



COÖS COUNTY PLANNING BOARD
North Country Resource Center, Lancaster, NH
March 20, 2024

Chairman Rineer opened the meeting at 6:00 p.m. and followed with the Pledge of Allegiance.

ROLL CALL:

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| Scott Rineer Chair: Present | Commissioner Raymond Gorman: Present |
| Mike Waddell Vice Chair: Present | County Administrator Mark Brady: Present |
| Mike Ouellet Clerk: Present | Rep. James Tierney: Present |
| Ericka Canales: Present - zoom | Paul Grenier - Alternate: Present |
| Arnold Davis: Present | Leon Rideout - Alternate: Present |
| Thomas McCue: Absent | Marc Tremblay - Alternate: Present |

ALSO IN ATTENDANCE: Tara Bamford, Planning Consultant (*via Zoom*); Earl Duval & Wayne Presby, Cog Railway; Bob Gargano; Kevin Evans; Jacob DeBow & James Oehler, Fish & Game; Robert Théberge; Ray Berthiaume, County Forester; and Linda Harris, Administrative Assistant.

SEATING OF ALTERNATES: The Chair appointed alternate Marc Tremblay to replace member Thomas McCue.

APPROVAL OF MINUTES:

A motion was made by Representative Jim Tierney, seconded by Arnold Davis to approve the minutes of the February 21, 2024, meeting. There was no discussion. The motion was passed in the affirmative by voice vote.

PUBLIC COMMENT: Chairman Rineer inquired if there was any public comment not relating to the items on the agenda. There was no public comment.

CORRESPONDENCE: There was no correspondence.

APPLICATIONS:

- a. Thompson & Meserve's Purchase: Mt Washington Railway Company - Conceptual consultation for fiber and update on Base Station projects.

Earl Duval reported that discussions were held at the December 21, 2022, meeting relating to new entrance arch, site wide paving, replacing tracks, 200' X 100' maintenance building addition, and employee RV parking with access road. The building permit and certificates have been obtained for elements of this work and will be forwarded to the county offices.

- Wetlands permit received 9/2023;
- Shoreland permit received 10/2023;

- AoT permit received 11/2023;
- The entrance arch was approved by the fire marshal's office was approved 9/2023 and will be installed in the Spring 2024;
- Track replacement: a couple of different sections will be replaced in 2024.
- Waumbek Station Storage: all permits are approved. The Fire Marshall is very thorough.

Mr. Duval distributed a photo of a proposed weather station and the proposed brackets for the fiber project.

Relating to fiber to the Sherman Adams Building, it was taken three years but everyone is on board with the project. There will be brackets attached to the trestle up to three miles before the Summit circle. Bretton Woods will be connecting from there. The tenants at the top of the Summit are very excited. Bretton Woods Telephone has a 10-gig telephone line with AT&T at the Summit. Mr. Duval asked the Board what they will require for an application. He is able to obtain official correspondence from Bretton Woods and the State of NH. Tara Bamford stated that he would need a zoning permit but does the Planning Board required a site plan application.

Paul Grenier asked what will happen to the old assets. Mr. Presby replied that the old fiber is buried deep in the ground and crushed. Mike Waddell stated that the site plan review application would be an overkill. The Chair stated that the consensus of the Board was that a site plan review is not required but a zoning permit application will be required. The application should be submitted to the County offices for review by Mike Ouellet and approval by the Board of Commissioners. The County Administrator asked about the Cog's timeframe. Mr. Presby replied late April.

Weather Station: Mr. Duval reported that five weather stations had been donated. The Observatory's long-term goal is to measure with the Auto Road. The grant funding had to go through the NEPA process. There will be one weather station at the Base Station and the other four will be located in the rail corridor at various elevations in order to mirror the Auto Road. Initially, these will be radioed out and eventually be hard wired. Mr. Duval inquired about the application process. It was the Board's consensus to combine with requests on the zoning application and submit to the County offices. No site plan review would be required.

The Lizzy Station project is still in the discussion stages.

Mr. Presby discussed his current work on building a new locomotive.

Mr. Duval and Mr. Presby thanked the Board for allowing them to attend the meeting. They left at 6:36 p.m.

7. Zoning Amendments:

- a. Report from the March 18th Delegation Meeting: Mike Ouellet reported that the Coös County Delegation had approved the proposed revisions to the Coös County Zoning Ordinances.
- b. Jake DeBow, Fish & Game Regional Wildlife Biologist, presented PD3/PD4 recommendations to the Planning Board. He began by providing some highlights from the Master Plan:
 1. Support land use activities that protect habitats, including deer wintering areas, bird nesting sites, ecosystems, food sources and other life requisites for wildlife species.

2. Administer zoning and regulatory programs to protect wildlife habitat in a fashion which is balanced, sustainable through time and reasonably considers the management needs and economic constraints of landowners.
3. Support land use activities that protect habitats for fish spawning, nursery, feeding and other life requisites for fish species.
4. Work directly with the NH Fish & Game Department to protect and manage the wildlife resources of the state.

Zoning in the Unincorporated Places was established by the Planning Board in 1990 which included Protected Districts (PD zones) PD3 Critical Wildlife Habitat and PD4 Fish Spawning Areas.

PD4 was established to protect the last migratory population of native brook trout in the state. PD3 had some of the first wildlife and habitat specific zoning in the state. Present day it is still one of the strongest wildlife-based zoning in New Hampshire.

Current PD3 specifics included:

- 400 ft buffers on the Dead Diamond, Swift Diamond, Molledgewock Brook, Bog Brook Androscoggin and Stearns Brook.
- 7,942 acres in the four Unincorporated Places of Atkinson & Gilmanton Academy Grant, Second College Grant, Cambridge and Success.

Some examples of current verbiage

- PD4 – permit required for certain uses within PD4.
- PD3a – critical wildlife habitat (no harvest permitted).
- PD3b – 200' buffer from edge of PD3a.
- PD3c – 201' to 400' buffer from edge of PD3a.

Some problem statements:

- PD4 – not established.
- PD3 – Complex and Unenforceable.
 - Verbiage of a/b/c/zones is three pages of text and can be confusing.
 - Basal area rules, size of openings and rotation intervals withing the different a/b/c zones are difficult to measure as well as largely unenforceable.
 - Inconsistent with RSA674 :1.

Mr. DeBow suggested establishing the following goals:

- Simplify and create enforceable language.
- Use original focal species and purpose in any updates.
- Apply modern science and up to date research.
- Connect the dots – leverage PD zones to bolster landscape level habitat protection projects in Coös County.

Explore/simplify solutions:

- Combine PD4 and PD3 into Critical Fish and Wildlife Habitat.

- Remove PD3/a/b/c zones in exchange for simple Riparian Management Zone.
- Change from 400 ft critical habitat to 300 ft management zone.
- Locate management zone from top of bank.
- Standardize based on stream orders in critical watersheds.

Exploring Solutions – Enforceability:

- Use PD6 verge as an outline.
- Retain permit system with Commissioners.
- Would allow for county enforcement to remain consistent between PD zones and other zoning rules.

Recommended revisions included focus on softwood travel corridors to ensure boreal habitats for wide ranging species; focus on known critical trout spawning streams from 2012 and 2017 radio telemetry studies; and take modern protection into account and focus PD3 efforts on providing connectivity between federal ownership, state ownership and conservation easements. He recommended repositioning the standardized approach and increasing acreage from 8,000 to 9,500.

Discussion:

Tara Bamford noted the following for the Board:

What is the overall Board support of a new proposed area.

Is the Board comfortable with 300' setback on streams? Several structures would fall within the zone, vegetative buffer. Any timber management within the 300' would require a Fish & Game consultation. The Board would need to have conversations regarding permits and what would be needed from Fish and Game relating to the consultations.

Commissioner Gorman stated that rules need to be established for the Commissioners to follow. County Administrator Brady stated that the fundamental issue is that the County needs to retain rights of jurisdiction.

Ms. Bamford stated that it is a process, a consultation with Fish & Game. County Administrator Brady noted that technically Tara is correct, but it may not always work that way. There could be a day where no one gets along. The county could be opening itself up to being leveraged by outside forces.

Mike Waddell stated that the process needs to be written as advisory role. If it doesn't work, it can be revisited. The landowner can use the free advice from the state biologist. Tara asked if it is only a consultation why is the county's zoning ordinances needed. Can't the state biologist just reach out to the landowner?

Jake DeBow replied that the process shows the importance of wildlife habitat by the county; and puts Fish & Game on the ground with the foresters. It is up to Fish & Game to bolster up the relationship.

Paul Grenier stated that this needs to be discussed further to make it right. Mike Ouellet noted that this will involve three entities: Fish & Game, the County Commissioners and landowners. The landowners should be invited to a meeting to discuss further.

Jake DeBow asked how development would be handled. Are there land use practices to be followed? The master plan states that fish and wildlife habitat is important. Tara replied that those were all questions that need to be discussed.

The Chair stated that the landowners will be invited at some point to discuss the proposed changes. Tara stated the Planning Board should come up with a bullet point policy and worry about language after.

Commissioner Gorman noted that the Commissioners have final say. The proposal makes sense more than the setbacks enforcement.

Mike Waddell asked in which areas of these maps are there potential development conflict.

The Chair requested that Tara provide bullet point topics that the Board needs to discuss for the next meeting.

8. Approved Zoning Permits:

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|-----|--------------------------------|---------------|---------|---|
| 572 | Barry, Kevin | Odell | 2/22/24 | rebuild 8x8 shed to attached camp |
| 573 | Mt. Washington Summit Road Co. | Green's Grant | 2/22/24 | Rebuild of toll house 12' x 30' |
| 574 | Korey & Kevin Hodnett | Millsfield | 2/22/24 | 20'x28' log home kit with walk-out basement |

Mike Ouellet reported that he had reviewed, and the Commissioners approved the permits listed.

9. Any other business: There was no other business to discuss.

The next meeting is scheduled for April 17, 2024 @ 6:00 p.m. in Lancaster, NH.

A motion was made by Rep. James Tierney, seconded by Mike Ouellet to adjourn the meeting at 7:45 p.m. The motion was approved unanimously.

Respectfully submitted,

Linda Harris
Administrative Assistant