

**To: Planning Board**  
**From: Dale Sylvia, Building Inspector /Code Enforcement**  
**Subject: 176 Stevens Hill Road**  
**Date: 7/13/22**

This record is to update the Planning Board on Code Enforcement's involvement regarding 176 Stevens Hill road.

We have received complaints from Mr. Peter Rowell in regards to wetland violations and an illegal driveway. In 2020 I contacted Mr. David Price from the NH Department of Environmental Services. We met on site (road agent also included). Mr. Price did an inspection and established a Restoration Plan #2020-02408, which needed to be completed by July 1. 2021.

At the same time we also inspect the "driveway". The land owner stated it was temporary logging road. Under these conditions it was allowed, however it was stated in that it was not an approved driveway and in the event of a sub-division, the driveway would need to be approved by the Planning Board, Code Enforcement and the Road Agent. To be clear a driveway permit was never filed for or approved. I am not told that they are applying for an after the fact driveway permit with the State. I have reached out to the State and told them not to approve this without town pre-approval. This was voicemail, I have called several times but they have not returned my calls. In addition, because they have not filed for a permit and may request one now, they would have to meet the 2022 ordinance and not be "Grandfathered".

In regards to the restoration plan, this is our stance. We were aware of a potential violation and notified the experts (NHDES). They established a plan and a deadline. I will not enforce another agency's plan. That is their authority. I will follow up to make sure that the plan is being met per DES authority. I have called them several times to check the status but have not received any call backs. Having said that, once the property owner wants to move forward and apply for driveway, building permits or a sub-division, the town has a right and responsibility to ensure current compliance before allowing any further development. It appears we may be at the point now depending on what the property owner is requesting.

Mr. Rowell does have some valid points and we addressing them, however he has attempted several times to put the town in a position that agrees with him mandating what others must do. It is up to the State, the Planning Board and Code Enforcement to make these decision. We are obligated to enforce the rules but must also proceed with caution making sure everyone is treated fairly.

Respectfully submitted,

Dale Sylvia  
Building Inspector / Code Enforcement