

COÖS COUNTY PLANNING BOARD
Lancaster, NH
March 22, 2017

Present from the Board: John Scarinza – Chair; Fred King – Vice Chair; Jennifer Fish – Clerk; Ed Mellett, Mike Waddell, Rep. Wayne Moynihan; alternate Tom McCue; and Board Secretary Suzanne Collins. (*Commissioner Tom Brady and Scott Rineer were excused*).

Also in Attendance: Tara Bamford, North Country Council; Phil Bryce, Johanna Lyons, Sanford Young, NH Parks and Recreation; a member of the public and a member of the press.

John Scarinza, Chair, called the meeting to order at 6:05 PM.

APPROVAL OF MINUTES OF FEBRUARY 22, 2017:

Fred King made a motion to approve the minutes of February 22, 2017 as distributed. Mike Waddell seconded the motion. There was no discussion and the minutes were unanimously approved by voice vote.

PUBLIC COMMENTS NOT RELATED TO AGENDA ITEMS: None.

NEW BUSINESS:

Cambridge: NH Department of Resources & Economic Development, Division of Parks and Recreation – Umbagog Lake State Park. Parks Director Phil Bryce spoke of plans for a State project in Cambridge that does not constitute a substantial change in use. He stated that he wanted to make the Board aware of the plan for the State's campground and introduced Johanna Lyons of State Parks Planning.

Johanna distributed the plans for a new visitor center that will provide much needed space for parks administration, bathrooms, showers, a laundry and retail shop. Also included in the plan are improvements to utilities, and roads/parking lot. Upgrades to campsites and the marina are also being planned. She explained that Parks has been making steady improvements in utilities like water and septage disposal and the buildings are getting older. The old visitor center was built in the 1930's. Due to the size constraints of the property, it is necessary to remove the old toilet building and Cabin #1. Phil Bryce acknowledged that in order to mitigate losing a cabin on the lake, they will make the shorefront more accessible to everyone and add a screened in pavilion.

The project schedule includes a bid opening in April with construction expected to begin in July. She referred the Board and the public to the project website for updates:

<http://www.nhstateparks.org/news-and-events/projects/umbagog-campground-redevelopment.aspx>.

Fred King stated that the plan sounds like a good idea and he supports it. He reminded the State folks that the Board has some projects due to come forward in the tourism sector, and he would appreciate State of NH support for those projects.

John Scarinza inquired about the septic system. Johanna replied that it is fairly new having been installed in 2000 and it is adequate to meet the needs of the new facility.

Mike Waddell informed new Board members that this project is exempt from Board authority as it is a State project. Johanna stated that they will be happy to keep the Board informed of progress on the project. John agreed that the State should keep the Board informed.

Phil Bryce stated that although the NH Fire Marshal's Office is charged with the responsibility of issuing a building permit, he likes to keep local Zoning and Planning informed to see if there are any local issues.

John inquired about the lighting. Johanna replied that the visitor center will be lit on the interior when it is open. Outside will only have low lighting in the form of LED passage lighting. There will be no overhead lighting.

Tom McCue asked if they have talked with the Errol Fire Department about the plans. Johanna stated that they had not but agreed it was a good idea. There was a question about the availability of cell service at the campground. Sandy Young replied that it is minimal – only available if using a cell phone in close proximity to a neighbor who has a booster.

Jennifer Fish stated she has a copy of the Division's application for a Shoreland Permit if any of the Board members wish to review it.

OLD BUSINESS:

- a. **Zoning Ordinance Review:** Tara Bamford stated that her homework from the last meeting was to bring in information on **Section 4.03A Aquifers (PD1)** and **Section 4.03E Shorelines of Rivers, Streams and Lakes (PD5)**.

Section 4.03E Shorelines of Rivers, Streams and Lakes (PD5):

Tara distributed copies of the Coos County Land Use Guidance Maps with streams identified on the original GRANIT maps prepared in 1990 as PD5's. She had also highlighted in pink all other year-round streams that had not been designated as having PD5 protection. She had marked some of the streams with "X" to designate intermittent streams. Tara also distributed a list of the waterbodies in the Unincorporated Places that are subject to the Shoreland Water Quality Protection Act (Order 4 and up).

Discussion followed on what constitutes 1st, 2nd, 3rd and 4th order streams.

Tara pointed out that currently the Zoning Ordinance has Protected Districts indicated on the Zoning Maps that cover some streams and not others. She did not know why some were picked and others not picked. Sue Collins stated that to the best of her recollection select Board members had undertaken the project of identifying streams in unincorporated places familiar to them that should be included in the PD5. Tara asked Board members if they want to update what streams will be included in the PD5. The cost of updating the Zoning Maps was discussed. At a previous meeting it had been decided to finish the Zoning Ordinance updates this year and budget for new maps in 2018.

John asked Tara what other communities use for zoning criteria for different order streams. Tara replied that in communities that have local shoreline regulations, the setback is typically 100'.

Discussion followed about the State's basal area law for forestry on 4th order streams and ponds. Ed Mellett explained that the Shoreland Protection Act protects all the 4th order streams and ponds with the exception of forestry management which is covered by the Basal Area Law. This law applies to forestry; not to camps.

Mike Waddell said he doesn't like the complexity of the maps and suggested that the Board should only incorporate 4th order streams and water bodies in the PD5s and that a 50' setback should be considered. John Scarinza stated he is thinking more like 100'. Mike said the most critical aspect of a 50' setback is septic and DES controls whether or not to approve a septic design for a proposed camp that is setback a minimum of 50'. Rep. Moynihan added that he knows people with camps within 50' of a brook and he doesn't see why it isn't acceptable. He was more apt to support 50'. Tom McCue suggested that if the Board makes it 100', then it is half of what the regulations is now. Tara stated that if the Board grants a conditional permit whatever the agreed to setback is, the Board can add conditions on vegetation.

Tara asked why the Board wouldn't designate 2nd order and up in the PD5; some first order streams are intermittent. Perhaps perennial streams language could be used but she added that administratively, it is better to use 2nd order.

John stated that there is a state model ordinance and thought it would be productive for Board members to read it. Tara cautioned that the state model ordinance is more complicated than what is needed in the vast geographic areas of the unincorporated places.

Mike Waddell stated that if the Zoning Maps were to designate 2nd order and above, if the applicant doesn't agree, the applicant will need to produce evidence that the stream is lower than 2nd order.

John asked if everyone was in agreement for using 2nd order over the perennial designation for streams. He indicated that GRANIT has the data available to do the maps.

Tara stated that she will send Board members the model ordinance and asked Board members to read the information about vegetative buffers.

John stated that this issue needs to be decided at the next meeting.

Section 4.03A Aquifers (PD1):

Tara read the description of a PD1 from the ordinances:

Areas have soil rated as highly permeable and/or surficial geologic units that are highly permeable and are hydrologically connected through highly fractured bedrock units to a ground water supply which is currently, or anticipated to be, used for public, industrial or agricultural purposes, or areas identified as aquifer recharge areas based on studies by appropriate qualified persons or agencies.

Tara stated that at the last meeting she and the Board had talked about referencing stratified aquifers and well-head protection areas. Tara distributed Arial photos of certain unincorporated places with superimposed well-head protection areas. She stated that the Board might want to simplify the PD1 language by listing only prohibited uses in these areas; i.e., dry cleaning establishments, gas service stations, etc.

Tara stated that the Town of Monroe just adopted an aquifer ordinance and she will send that language for Board review. Tara also distributed NH GRANIT maps that show stratified aquifers in the unincorporated places.

John asked if Board members had read RSA 155-E that Jennifer had sent them. This “homework” was requested at the last meeting in order to give Tara some guidance about what to do with **Article VI: Standards for Earth and Construction Aggregate Excavation.**

Mike Waddell recommended that the Board indicate that it accepts the provisions of RSA 155-E and get rid of the excavation language in the Ordinance. Mike Waddell agrees to make this in the form of a motion. Ed Mellett seconds the motion. John Scarinza stated that no motion was necessary during this ordinance review. All agreed to have Tara delete the excavation language. She noted the language revision included in Section 4.04 Management Districts – Uses Allowed Without a Permit includes *“Mineral extraction operations, less than 5 acres in size, for on-site maintenance activities, or as necessary for the construction and maintenance of land management roads.”*

Tara asked Board members to please read all the changes indicated in red and blue type in the 2/22/2017 Working Draft. She indicated that it was time for her to begin wrapping up this project that has gone on for two years or more.

RATIFICATION OF BUILDING PERMITS:

Cambridge: Jennifer Fish again presented an “After the Fact” Building Permit application from Marie Provencher to raise an existing camp and pour a cement slab. John Scarinza stated that he had not had the time to review the application, especially as it applies to septic compliance and he will bring it forth at the next Board meeting.

TIME AND DATE OF NEXT MEETING:

Meetings are being regularly scheduled on the 4th Wednesday of the month at 6 PM; therefore, the next meeting will be held on April 26. Location will be the North Country Resource Center in Lancaster.

ADJOURNMENT:

Fred King made a motion to adjourn. Ed Mellett seconded the motion and all voted in favor.

Meeting adjourned at 8:00 PM.

Respectfully submitted,

Suzanne L. Collins
Secretary to the Planning Board