



Town of Hebron
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Hebron Planning Board
Minutes of Public Hearing
October 5, 2011

These minutes may be amended at a future meeting. Any changes will be included in the minutes of that meeting.

Board Members Present: Ellie Lonske (Chair), Roger Larochelle (Vice-Chair), Chuck Beno (Member), Mitch Manseau (Member), Curtis Mooney (Selectmen's Representative), Joe Hogan (Alternate), Kathleen Kearns (Alternate)

Others Present: Martha Twombly (Conservation Commission Chair), Suzanne Smith (Conservation Commission), Dan Merritt (Compliance Officer), Diane Burbank (Secretary)

Time Convened: 7:00 PM

Time Adjourned: 8:32 PM

Next meeting: November 2, 2011

Agenda:

1. Administrative Matters and Announcements.
2. Review Minutes of Prior Meetings for Additions, Corrections and Adoption.
3. Continuance of Sughrue/Blinn Subdivision and George Road Relocation.
4. Discussion of Possible Zoning Changes.
5. Any Other Matters That Come Before the Board.

Administrative Matters: Ellie Lonske, Chair, called the meeting to order at 7:00 PM. The minutes of the September 7, 2011 planning board meeting and the September 13, 2011 site walk at the Sughrue property on George Road were reviewed. **Chuck Beno moved and Roger LaRoche seconded a motion to adopt the minutes of September 7, 2011. The Motion passed unanimously. Mitch Manseau moved and Chuck Beno seconded a motion to adopt the minutes of September 13, 2011. The Motion passed unanimously.**

Sughrue/Blinn Subdivision and George Road Relocation: Chair Lonske stated that she had received an e-mail request from Alan Barnard to continue the matter to the November 2, 2011 meeting. The request was granted.

Announcements: The Supreme Court of New Hampshire announced its decision on September 22, 2011, affirming the Grafton Superior Court's ruling in favor of the Hebron Planning Board rejecting the "Limited Editions" (Delaney) subdivision off West Shore Road. Members of the Board discussed the outcome and what could be learned as a result of the six-year deliberation. Martha Twombly and Chuck Beno pointed out that the initial concept of building a road into the lake along steep slopes in an environmentally sensitive area was ill conceived, regardless of the design of such a road. In the future, the Board should demand environmental studies earlier, and wetland scientists should be chosen by the Board, not the applicant. Ms. Lonske was pleased that the Supreme Court supported all the Planning Board's points, not just a few, despite the fact that

the Board consisted of volunteers reviewing the application without a great deal of legal counsel. Roger Larochele reminded board members that any petitions signed should make note of the fact that the signer is a planning board member. For future applications, Chuck Beno suggested regulations which would limit measurable soluble nutrients from runoffs into the lake. Suzanne Smith noted that the recently revised Comprehensive Shoreland Protection Act eased off on some of its requirements regarding nutrient runoff, so local planning boards need to seriously consider this factor.

Chair Lonske then thanked the Planning Board members for their participation in the design charrette on September 23 and 24. She and Ileana Saros will be meeting with Selectmen on October 6 to propose an initial timetable to proceed with some of the professional recommendations by the team of expert town planners.

Work Session regarding Zoning Ordinance changes to be brought before the voters in March 2012: A concrete definition of “Highly Erodible Soils” was proposed and Ms. Lonske suggested that language be added to the zoning ordinance to limit development of very steep slopes (over a 25% grade) if highly erodible soils (as determined by an Order 1 soil survey stamped by a civil engineer and/or licensed soil scientist) are present. The Board agreed that if both of these conditions exist, disturbance should only be allowed with a special exception. Dan Merritt, Compliance Officer, pointed out that both special exceptions and variances are granted by the Zoning Board of Adjustment, but that a special exception does not require a hardship factor. Questions arose as to how the proposed zoning regulation on not disturbing areas of very steep slopes that have highly erodible soil might affect our current driveway (and road) regulations. Driveway permits are required to be signed by the Hebron Planning Board Chair. The Board will discuss that aspect of the change in the future and incorporate language regarding driveways and rights of way in the new regulation if necessary.

A new definition of “Vernal Pools” as defined by the New Hampshire Fish and Game Department was proposed to replace the current definition. Martha Twombly and Suzanne Smith of the Conservation Commission noted that defining vernal pools is a first step to educate the general population and use as a reference on the town website. More study will be needed to propose regulations in the future.

Discussion then turned additional brooks and streams which should be identified as “Designated Brooks” subject to setbacks and environmental protection in the Hebron Zoning Ordinances. Chair Lonske pointed out that special exceptions are already required for development near the lake, and high elevation areas remote from the lake are not a problem. We do not want to over regulate, but need to protect the middle area and water which could potentially flow close to the lake. Several additional brooks were suggested, and Ms. Lonske asked Ms. Twombly to come up with a map labeling all the brooks and streams included in the definition.

Chair Lonske asked Selectman Curtis Mooney and Dan Merritt to come up with more specific language to include in the March 2012 warrant regarding proposed changes to ordinances for temporary signs, building and structure height and solar energy systems, as discussed in the July 21, 2011 Selectmen’s meeting.

All proposed zoning changes need to be finalized by January 2012.

Other Matters: Chair Lonske related that Mike Ethier of Double E Land LLC was issued the cease and desist order for his illegal excavation activity as approved on September 7, 2011. None of those present including Compliance Officer Dan Merritt had noticed any recent activity at the sites. Mr. Merritt will ask the Hebron Police Department to check the sites.

Selectman Curtis Mooney announced that the controlled burn in the Hebron Town Forest has been rescheduled until spring of 2012. This will entail further discussion and approval at that time. There was some discussion of creating a Parks and Recreation Advisory Group with representatives from the Conservation Commission, Beach and Gazebo Committees to determine appropriate uses for this valuable natural resource.

A Motion to Adjourn was then made by Roger Larochele and seconded by Mitch Manseau. The motion passed unanimously and the meeting was adjourned at 8:32 PM.

Respectfully submitted,

Diane Burbank, Secretary