

# Approved: June 24, 2015

New Castle Planning Board Meeting  
Town Hall  
Wednesday May 27, 2015

**Members Present:** Chair Darcy Horgan, Kate Murray, Lorn Buxton, David McArdle, Margaret Sofio

**Others Present:** Tracy Degnan, Bill Stewart, Rich Landry

Chair Horgan called the May 27 2015 meeting of the New Castle Planning Board to session and welcomed Rich Landry.

1. Update on the renovations at MHT by Rich Landry (Building Committee)

Chair Horgan noted that this is an informational presentation only.

Mr. Landry distributed the existing conditions plan for the school to the members. He pointed out two 16 feet x 16 feet sheds on the property where athletic equipment, janitorial supplies and grounds equipment are stored. He said the addition will be placed where the sheds are currently located and that two new sheds have been purchased (a 12 feet x 18 feet shed to be placed near the athletic field and an 8 feet x 8 feet shed to hold the maintenance equipment). Mr. Landry said a couple of trees will need to be removed for the addition and there will be some regarding done on the back side of the property. He noted that the property will be surveyed to determine if the handicap space complies (the slope may be over 2%) which may require some work. Mr. Landry noted that the addition is 1970 square feet and will have a façade that continues from the front with a matching sloped roof. He said if the budget allows some safety fencing may be added.

Chair Horgan asked when the project will begin.

Mr. Landry noted that school ends on June 12<sup>th</sup> and said that the project may begin with the removal of the trees even before school ends. He said that the School Board voted to hire the site contractor.

Lorn Buxton asked about the storage trailer that been placed on the front of the school property.

Mr. Landry said the storage trailer is needed to hold some of what is currently in the sheds and some of the equipment from the boiler area. He said the storage trailer was placed in the front because it is the only spot on the location that can be accessed by vehicles and will not have ongoing construction work occurring in it.

Chair Horgan asked if the project will be completed by the time school is back in session in September.

Mr. Landry said that school will open after Labor Day to ensure completion of the project and that the project should take approximately ten to twelve weeks; so should be completed a week before school is back in session.

Chair Horgan asked if there will be construction occurring on the inside of the current building.

Mr. Landry reported that they will be installing a sprinkler system in the entire building and swapping out lighting. He noted that they were able to use a very generous rebate program from the State for LED

1 lighting. Mr. Landry said there will be some repainting and reconfiguration to create a special education  
2 classroom and some updating will be done to the kitchen in order to be able to provide have hot lunches.

3  
4 Margaret Sofio asked if when installing the sprinkler system if the ceilings would need to come down.  
5 Mr. Landry said the ceilings are dropped ceilings so it will not be too difficult. He said there will be some  
6 HVAC work being done to the existing building and some insulation work will be done in the ceiling; as  
7 well as the wiring being changed (from romax to what is commercial code now-metal shielded cables).

8  
9 Chair Horgan asked if the building will be an energy efficient building.

10  
11 Mr. Landry said it will. He noted that all the current windows are all single paned and the mechanical  
12 systems are thirty years old and provide no fresh air intake.

13  
14 Kate Murray asked if the current windows open and if the new ones will open.

15  
16 Mr. Landry said the current windows open and the new windows will also open. He noted that there will  
17 be no air conditioning so there need to be windows that open.

18  
19 2. Grant proposal opportunity presented by Tracy Degnan, Conservation Specialist form the  
20 Rockingham County Conservation District

21  
22 Chair Horgan introduced Tracy Degnan to the Board and said she will make a presentation regarding a  
23 grant proposal. Chair Horgan noted that the Conservation Commission Chair, Bill Stewart is also present  
24 to answer any questions regarding the grant proposal.

25  
26 Ms. Degnan said she has been working with the Conservation Commission for 15 years. She told the  
27 members that this project came before the Commission very quickly and distributed the Piscataqua  
28 Region Environmental Planning (PREP) Assessment to the members. Ms. Degnan said that the grant is  
29 for a one year planning grant from PREP to look at shoreland regulations; fresh water regulations; storm  
30 water regulations and impervious surfaces. She noted that PREP researched each community about their  
31 regulations and rated them as to how well they are doing to protect the water quality based on what they  
32 feel it needs.

33  
34 Chair Horgan said that the PREP people analyzed New Castle and other towns by reviewing the  
35 ordinances, wetlands and tidal lands and then provided an assessment on how they could be improved  
36 based on what they found in each town.

37  
38 Ms. Degnan said they set priorities specifically for New Castle to improve the protection of water quality  
39 within the watershed. She noted that these priorities included increasing all buffers to 100 feet and  
40 completing a wetlands inventory. Ms. Degnan said the Town of New Castle did a wetlands inventory in  
41 2005 (it needs to be updated).

42  
43 Ms. Degnan said the Conservation Commission thinks it is time to protect the wetlands and their buffers;  
44 noting they have seen plans come before them that impact the wetlands. She said the current buffers are  
45 not providing enough protection of the wetlands. Ms. Degnan said that the Chair of the Conservation  
46 Commission, Bill Stewart, came before the Planning Board a few months ago to discuss the Lavenger  
47 Creek Conservation Plan which focuses on the health of Lavenger Creek. She said it is a very good  
48 management plan; but it does not provide regulatory effort needed to protect the Lavenger Creek.

49  
50 Ms. Degnan said the Commission is interested in updating the 2005 wetland study that highlights the  
51 wetlands on the Island. She explained that the wetlands are numbered and the functions and values of  
52 each wetland complex are noted in the study. Ms. Degnan said there are five class "A" wetlands (which  
53 have a 100 foot buffer) and 20 wetlands that have a 50 foot buffer. She said the funds from the proposal  
54 would allow them to review the 20 wetland complexes, look at the buffer and the wetland functions and  
55 document the changes since 2005, as well as review the functions and values.

1 Kate Murray asked if the priority set forth for New Castle from PREP was to work on enhancing buffer  
2 protection for Lavenger Creek and if applying to for this grant would provide the funds to update the  
3 wetlands plan for Lavenger Creek and to provide in-depth buffer regulations which would increase the  
4 buffers to 100 feet on all water resources.

5  
6 Chair Horgan said if the Town wants to increase buffers to 100 feet it would involve the Planning Board  
7 and the proposal needs to be submitted by June 15<sup>th</sup>. She said that Ms. Degnan needs to know if the  
8 Planning Board is behind these goals; which she feels is in the best interest in protecting the waterways  
9 in New Castle. Chair Horgan said that Ms. Degnan would write the grant proposal.

10  
11 Ms. Degnan said the Conservation Commission would sponsor the proposal but they need partners (such  
12 as the Planning Board) who can provide match time. She said the match time can be meeting time spent  
13 discussing the project or volunteer time on the project. Ms. Degnan said if the Planning Board is willing to  
14 support the proposal she will need a letter of support from the Planning Board saying they will contribute  
15 a set number of hours (Ms. Degnan estimated 50 hours for the Planning Board) and said she has drafted  
16 a timeline.

17  
18 Chair Horgan noted that the funds needed for the grant proposal will come from the Conservation Fund,  
19 but Ms. Degnan is asking the Planning Board to contribute some in kind time toward the grant.

20  
21 Ms. Degnan said she will also draft the ordinance and have the Planning Board and Cliff Sinot review it.

22  
23 Lorn Buxton asked if agreeing to submit the grant proposal means that the Planning Board is agreeing to  
24 extending all buffers to 100 feet.

25  
26 Ms. Degnan said there is no guarantee that any ordinance would pass; she said the grant proposal  
27 means that the Commissions intent is to do outreach and education and promote an ordinance that would  
28 be beneficial for the protection of the wetlands that the Planning Board supports that.

29  
30 Bill Stewart said that the grant proposal means that the Planning Board and Conservation Commission  
31 will to review the ordinance and the potential of change to wetland buffers. He said his understanding is  
32 that by agreeing to support the grant proposal by the Conservation Commission, the Board is buying into  
33 the concept that the examination is valuable to the town, and that the conservation study should be  
34 updated and that may indicate a need to review and possibly change some ordinances. He said it is his  
35 understanding that it does not commit the Town to extending all their buffers to 100 feet.

36  
37 Chair Horgan said it is a commitment to review the wetlands and see if any steps are required (such as  
38 increasing buffers to 100 feet for all water bodies). She said the Town can look at that and move forward  
39 how the Town sees fit.

40  
41 Mr. Buxton said the important element is gathering the input and commitment of abutters; those affected  
42 by this. He asked if this grant provides enough funds to do that.

43  
44 Ms. Degnan said the proposed time line includes a lot of outreach opportunities and the Conservation  
45 Commission plans on contacting abutters and hosting small group sessions to educate on residents  
46 wetland buffers and their functions. She said the grant could fund a wetland scientist to reevaluate the  
47 wetlands and update the plan and for her time to update the regulations and review it with the Planning  
48 Board and the Conservation Commission.

49  
50 David McArdle said one of the key components would be the abutters. He said it would be helpful to  
51 provide what the current ordinance states and what the proposed ordinance will state and point out the  
52 differences.

53  
54 Mr. Stewart said the funds would make it possible to update the study for functions and values and best  
55 management practices and fund Ms. Degnan to look at our current ordinance and put together a draft

1 ordinance. He said the grant would provide money and man hours to do the work so it is done right and  
2 can be reviewed.

3  
4 Ms. Murray asked if the Conservation Commission can apply for the grant without the letter from the  
5 Planning Board.

6  
7 Ms. Degnan said they can apply for the grant but would like to have the matching man hours for the  
8 proposal. She said that the Planning Board will need to review the ordinance during their meetings so the  
9 match time would be appropriate. Ms. Degnan said if the Board is amenable, she asked that they  
10 authorize Chair Horgan to sign a letter authorizing in kind 50 hours (from August to May).

11  
12 Chair Darcy said the letter would be committing to reviewing the proposed ordinance changes in  
13 meetings and using that time as in kind match hours. She suggested the members also tour the wetlands  
14 in New Castle to familiarize themselves with them. Chair Horgan said that a majority of the applications  
15 heard are about conditional use permits in the wetlands and touring them would be educational and  
16 would provide a visual of the buffers. She said that time could be used as in kind hours toward the match  
17 also. Chair Horgan said it would be helpful to have the updated report when the members tour the  
18 wetlands.

19  
20 Margaret Sofio asked if the Conservation Commission thinks that greater protection is required or are  
21 they still in the inquiry phase.

22  
23 Mr. Stewart said that the Commission feels that Lavenger Creek needs better buffers because there has  
24 been a significant amount of infringement. He said the Commission attempts to work with home owners in  
25 terms of best management practices and spends a lot of time in outreach. Mr. Stewart said the  
26 Commission does not have a mechanism to protect the Creek beyond what the State and the Town's  
27 current ordinances state. He said the Commission does have funds from a grant to perform phragmites  
28 work using solar tarp to melt the invasives and that grant also has an outreach component.

29  
30 Chair Horgan asked Mr. Stewart what his experience has been with DES regarding Lavenger Creek. She  
31 asked if the DES supports the Commission's recommendations regarding Lavenger Creek.

32  
33 Mr. Stewart said the reason the Lavenger Creek Conservation Plan came about is because when he  
34 meet with Frank Richardson (of DES), he recommended that the Commission do a conservation plan that  
35 could be forwarded to the State to show what the Commission is trying to do regarding Lavenger Creek.  
36 He said the Mr. Richardson felt the plan provide him something to point to during his rulings (even though  
37 he is still bound by State regulations). He said that Mr. Richardson also suggested doing something  
38 locally; either updating the ordinances or classifying the wetlands as prime wetlands.

39  
40 Ms. Degnan said the Prime Wetland designation has to happen at the local level and can then occur at  
41 the State level. She said that 28 communities have wetlands with the Prime wetland designation and  
42 noted that the designation provides the State more regulatory control over what happens in those areas.

43  
44 Chair Horgan asked what makes a wetland a prime wetland.

45  
46 Ms. Degnan distributed a copy of the law and said that the designation is based on size, unspoiled  
47 character, and other relevant requirements; as well as requiring that the wetland is at least two acres and  
48 has four of the primary wetland functions.

49  
50 Chair Horgan said that there is a huge education component to this proposal and that the abutters who  
51 are affected by this need to be in favor of it. She asked who would carry the burden of that education  
52 piece.

53  
54 Ms. Degnan said that much of the in kind hours would be spent on outreach (writing brochures, hosting  
55 small workshops, hosting a large workshop with NROC). She said they have information on many of the  
56 abutters from a 2013 Conservation Commission sponsored High Value Resource Assessment. She said

1 that most of the in kind time would be board supported (Conservation Commission, Planning Board,  
2 Green Team).

3  
4  
5 Mr. Stewart said it will not matter who puts in the hours; just that the total hours are met. He said if the  
6 Planning Board is not able to fulfill the estimated 50 hours the Conservation Commission would make up  
7 those hours. He urged the Board not to feel burdened by the hour estimate.

8  
9 Chair Horgan said that Ms. Degnan needs to know if the Board is behind the effort to review the wetlands;  
10 and to put in some regulatory emphasis to the Lavenger Creek Conservation Plan and to vote to give the  
11 Planning Board Chair permission to sign a letter to that extent.

12  
13 David McArdle said the time frame is compressed and asked who will be managing the efforts if the  
14 application for the grant is successful.

15  
16 Ms. Degnan said that the Conservation Commission will apply and initiate all activity. She said the  
17 Planning Board will receive draft regulations to review and comment on. She said the driving force will be  
18 the Conservation Commission and the Planning Board will work hand in hand with them.

19  
20 Mr. Stewart said the Conservation Commission agreed to move forward with the process based on the  
21 basic parameters and there will be an official vote on it at Tuesday's meeting (all members have  
22 expressed their support for this to move forward).

23  
24 Chair Horgan said the driving force for this is to protect the waters in our town. She said that New Castle  
25 is a small town with a lot of water; so there is a lot to protect. Chair Horgan said she thinks this is timely  
26 and is not a bad idea.

27  
28 Ms. Murray noted that any ordinance would need to go to the Town Meeting for approval and that  
29 frequently much education is needed for a successful vote at the Town meeting. She said not knowing  
30 what the outcome will be is a bit disconcerting.

31  
32 Chair Horgan said that updating the study will provide us with what we need.

33  
34 Mr. Stewart said the Conservation Commission takes part in efforts from time to time where the outcome  
35 is not necessarily known when applying for a grant. He said applying for this grant is saying we are open  
36 to exploring this and updating the study and seeing if the ordinance needs changing. He said the  
37 Conservation Commission is comfortable with this and helps us move the work around Lavenger Creek  
38 forward.

39  
40 Chair Horgan said that the Conservation Commission will be doing the "heavy lifting" and the Planning  
41 Board will be the support team.

42  
43 Ms. Degnan read the draft letter she wrote from Chair Horgan in support of the grant proposal.

44  
45 *David McArdle MOVED to authorize Chair Darcy Horgan to sign the letter to the director of PREP to start*  
46 *the grant proposal process for \$11,053 with in kind match, dependent upon the Conservation*  
47 *Commission committing both the dollars and the in kind time for the proposal; this was SECONDED by*  
48 *Margaret Sofio and APPROVED unanimously.*

49  
50 3. Approve minutes to the meeting on April 22, 2015

51  
52 *Kate Murray MOVED to accept the April 22, 2015 New Castle Planning Board minutes as amended; this*  
53 *was SECONDED by Lorn Buxton and APPROVED unanimously.*

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55 4. Old Business

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There was no old business discussed at this meeting.

5. New Business

Chair Horgan reported that Eric Katz Darcy has resigned from the Planning Board.

Kate Murray asked if Margaret Sofio would then become a regular voting member.

Chair Horgan noted that even with that change, the board should be five voting members and two alternate members, so there is still a need for a couple more members.

Lorn Buxton suggested asking Rich Landry if he would be interested.

Chair Horgan agreed that was a good suggestion and asked the members to let her know of any other suggestions for members.

6. Correspondence

There was not correspondence to discuss at this meeting.

7. Adjourn

*David McArdle MOVED to adjourn the May 27, 2015 meeting of the New Castle Planning Board at 8:12 pm; this was SECONDED by Lorn Buxton and APPROVED unanimously.*

Respectfully submitted by,

Sue Lucius, Secretary to the New Castle Planning Board