

**PLANNING BOARD  
TOWN OF PETERBOROUGH, New Hampshire**

**Workshop Minutes of November 1, 2010**

The Peterborough Planning Board held a workshop on Monday, November 1, 2010 at 5:30 p.m. in the Selectmen's Meeting Room of the Town House.

**Members Present:** Barbara Miller, Bill Groff, Leandra MacDonald and Ivy Vann.

**Also Present:** Select Board Chair Joe Byk.

**Staff Present:** Carol Ogilvie, Director; Laura Norton, Administrative Assistant; and Fash Farashahi, GIS/Planner Specialist, Office of Community Development.

Chair MacDonald began by noting "there is no quorum but this is a workshop so let's get going." Ms. Ogilvie stated that the GIS Specialist (Fash Farashahi, "Fash") was present to assist in reviewing aerial parcels and examples of the applying the proposed wetland amendment. One member noted "the more we do the more we will be fair in the process." Another member reviewed the 5 parcels the Board had already reviewed (Jo Anne Carr Property, Pine Ridge, Evans Flats, ConVal and Commerce Park) Fash explained the 50 and 100-foot lines for buffer and setback. The members then discussed a made up parcel scenario discussing frontage, location of wetlands and acreage.

In discussing wetlands the Code Officer's position was discussed, it was noted that if a property owner if not sure of the size of his wetland, the Code Officer would take a look. Ms Ogilvie noted "we would ask Conservation Commission to take a look as well."

Ms. Vann in at 5:15 p.m.

The members discussed structures versus fenced areas versus paddock areas as well as agricultural uses. They also discussed Best Management Practices. They went on to review the New Hampshire Method and the Moosewood Ecological research and final report. They reviewed the worksheet for each functional value contained therein as a means of creating the total area of the buffer and setback. Fash reviewed and described flood mapping overlays with discussion following.

Ms. Carr noted the benefits of Conditional Use Permits from the Planning Board versus the Special Exception process of the ZBA. One member noted "the reason we are looking at this is to come up with simple examples." Another member reminded the group "everybody has done the nice easy stuff, *that* is what gets developed first."

The members continued their exercise with a parcel off Old Dublin Road with wetlands in the back and no frontage in the front with one member noting with a chuckle "this is a bad example." Chair MacDonald however, took the opportunity to note "that is the problem; we have no guidance, how much should be buffer and how much should be setback." She added "how

much is which? And who makes the argument?" Chair MacDonald then concluded "it is our job to come up with some sort of formula and a rationale for that formula or we cannot do it."

Ms. Vann mentioned functionality noting "low functionality gives a lower buffer and a bigger setback." Ms. Carr cautioned for guidelines for minimums when calculating wetland buffers. Ms. Von Mertens asked Mr. Lundsted's opinion, noting "we need to give confidence to the Planning Board that the numbers are not arbitrary." The members generally agreed that there was confusion about the buffer/setback width. One member noted "how that is assigned has not been addressed in the ordinance." Another member noted "it seems like it depends on the application." The members went on to discuss several scenarios that included reductions as well mitigation techniques that included bio-retention systems and pervious paving. "Every project is going to be different" stated Mr. Lundsted.

The members then briefly discussed Conditional Use Permits and the role of the Conservation Commission and the Water Resources Committee in the process. Ms. Miller reiterated "the message we want is that the Planning Board wants to work with the applicant and make the best use of the property" with Chair MacDonald adding "and create flexibility that does not exist now by actually using the Planning Board to plan." The members re-reviewed the judicial nature of the ZBA process with Ms. Vann interjecting "I am convinced the Planning Board is the proper Board for this."

The members briefly discussed the lack of public education involving the wetlands and the proposal. One member noted "there is very little understanding of the functions of the wetlands." They discussed the "road show" (an educational presentation about the wetlands and the proposed amendment) they had planned with presentations to social and service organizations. Ms. Miller noted "we have to help people understand why wetlands are so important." Chair MacDonald interjected "tell them to ask their kids, their kids will know all about it." Mr. Groff told the members the whole thing sounded complicated to him. He added "people will see different results. They will see one applicant get one thing and another get something different." Ms. Von Mertens replied "you're damned if you do and damned if you don't." Ms. Von Mertens went on to say "it has got to be based on science" and added "then there are the politics, and people's fears."

The members re-discussed the buffer /setback minimums and mitigation for encroachments. Ms. Vann reviewed her suggestion of a 25/25 (buffer/setback) with Ms. MacDonald interjecting "but sometimes 50 feet is not enough." Ms. Vann replied "I agree if you can sell it but I don't think it is going to pass if we don't reduce it."

A discussion followed that dealt with the reduction of the minimum wetland size from ½ to ¼ acre. The members agreed this would protect smaller wetlands and capture vernal pools. Ms. Vann stated "I have the sense that if we do that we will lose everything and not have the opportunity to bring it up again." Mr. Byk interjected "it is now or never" with Ms. Vann replying "right, it is not coming back next year." The members discussed what they considered a very reasonable proposal but Ms. Vann reiterated her strong feeling that "100 feet will not pass" adding "and if it fails we have not fixed the administrative problem either." Ms. Miller suggested approaching the problem in steps or phases. Ms. Vann asked "so leave it at 50 feet and make the

administrative changes?” She continued “well I guess we are no worse off but we are not better off either.”

The members then re-reviewed the wetland buffer/setback width determination chart from the amendment. The discussion went back and forth with Ms. Von Mertens noting “the most important thing is for the Planning Board to understand this and then support it.” The members reviewed the New Hampshire Method with one member noting “if you want to do a project you have to know the size of your wetland by some method, right?”

In conclusion the members again discussed the “road show” the Selectmen were preparing. They also noted information would be available on the town website and the public computers.

The workshop adjourned at 7:10 p.m.

Respectfully submitted,

Laura Norton  
Administrative Assistant