

Planning Board Meeting Minutes of 5-1-2012

Submitted by stoddard on Wed, 05/02/2012 - 10:36am.

TOWN OF STODDARD

PLANNING BOARD

MINUTES OF THE MEETING HELD May 1, 2012

MEETING CONVENED AT 7:00 PM

Roll Call: Ruth Ward, Terry McMahon, Robert Fee, George Preston, Louis GrandPre', Alternates Margo Santoro and Harry Power. Interested Town resident Dian Mathews was also in attendance. Absent was Dale Smith.

Correspondence: Memo from Geoffrey Jones re: MOU with SPNHF for construction of parking lot and trailhead for Pickerel Cove; draft building constraints map; copy of letter to the Board of Selectmen on request for NH DOT to improve the accident prone areas of Route 9 at Mr. Mike's and at the sharp corners heading East where so many fatal accidents have occurred.

Minutes of Previous Meeting(s): George Preston moved and Robert Fee Seconded to approve the minutes of the April 3, 2012 meeting as presented, the board agreed.

Public Rudimentary Questions:

Harry Power read an article from the Forest Notes, Spring, 2012 magazine regarding a Mother-Daughter Duo who has donated an easement on their land in Easton. The Mother is Ruth Ward and the Daughter is Kristina Pastoriza who have donated a conservation easement on 361 acres of land in Easton, NH. The article also noted that the land is in the path of the Northern-Pass Project and the author concluded that the project just might be inhibited by the easement.

The board considered an email from Geoffrey Jones, chair of Conservation Commission, on whether the town will require Site Plan Review before the Parking lot and trail head can be constructed on the soon to be Town owned property containing the Stoddard Rocks area. Harry said there is no need for Site Plan Review for this project. George Preston moved and Robert Fee seconded to approve the project as presented without requiring Site Plan Review, the board approved.

Old Business: JB Mack to fill in board on Brownfields Assessment Program. JB explained that property with real or perceived contamination could be assessed with financial support from the Brownfields assessment program. He noted two of the Brownfields projects that were eventually cleaned up with super fund money are - Keene Railroad property and, in Peterborough, the Thermometer Factory land. He further explained that there are two different funds of money - one assesses for mixed hazard contamination and the other assesses for petroleum related contaminations. The petroleum assessment is not used as much. These EPA Brownfields funds do not fund cleanup but only the studies of suspected parcels.

Clean up grants need to have the parcels assessment study first, which can then be made eligible for cleanup.

Ruth Ward wanted the Old Town Dump to be studied because it could be leaching into the North Branch River, which then flows into the Contoocook River. NH DES has appointed Ruth Ward to a three-year term on the Contoocook River Local Advisory Board. She will be conducting water tests, at the twin arch bridge location, to ascertain that the waters flowing into the Contoocook River are not contaminated. She wasn't sure if the water tests would look for leaching contamination from the old Town Dump or some other water quality concerns.

JB Mack counseled the board that private property is not eligible for Federal cleanup funds.

During the assessment program, if the site walk, by an environmental consultant, notices possible contamination, soil borings would be the next step.

George Preston said he is willing to bet that Rodney Williams, owner of the Old Town Dump property, would be amenable to allowing the study. If the study finds contamination on the parcel, the owner would be placed on notice for possible cleanup funds.

It would be up to concerned boards (the Board of Selectmen or the Planning Board) to nominate the parcel for Brownfields Assessment Program. If there is contamination found, there is a program of competitive discussion for cleanup grants funding. JB Mack said that the more history that can be presented to the assessing team the more consideration would be made for cleanup funds. The property would have to be turned over to the Town, or other public entity, for the parcel to be eligible for clean up funding. The Town or entity could have an agreement that once cleaned up, the parcel returns to Rodney Williams' ownership.

Louis GrandPre' reported that he attended a state walk through of the site a few years ago with State officials who said they had no jurisdiction because the dump was closed prior to the State mandating closure. Louis GrandPre' wondered when and of how long the dump was used. The dump was closed before he moved here 30

years ago. Ruth Ward asked if the Planning Board should contact the Williams' about this project.

Robert Fee wondered if Rod Williams would allow anyone on the site due to the State's treatment of Thurston Williams a long time ago in the contaminated OK Tool location (Milford). The EPA ended up taking the land because of the contamination and then cleaned it up. The Milford Police Department now occupies the property.

George Preston thought the Board of Selectmen, Town Administrator or Administrative Assistant could research the Town Dump's use and agreement with the Town. Harry Power reported that he was using the dump for number of years and believed that the town paid a fee for that use. Louis GrandPre' thought that the Planning Board should do the research, where they are interested in the history of the property. Margo Santoro volunteered to undertake the project.

JB Mack will get information on liability of such an owner/town relationship down the road when the clean up is planned. He also said that the means of capping the dump would control if the cap were holding back any contamination leaching. If it was capped with leaching guard, the clean up might not be recommended, as it would be best to leave the site untouched.

Ruth Ward reported that she has met with Carol Ogilvie concerning the Cell Tower Regulation concerns that Silas Little expressed during the vetting process of the Warrant Article. Carol explained that she has added that the ZBA or Planning Board has the power to make a recommendation for an "added conditional use permit". Ruth will study the proposed regulation and report back to the board in June.

Ruth Ward also told the board that she has consulted with the LGC attorney, Paul Sanderson, on why towns and municipalities are exempt from it's own regulations.

(Re: Gould House change in status from residential to commercial). Atty. Sanderson replied to see RSA 674:54. He also cautioned that the Town couldn't build or occupy a building that has life safety code issues.

New Business: None

Subdivision applications: None

Site Plan Review: None

Other Business: None

Secretary's Cumulative hours: 40 1/2

Adjourned: Robert Fee moved and George Preston seconded to adjourn at 8:06 pm, the board approved.

Respectfully submitted,

Patricia E. Putnam

Secretary