

Note: These minutes were edited from the Planning Board minutes taken by Susan Mooney, Planning Board and Conservation Commission Secretary.

Planning Board members present: Dirk Grotenhuis, Chairman; Eduard Viel, Vice-Chairman; Susan Mooney, Secretary; Gary Anderson, SRPC Rep; John Morin; Teresa Bascom; Robert “Buzz” Davies, Alternate.

Conservation Commission members present: Sam Demeritt, Chairperson; Debra Kimball, Vice Chair, Cheryl Smith, Liz Kotowski, Alternate; Paul Miliotis, Alternate.

**Call to Order at: 7:00pm**

**Public Hearing/ Conceptual Hearing**

Note: The Planning Board held a hearing prior to the Public Meeting/ Work Session with the Commission.

The applicants thanked the Board and left at 7:45 pm.

**Public meeting/ Work Session**

At 7:45 pm, the Conservation Commission joined the Planning Board to discuss Master Plan Action Items for Zoning Ordinance consideration.

Members of the Commission were invited to join the Board at the table.

Chair Grotenhuis passed the floor to Mrs. Mooney, Commission member, to review the Goals, Objectives and Action Items that were assigned to the Board in the Master Plan that have conservation importance for Nottingham.

Mrs. Mooney stated that the Commission has benefitted by periodic meetings with the Board of Selectmen (BOS) and according to our Strategic Plan we were moving forward to have the same type of coordination with other land use boards in Nottingham. To this end, over the past several months, the Commission reviewed all of the Action Items in the Master Plan assigned to the Board as the lead agency, and selected thirteen (13) with conservation elements that had not been incorporated into the town regulations and plans. Each members of the Commission prioritized the action items as #1 for top choice to #3 for their third choice. The composite results are as follows:

#1 Natural Resource (NR) 5.6 Incorporate into the Zoning Ordinance (ZO) a permitting process for outdoor lighting to preserve Nottingham’s dark sky environment.

#2 NR 1.7 Develop a town wide water resource inventory and management plan (Consumptive Water Use Plan (CWUP) consistent with RSA 4-C: 22.

#3 NR 1.3 Adopt a local Shoreland Protection Overlay District that would focus particularly on lower order streams not covered by the state Shoreland Water Quality Protection Act RSA 483-B.

#4 NR 1.9 Amend and update the current commercial soil-stripping ordinance to create an earth extraction ordinance consistent with RSA 155:E.

(Note: there are three #5 and two #6.)

#5 NR 1.8 Amend the Aquifer Conservation District to incorporate all stratified drift aquifers.

#5 NR 5.3 Amend the Zoning Ordinance through a Steep Slope ordinance to provide for greater protection of scenic quality from the impact of development.

#5 Land Use (LU) 2.3 Review the Subdivision and Site Plan Review Regulations to be sure they reflect the need to protect rural character and that any development under these provisions minimize environmental impact.

#6 LU 2.2 Amend the Zoning Ordinance to include a standard for maximum lot disturbance in the Residential Agricultural District.

#6 NR 5.5 Amend the Subdivision and Site Plan Review Regulations to include a statement to consider protection of scenic road qualities.

(Note: The Commission recommends that the Board and BOS adopt a culvert design recommended by NH Fish and Game and the Wildlife Action Plan. This can be addressed at a later date because the Commission member lead is not available to pursue this concern at this time.)

Discussion:

Mrs. Bascom asked for the definition of “rural”; she suggested that OSD design is not rural appearing because it groups the houses close together. Ms. Andersen read the definition of “rural” from the Master Plan, page vi to us, which includes protection for our forests and agricultural lands by conserving large tracts of land. Ms. Smith stated that OSD is a compromise, since standard two and three-acre lot sizes take away all the agricultural land and use it all up for housing. And she stated that some folks like to live in a community (such as in an OSD) with the safety features of a cul-de-sac.

Chair Grotenhuis stated that it is market driven as well.

NR 5.6 (Dark Skies) Points made: Number of lumens allowed, no light spillage over a property line and no up lighting. Mr. Colby stated that Chichester has a great dark skies ordinance and he will get some ordinances from area towns to bring to us. Language for commercial would be entered into Site Plan review. The BOS needs to be on board for enforcement. Fremont turns off sports field lights at a designated time each night. There are spotlights that shine from homes on Pawtuckaway Lake that shine across the lake toward homes on the other side. Mr. Colby stated that he and the police do “get a lot of calls” re: this issue from residents. Does dark skies qualify as regional impact (Viel)? Mr. Colby stated it does not qualify.

NR 1.7 (Water Resource Inventory) Points made: Well data wanted by the state for date installed, depth, type of well and gallons per minute. It was not uniformly collected since there were not personnel to attend to this task. Mr. Miliotis spoke to the importance of ground and surface waters. As an example, Steven’s Hill has “gotten drier over the years and Pawtuckaway Lake has gotten shallower.” There is concern for the vernal pools and dropping down the water table. Other comments: Some areas in town might not be able to support the number of houses proposed. Is the town responsible if wells go dry? What about community wells, those that serve 25 or more people such as the school and town office facility? And a study would be valuable to identify potential emergence water resources. Would we need a consultant? Mr. Colby: “Most likely.” The survey would identify best potential sources. Sub surface resources we don’t see. Would be valuable to know well depth required and water quality. How much would a study cost? Have other towns done such a study? Farms and commercial would pull more water than residential

units. Regional Planning Commissions and DES could provide direction for such a study. It was determined that this could be a multiyear project for budgeting and other concerns. Mr. Colby will contact Strafford Regional Planning Commission (SRPC) to see what other area towns have done.

NR 1.3 (Shoreland protection for lower order streams) Points made: Mr. Colby: What streams in Nottingham do we want to include in this protection overlay? And at what level of protection? The Commission will take the lead on this item to gather information on what the other streams are and communicate back to the Board.

NR 1.9 (Commercial Soil Stripping) Points made: The Board will review the town ordinances and Site Plan Review. In the Zoning Ordinance (ZO), page 18, this has been attended to in the most recent update.

NR 1.8 (Amend Aquifer District to include drift aquifers) Points made: In ZO, this issue is located in Article 3. Mr. Colby will inquire at SRPC to do a new map illustrating these features and indicated there is money in the budget to do this type of work.

NR 5.3 (Steep Slope) Points made: This issue was attended to a couple of years ago but did not go into the warrant. There would have been accommodations for a slope of 15 % to 25 % in addition to the Zoning Ordinances (ZO) and other regulations Nottingham already has for slopes of 25% or greater. What have area towns done with this issue? The work and expense for crafting such an ordinance has been done. This can be reviewed at a later session to see where it can be modified, if appropriate.

NR 5.5, LU 2.2 and LU 2.3 were read through and were deemed not necessary to attend to at this time. For some, modifications to the ZO and supporting regulations have been made since the 2012 Master Plan.

The Commission members were thanked for their recommendations, input and discussion; it was suggested that the two land use groups reconvene in about two months' time to continue working on these proposals. Members of the Commission left at 8:50 pm.

Respectfully submitted,

Susan P. Mooney, Secretary

These minutes were accepted as corrected at the meeting held on June 13, 2016.