

Wetlands Working Group
TOWN OF PETERBOROUGH, New Hampshire

Minutes of February 17, 2010

Members of the Peterborough Planning Board and Peterborough Conservation Commission held a joint meeting on Wednesday, February 17, 2010 at 7:30 a.m. in the Selectmen's Meeting Room of the Town House. The purpose of the meeting is to continue recommendations for the preparation of an amended Wetlands Protection District Ordinance.

Members Present: From the Planning Board Richard Freitas, and from the Conservation Commission JoAnne Carr and Matt Lundsted. Also present was Francie Von Mertens.

Staff Present: Carol Ogilvie, Director and Laura Norton, Assistant, Office of Community Development; and Tom Weeks, Code Enforcement Officer.

The meeting was called to order at 7:35 a.m. by Ms. Ogilvie who noted Chairman Enos had e-mailed her with regrets that he could not make the meeting. Mr. Enos also noted for the record that he was in favor of a minimum regulatory size of 10,000 square feet adding he could support it "grudgingly." Mr. Lundsted agreed that he could support the minimum size as well "if it will sway votes." Mr. Freitas stated "that is not large enough for me; I would like to keep it like it is." (Mr. Freitas was referring to the current minimum size of one-half acre).

The members had a brief discussion about the wetland delineation process in New Hampshire and the qualifications of the individual who may be assessing the functions and values of a wetland. They debated whether or not that individual would be required to be a state certified wetland scientist. One member noted "if you want change the setback based on the functional values, you don't need a wetland scientist, you need a professional that is qualified, be it a wetland scientist or something else." Ms. Carr interjected "I thought only a New Hampshire certified wetland scientist could do the New Hampshire Method." Mr. Lundsted replied "I disagree, that is not my interpretation." The members went on to review the new "points table" they had created in their last meeting. Ms. Carr suggested putting the wetland size at the top of the table "so it does not look like an afterthought." A brief discussion about groundwater and wellhead protection followed with Ms. Carr noting "this protection needs to be clear." They reviewed a graphic that showed both the groundwater grid and the wellhead protection. Ms. Ogilvie explained that the protection was in the form of what uses *cannot* happen over it with another member asking "so no bulk fuel storage as an example?" with Ms. Ogilvie relying "exactly."

The members went on to discuss the various methods in place to assess wetlands including the New Hampshire Method as well as the Highway and US Army Corps of Engineers Methods. Ms. Von Mertens noted the New Hampshire Method "is changing, it is losing wetland size as a multiplier." She went on to note "it is becoming more of a method to find out what is important in your town and prioritize things from there." The members went onto further discuss "functional values" and the use of the Moosewood Evaluation and Report as a guideline. They discussed the comparative wetlands evaluation and the formality of the language. Ms. Von Mertens noted concern for "looking at the bigger picture" which would include steep slopes.

The Members also discussed the point system with one member interjecting “the points are not absolutely black and white, there are other considerations.” They noted the Table would give an applicant a point score. The Planning Board and the Conservation Commission will take that score as a good indication of the wetland value “and then go from there.” The members also discussed Conditional Use Permits for streets, roads, and access ways that may cross a buffer and/or wetland with Ms. Carr noting “that should remain with the ZBA.” With all due respect to the Zoning Board of Adjustment, a brief discussion about ZBA applications often being a cumbersome process that may unduly burden an applicant followed. This led to further discussion about streamlining the process by going to the Planning board to get the approval needed to cross a wetland. Mr. Weeks noted “the Conditional Use Permit is strictly about the wetland itself here, it has nothing to do with zoning.” The use of plain language and the use of graphics was also discussed as a means to have the public better understand the amendment.

The members moved on to discussing the minimum size issue. It was noted Mr. Enos would support a minimum size of 10,000 square feet. Mr. Lundsted again agreed and stated “I can support that if it doesn’t sink the boat.” The members went back to the wetland setback/buffer table with Ms. Von Mertens noting “the 5 foot increments suggest a precise and scientific process.”

The members the briefly discussed the potential for a hockey rink in town and concluded with a wetland review of the potential location of the rink just adjacent to the former NEBS building.

Next Meeting:

Monday February 22, 2010

The Workgroup adjourned at 9:10 a.m.

Respectfully submitted,
Laura Norton
Administrative Assistant