

Minutes

New Durham Planning Board

April 20, 2010

Acting Chairperson Bob Craycraft called the meeting to order at 7:04 PM.

Roll Call: Bob Craycraft (Acting Chair), Dot Veisel, David Bickford (Selectman's Representative), Paul Raslavicus, Scott Drummey, Jeff Kratovil (Alternate)

Others Present: Keith Babb, Arthur Capello, David Allen, Ryan Noonan

Public Input: Chair Bob Craycraft asked if there was any public input. There was none.

Babb Excavation Pit: Bob Craycraft noted that a potential sedimentation problem at the Babb Excavation Pit had been brought to the attention of staff by the State Gravel Pit Tax expert. He asked Arthur Capello to describe what he had seen in his recent site visit. Mr. Capello said there were very distinct problems of sediment washing out toward the nearby brook. He said he had been in conversation with Mr. Babb who shared the concerns and was very responsive to the Town's requests for clean up. Mr. Capello said that some of the problem has already been remediated, both by moving washout sediment and by loaming and reseeded some areas of the pit. He added that Mr. Babb was continuing to work on fixing the problems.

Mr. Babb spoke and said he hoped to have most of the sediment wash out of the woods by Friday (4/23). He added that both the creation of the problem and the remediation work had been complicated by recent heavy rainfall.

Bob Craycraft asked if the board felt it was necessary to have the situation analyzed by a professional engineer and he asked Mr. Babb for additional detail on the status of the washout at the bottom of the pit.

Mr. Babb said he felt that much of the problem had been created by the installation by the town of a culvert on King's Highway which had diverted the street drainage toward the gravel pit where it had not been going before the culvert installation. Bob Craycraft asked if the pit had been expanded beyond the excavation area that the Board had approved last fall. Mr. Babb said no excavation was going on outside the approved perimeter, but that he was storing dirt removed from the pit outside the approved area. It was this soil and sand that had been washing away. He said he had

spoken with Paul Gelinis about 30 days earlier about preparing a revised plan to expand the excavation site.

Dot Veisel asked what his timeline was for submitting a revised plan and he said the end of May. Paul Raslavicus asked if any excavation was currently going on at the site. Mr. Babb confirmed that no excavation was happening and would not until the damage was repaired and a new permit was approved. Mr. Raslavicus asked if sediment had gone into the brook. Mr. Babb said that it had despite his efforts to contain it.

Arthur Capello said that from his site visit observations Mr. Babb was doing as much as he could to contain and remedy the problem. Mr. Babb explained that he had installed four separate lines of silt fence between the piles of dirt and the brook. The first silt fence was stopping about 85% of the outflow and the balance was being stopped by the next 3 silt fences.

David Allen said he understood from the discussion that the damage was not coming from the pit area itself but from the stockpile of dirt which was located outside the approved excavation area. Mr. Babb and Mr. Capello confirmed that.

Bob Craycraft suggested that the Board should make a site visit as soon as possible. They would be able to see if the reclamation efforts seemed adequate or if an engineer needed to be called in, and their observations at this time would facilitate the processing of Mr. Babb's revised Excavation plan when he submitted it in a few weeks. The Board agreed to a site walk at 4:30 PM on Friday, April 30.

Geomorphic Fluvial Study of Cocheco River: Shane Csiki of the US Geological Survey and Sally Soule of the NHDES gave a presentation to the Board about plans for a study of the Cocheco River that will start this summer. The study is part of a larger response to problems created in the state by the 2006 Mothers' Day and Patriots' Day floods. In some parts of the state the force of the floodwaters changed river courses and washed away houses. The study will look for areas where the river banks are particularly at risk for erosion during a heavy rainstorm. The risk could be because of the absence of vegetation on the banks of the river, the undercutting of river banks, a dam at risk of failure, or undersize culverts that lead to increased water velocity, as well as other factors.

Trained field workers will walk the river and make note of the risk factors directly along the river. They will also try to identify areas in the flood plan but away from

the river channel that are at risk because of the potential for the river to cut a new channel. The information collected will be mapped with GIS tools and will provide a basis for hazard emergency planning for that river area. Planning could range from ensuring emergency access to certain areas or limited new development in other areas.

Election of Officers: Scott Drummey moved to elect Paul Raslavicus as Chair. Dot Veisel seconded. Approved unanimously with no abstentions.

Election of Officers: Dot Veisel moved to elect Bob Craycraft as Vice-Chair. Scott Drummey seconded. Bob Craycraft abstained. Approved unanimously.

Election of Officers: Dot Veisel moved to elect Scott Drummey as Secretary. Paul Raslavicus seconded. Scott Drummey abstained. Approved unanimously.

Excavation Regulations: Paul Raslavicus walked the Board through the draft regulations he had prepared. He used the Alexandria regulations as a starting point and made edits from the Ossipee or existing New Durham regulations, or from his own judgment as seemed appropriate and in line with previous Board discussions. He asked Board members to review the draft and be ready for further discussion at the May 6 meeting.

Rules of Procedure: At earlier meetings the Board had proposed four separate amendments to the Rules of Procedure. David Bickford moved to divide the questions and consider the amendment to Section XVIII (Staffing) separately from other amendments. Bob Craycraft seconded. Approved unanimously with no abstentions.

David Bickford moved to adopt recommended amendments to Sections V.E, VIII.G, and XIX.F. Scott Drummey seconded. Approved unanimously with no abstentions.

Bob Craycraft moved to adopt the recommended amendment to Section XVIII.A. Scott Drummey seconded. David Bickford noted that the Board of Selectmen did not agree with the requirement for the Planning Board to concur in the selection of a staff person, even though that requirement was in place in the Rules of Procedure and was not being added by this amendment. He asked Board members to vote against it. **The Board voted 4-1 to approve the amendment, with no abstentions.**

Stormwater Regulations: Arthur Capello will review the draft regulations and provide feedback to the May 4 Planning Board meeting based on his role as Code Enforcement Officer with responsibility for approving applications for a Conditional Use Permits for applications that do not meet a threshold level of size or complexity.

Minutes of 4/10/2010 Site Walk: Scott Drummey moved to approved the minutes of the April 10 site walk at the Flight Deck site plan property at 364 Route 11. Bob Craycraft seconded. Dot Veisel and David Bickford abstained as they were not present. Approved 3-0.

Adjourn: Dot Veisel moved to adjourn at 10:08 PM. Scott Drummey seconded. Approved unanimously with no abstentions.

Respectfully submitted,

David Allen
Land Use Administrative Assistant

Minutes Approved as submitted on 5/4/2010