

MINUTES  
PLANNING BOARD MINUTES  
AUGUST 5, 2015

PRESENT: Ed Dekker, Chairman, Paul Termin, Tim Jones, Ned Nichols, Liz Freeman, Louise DelPapa

The meeting was called to order at 7:30 at the Town Office.

Tim made a motion to approve the minutes of the July 15, 2015 meeting. Ed seconded the motion and it passed unanimously.

Louise distributed information to the Board on the upcoming Law Lecture series in September or October and requested if anyone is interested in attending the lectures to let her know for registration purposes.

Ed read a letter from the Office of the Selectmen, Temple, NH. The Board of Selectmen has requested they be notified of any subdivision application by Kinder Morgan for the property known as Skinny Cat for its use as a compressor station serving the NED pipeline. Ed stated that if the Planning Board gets any proposal it most certainly will be declared to have regional impact, not to prejudge any declaration the Board may or may not choose to make.

Ed read a letter from AECOM; subject, "Information Request", Tennessee Gas Pipeline Co., Northeast Energy Project (FERC Docket No. PF14-22). The letter referred to correspondence dated January 26, 2015 that was sent to the Planning Board. Liz questioned the receipt of the January 26, 2015 letter and requested Louise follow up on the matter. Ed recalled the letter was forwarded to the Conservation Commission. Liz would like to consult with the Pipeline Task Force and make sure that whatever the Board's response is, it would be in line with the Task Force. Tim stated he would consult with Wendy Freeman regarding this letter.

7:45 Edward and Rachel Estola – Public hearing for a two lot subdivision

Mr. Ed Rogers from Rogers Engineering Solutions presented the application to the Board. The proposal is for a two lot subdivision, lot 8/16 at 36 Poor Farm Road. The existing lot is just over 5 acres and the intention is to create a back lot. Upon subdivision the existing house with the business, will consist of 2.53 acres and the back lot, Map 8, lot 16A will consist of 2.48 acres. Mr. Rogers requested a waiver citing regulation 4:12 (C), checklist items 58a and 58b. Liz made a motion to grant the waiver request. Tim seconded the motion and it passed unanimously. Liz made a motion to accept the application as complete. Paul seconded the motion and it passed unanimously. Mr. Rogers stated that when he met with Kent Brown, DES requested a test pit on the existing lot which has been completed. He further stated that there will be a well easement on the property so no one will be able to put a septic system in that area. The easement will be recorded when the property changes hands. Liz made a motion to approve the two lot subdivision application conditional upon the inclusion of a note on the plan regarding the well easement, a note regarding sprinklers or an adequate source of water for fire protection, setting of the markers, receipt of the mylar, and payment of fees. Paul seconded the motion and it passed unanimously.

## 8:15 Industrial and Commercial Impact Ordinance

Liz mentioned that she spoke to Carolyn Dick Mayes regarding the CIF ordinance. Carolyn said that the Board should require a submittal of an environmental management system and the second piece of this would be a report on compliance. Liz stated that Ed could call Carolyn for the details. A discussion on this subject followed.

Paul stated he did not agree with the Decommissioning Section in the Ordinance. He felt it was heavy handed. Ed stated he initially wanted to strike this portion, but the majority of the Board wanted to keep it in the ordinance. Paul wanted to strike the water and air pollution section. Ned was concerned that the ordinance may discourage a small business. Ed brought up the point that the Board has worked on this ordinance for weeks and felt that the Board should not have to start all over again. Ned suggested that the Board should have a specific pipeline ordinance and Ed stated that he wants it be a general ordinance for commercial and industrial impact, a better chance of having it applied to the pipeline. If there is a pipeline specific ordinance, there is zero chance that FERC will apply it. If there is a general ordinance there is a chance somewhere between small and significant that FERC will apply it to the pipeline. Ed was cut off by a Board member and there was no further discussion on the reason for a general ordinance. Tim suggested the Board go through line by line, go over the full document, and vote on it. Ed wanted to produce a bulleted list of the areas regulated by this document and talk about the desirability of regulating each of these areas. A discussion followed on how the Board will complete the ordinance in the next work session. A consensus of the Board was to go through the ordinance line by line and not work with a bulleted list.

The Board asked Deirdre Daley if she would become an alternate member on the Board and she agreed. Liz made a motion to accept Deirdre Daley as an alternate member for the Planning Board. Paul seconded the motion and it passed unanimously.

The meeting adjourned at 9:30 p.m.

Respectfully submitted by:

Louise DelPapa  
Land Use Clerk

