting plan, with no changes to the previously presented plan. They plan to Stump-Grind on site & create a runoff berm to protect the wetlands.

Ms. Farnham asked about wildlife impacts.

Mr. Lemay: The wildlife would soon find paths around the 12 fenced in acres.

Mr. Lemay responded to the 12 points in the Staff Recommendation. All are covered in the aforementioned motion made by Mr. Quinlan. In summary they are:

1. Yes
2. Arcadia site plan may be OK as presented.
3. Yes
4. Yes
5. Yes - They will provide a PDF as the original site plan was not in CAD and had to be scanned and annotated
6. Yes - Gate signage will be at the beginning of the access road
7. Yes - They will submit a permit.
8. Maybe. They may be able to install a Knox Box. They plan to communicate PV performance/production via a comm-link which is still in the planning phase.
9. They will obtain
10. NH DES permit will be obtained. There could be weekly inspections. They will comply with all Best Practices.
11. No - There are no 'certified' wildlife biologists, and the 8' fence will change the migration around the site. Clearing the site will actually IMPROVE the land for wildlife to obtain food by converting some woodland into low-scrub.
12. Maybe. This will be negotiated with the road agent. There were questions about where the \$1M bond number came from. There is 1/2-mile on Hanson Mill Road, and 1/2-mile on Shaker Jerry Road. This \$1M/mile number has been used on other jobs.

Mr. Lemay was asked about the project schedule.

Mr. Lemay: They hoped to have the array functional by Fall-2015.

To follow up to Ms. Farnham's question about wildlife:

Mr. Sokoloski, Soil Scientist: Presented a chart entitled '2010 Highest Ranked Wildlife Habitat by Ecological Condition', which shows the wildlife status at the NHEC site. He reported that he performed a database search of rare or endangered species at the site and found that there are NONE. He again reiterated that there is no NH certification process for a 'Certified Wildlife Biologist' as previously requested by the PB.

Several PB Members asked about how the PV Array would look.

Mr. Lemay: Showed several photographs of current NHEC PV solar array sites. He reminded that PB that at the Moultonborough site, they plan to use ballast anchoring, no in-ground concrete. The panels will be 4' off the ground to clear snowpack, and will be approximately 12' high with 4 landscape-mounted panels.

Mr. Bartlett asked what the main Police concerns were;

Mr. Lemay: The density of Arcadia was a concern and that NHEC will provide access security to the site.

Ms. Farnham asked if power would be available throughout the town.

Mr. Lemay: Explained how PV Solar arrays provide power to the grid, and hence the answer is Yes.

Mr. Kumpf asked if the initial 'Share Purchases' would be available to only Moultonborough coop members

Mr. Lemay: Any NHEC member will be able to purchase shares once they are offered.

Mr. Bartlett asked what the potential power output would be for a full build-out.

Mr. Lemay: 1-2 Megawatts (1,000,000 to 2,000,000 Watts maximum)

Mr. Quinlan asked how the subscribers would be credited

Mr. Lemay: They will be credited on their bill at least yearly for their share of the production, based on prevailing rates.

Mr. Kumpf asked how the array will impact Moultonborough tax collections.

Mr. Lemay: Moultonborough will probably raise their tax assessment on the site as it will be 'improved'. More tax \$s for the town! These additional taxes will be figured into the 'cost of production' for the array, and will be a factor in the production value and cost of the array (ie-distributed to array subscribers). Since current town taxes are proportionately paid by NHEC for the unimproved land, they will be borne by all Co-Op members, their rates would tend to go down slightly.

Mr. Bartlett, Chairman, opened the meeting to the Public for Comments and Questions

Mr. Cormier provided technical and financial information about how the cost of electric production is allocated.

A brief discussion of how RECs (Renewable Energy Certification Credits) work.

Mr. Wakefield mentioned that he is still concerned about the impact on wildlife. A discussion about the return of eagles to the region, and where they nest ensued.

Mr. Lemay: Only 12 acres will be fenced in, and the remaining 28 acres will be open for wildlife activity and migration. Land to the North and East will have minimal cutting, only enough to prevent tree-fall damage to the array.

Mr. Sokoloski: Deer feed along the edges of clearing which will be increased by the project. Movement is not restricted by the project. Eagles can and probably will visit the site, but rely on food sources from the lake.

Ms. Whitney noted that NH DES has requested additional information regarding their wetlands permit application, asking if NHEC intended on beginning construction or cutting for the access road through Arcadia's property and cutting on the NHEC site prior obtaining the wetlands permit.

Mr. Lemay: NH DES received a letter from an abutter and they will provide information to NH DES as required. They may do minimal work now that the frozen window has passed.

Mr. Bartlett: Read into the record the letter from Mr. Kinmond, Road Agent. (not reproduced in these notes)

Mr. Quinlan made a motion to summarize the PB's recommendation to the NHEC.

The Motion - Made by Kevin Quinlan, Seconded, and Passed Unanimously at the END of the Discussion
I move to acknowledge receipt and review of the Site Plan for the NH Co-op property proposal and of

the Site Plan Revision on land of Arcadia for the exclusive purpose of providing access to the Co-op property, with the following suggestions whose purpose is to protect the natural environment, flora and fauna, and abutting neighbors to the extent possible while recognizing the need to produce clean, safe alternative power for the citizens of the state and the Town:

- 1) The NHEC respectfully adhere to the suggested three conditions and the testimony given during the request to cut timber in advance of the development.
- 2) Add a note to the Arcadia Site Plan revision sheet that states the access road is for the sole use of the NHEC with occasional use by Arcadia maintenance personnel to service the well pump house.
- 3) Add the owner's signature block to the Arcadia Site Plan revision sheet and have the owners sign prior to the Chair signing.
- 4) Correct the Map and Lot numbers in the title block of the Arcadia Site Plan revision sheet.
- 5) The final Arcadia Site Plan revision sheet be submitted to the Development Services Office in electronic format to include both a PDF and an acceptable CAD file format.
- 6) Add a gate and signage near the beginning of the access road to deter owners in the campground and the public from using the access road for public safety purposes (as per the Fire and Police Chiefs at TRC).
- 7) Please submit all other permits obtained from state and federal agencies to the Office of Development Services for the file such as the Shore land Permit, Wetland Permit, Alteration of Terrain, etc.
- 8) If a monitoring system is installed, if possible, provide an ability for the Police to remotely monitor and install Knox boxes on all locked gates for public safety access purposes.
- 9) Construction Sequence notes and the Turf Establishment Schedule be added back to sheet 8 of 8, and that the seed mixture change discussed be substituted for the clover originally called for. (These two sections were in the original plan sheet, but have been removed for the Planning Board submittal.
- 10) Coordinate the project between NH DES, the Town, NHEC and their contractor during construction with regard to lot disturbance, erosion control and soil stabilization efforts by either weekly reports or on-site visits.
- 11) The DPW Director/Road Agent is very concerned with the potential for damage to the Town Maintained, Hanson Mills Road, since it is not an engineered roadway. NHEC should post a \$1M Road Bond, or an amount as may be negotiated with the road agent, through the duration of the project. (The Road Agent will videotape the condition of the road prior to project commencement.) The Planning Board shall be notified of those negotiations and final agreement.

At the end of the discussion, a vote was taken. Mr. Quinlan's motion was carried unanimously. With the NHEC presentation concluded, and the PB moved on to other business.

Respectfully Submitted by: Rich Kumpf, Planning Board Co-Chairman, 3/31/2015