

MINUTES
PLANNING BOARD MEETING
NOVEMBER 4, 2015

PRESENT: Ed Dekker, Chairman, Liz Freeman, Paul Termin, Tim Jones, Bert Hamill, Dave Lage, Ned Nichols, Deirdre Daley, Louise DelPapa

The meeting was called to order at 7:00 p.m. at the Town Office.

TEMPLE, NH - NOISE & LIGHT

John Kieley from Temple NH requested time to address the Board and give his input on the Town of Temple's position on noise and light ordinances. Mr. Kieley suggested it was extremely important for both Towns to adopt some kind of ordinances/site plan review regulations. Mr. Kieley stated if we do nothing we will end up with a 55 dBA level. He distributed Temple's proposed regulations and stated the Town is meeting tonight to make the regulations stronger relative to noise. Liz was concerned regarding Site Plan Review Regulations vs. Ordinance and stated an ordinance would be a stronger position with a Town vote. She added that any future Planning Board can change regulations. Liz stated the Board has worked on a Noise Ordinance and is in the position to put it forth if the Board chooses to do so.

WENDY JUCHNEVICS FREEMAN – PIPELINE TASK FORCE INPUT

Wendy Freeman, Chairman of the Pipeline Task Force, requested time to address the Board and give her input on the Task Force position regarding a noise ordinance, blasting and ground water protection. Wendy mentioned that Eric Tomasi from FERC stated they could put conditions on the certificate of need and require that Kinder Morgan meet local ordinances if they were found to be appropriate. Wendy stated if the Town adopts a Noise Ordinance, it puts the Town in a much stronger position and will carry a lot more weight with FERC and the SEC. Wendy suggested if a Noise Ordinance is adopted, it be shared with the surrounding towns to create a stronger position. Ned stated he is advocating for a specific ordinance not a general ordinance. Ed stated the law must effect all businesses in Town and set reasonable limits for a quiet rural community. Liz pointed out New Ipswich has faced problems with Pitcherville, wind farms, compressor station and this unanticipated development could have a serious negative impact on noise levels; the Town needs to prepare for the future. She distributed a hand-out on the pros and cons of proposing a Noise Ordinance. Wendy stated Kinder Morgan could be required to use electric turbines which will significantly reduce the emissions but she was not sure how it would affect the noise reduction. Liz stated the Board has paid for an Acoustical Engineer to draft a noise ordinance and the Board had some objections to the noise levels at the last meeting. Liz, Ed and Steve Ambrose revised the ordinance which the Board will review at this meeting. Ms. Wendy Freeman requested the Board finish the Noise Ordinance. Wendy stated the Conservation Commission is going to draft an Aquifer Protection Ordinance and then give it to the Planning Board to hold the hearing. The Board agreed to have the Conservation Commission along with the Pipeline Task Force draft the ordinance. Wendy requested the Board consider a Blasting Ordinance/Regulation and mentioned Rindge has one. Ed stated Bert did research based on the proposed Pipeline route and it was his opinion any pipeline ordinance would probably be thrown out as a targeted ordinance. Bert did agree to look at

Rindge's ordinance to see if the Town can adopt it. Wendy mentioned DES has a sample ordinance for blasting.

NOISE ORDINANCE

Liz asked the Board to make a decision on continuing to work on the Noise Ordinance. Bert and some Board members had concerns regarding the noise levels. Bert measured the noise levels in different sections of Town and presented his findings to the Board. He stated all the levels of noise were much louder than on the proposed ordinance chart. The Board discussed Bert's findings and thanked him for all of his work on measuring. The Board was willing to proceed with the discussion on the noise ordinance. Liz distributed a revised draft of the Noise Ordinance and stated that Steve Ambrose broke out the tables and put in the basis of the limits he established (Table 1) to make it less confusing. The next 2 tables Mr. Ambrose broke out to make it easier to read/understand. On Table 4 Mr. Ambrose could not simplify the chart, it must remain the way it is, is technical and you need to be very clear on the measuring. The Board discussed Table 2 and Liz stated the correction on Table 2, Village 1 and Village 2 should be 35 dBA during the day and 25 dBA at night which was an oversight on her part. Liz stated acoustical measuring is a profession, there are experts in this field. Deidre suggested using Tables 3 and 4 which some of the members feel these charts are reasonable. Liz stated this ordinance is written to avoid any challenges on the noise levels. Paul mentioned that if one pipeline is built, more may follow. Ed made a suggestion to take the ordinance as drafted, schedule it for hearings, post the ordinance with the understanding to address the noise levels for the background. Ed made a motion to post the amendment that Liz passed out with all the same tables. Tim seconded the motion, and the motion passed with 5 in favor and 2 opposed. Ed mentioned the Board will work on the Visual Impact Ordinance and review the Aquifer Protection Ordinance (if the Conservation Commission has it completed) at the next meeting. Liz has proposed the Board amend Article 13, General Provisions, and create a new section O for the placement of the Noise Ordinance. A notice has to go in the paper regarding hearings on Commercial and Industrial limits. Ed stated the Board needs to work on items that are close to being completed and get them posted by November 20, 2015. Liz will email a copy of the Visual Impact Ordinance which is the same as the Wind Farm Ordinance and was passed by the Town.

Ed stated the Board will review the minutes of the October 21, 2015 meeting at the next meeting.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Louise DelPapa
Land Use Clerk