

TOWN OF CENTER HARBOR  
PLANNING BOARD  
Meeting  
Tuesday, April 21, 2015

Chairman Charles Hanson called the hearing to order at 7:00 p.m. Present were Selectmen's Representative Richard Drenkhahn, David Reilly, Jackie Baker, Bill Ricciardi, Bob Coppo, Clerk Aimee Manfredi-Sanschagrin. In the audience LRPC circuit rider Mike Izard. Absent were Peter Louden, Chuck Burns and Kelli Kemery

**I. MINUTES:**

David Reilly motioned to accept the minutes as corrected of April 7, 2015, seconded by Bill Ricciardi. All were in favor, minutes pass unanimously.

**II. Work Session Continued – Section 10 – Center Harbor Water Resources Conservation Overlay District (WRCOD)**

The Board reviews the documents supplied by Mike Izard. Discussion starts with Chairman asking why we are using the name of Water Resources Conservation Overlay District? Mike explains the overlay uses certain requirements. The resources identified are specific which makes it different from the existing Ordinance and will only apply in the overlay. Charley Hanson, but the overlay is the whole Town. Mike Izard responds, the overlay is very specific areas where your Ordinance is superseded by specific rules. In this case it's specific to what is being regulated. Charles Hanson, so you are saying that Prime Wetlands is like it's own separate district? Mike Izard, exactly. The challenging part is trying to get around the comment Chris made which is this regulates everything 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> order stream. The question is whether that's the Planning Boards intention or not. During the last work session we talked about designated wetlands vs. non-designated as well as streams. However, the water resource map does not identify non-designated wetlands. Charles Hanson, do we want to regulate to that level? Mike Izard that has come up several times in the conversation, is that what the PB intends to do.

Charles Hanson opens it up to the Board for discussion regarding that question. Jackie Baker responds she is uncomfortable with more restriction. Bill Ricciardi, we are also talking about regulating more than what is on the map, we are going beyond the map and I don't think we should. Mike Izard, the map just makes it viewable. Charles Hanson, from a practical standpoint if I'm a home owner and I come in and view the map, if I have water on the property but it doesn't show on the map I would be non-designated. Mike Izard responds, it could even show on this map and there could be confusion that it's not in the designated category but does that mean it's non-designated? All the reverences for the water resource is on here, the confusion is how I apply this ordinance to my property. This lends itself well to Ken's concern, this covers everything and will be an enforcement nightmare. Mike continues, I think you could leave it at designated streams and wetlands but I'm not certain what the significance of the undesignated streams and wetlands are.

Bill Ricciardi, it's very confusing. Does that mean that the non-designated wetlands are not that important? Charles Hanson and Mike Izard agree, that is what the ordinance interprets to. Bill continues, we went from 3 pages in the existing to 19 pages in the newly proposed. Bill continues, at this point what are our choices, change the ordinance to show only streams that are identified on the map? David Reilly, just refresh my memory, on that map are there any either undesignated streams or wetlands? Mike Izard, I think there are undesignated streams on here. Bill Ricciardi, but they are not called that. Mike Izard, right they are not called that. Bill Ricciardi, so nowhere on that map that someone is going to look at does it say non-designated anything, so why would we have any ordinance referring to that. Bill continues, I know that we have to have this ordinance, Charles Hanson, we don't have to have it, and we have an ordinance that has been working up until now that's more general. Mike Izard, I think it's an accurate assessment, how much do you want to protect the identified resources in your community. David Reilly, I remember listening to Dr. Van de Poll the purpose of this was to not regulate some areas or in a lesser fashion. In some areas

there would be very little regulated. If we figure out a way to fulfill what the original intent was we would come out ok. Bill Ricciardi, there may be different intents of Rick Van de Poll and the Conservation commission. Jackie Baker, this is a tool to help people coming in that are interested in a property and talk about their options. Bill Ricciardi, is there a way to streamline these 19 pages. David Reilly, not really and do anything effectively. Mike Izard, the Ordinance does a good job identifying and delineating a hierarchy of resources. I don't see any disconnect there. Mike continues, we used the Town of Meredith as a starting point, and my recollection they use acreage as their values. In all fairness the 19 pages are all of your water resources collectively your wetlands, lakes, streams, ponds and ground water. You didn't have that level of detail in your wetlands ordinances as it existed, you are going beyond that with this document.

Charles Hanson, I think it's always good to know what you have but the question is, so what is the problem with what we have? Mike Izard, that's a good question. Charley, yes I think it's one we need to have the answer to. Using this approach we can be less restrictive, but you get beyond that in some other things. What are we worried about in the future. Mike Izard, I do believe what Rick Van de Poll conveyed how the value of the resource relates to the regulation. It's highly valuable with the work that has been done. Charley Hanson states I would submit to you though that in our neck of the woods here, it's not so much the risk from contaminating the site, the risk is from building a house on it because that is what happens around here. David Reilly, or you get a lot of run off from those houses that are not attenuated. David continues, I can take you around Lake Waukewan and show you a few of those properties some of which are in Center Harbor. Charles Hanson, but how would this Ordinance enhance what we already have in our site plan review because that is a big topic of discussion if we do have a development. Mike Izard responds absolutely, your site plan covers some of these issues.

Charles Hanson asks if there would be any value to having a case study on an undeveloped piece of land and using the map. Mike Izard, responds it would. Planning Board agrees it would be a valuable exercise and chooses properties in Town to apply the new Ordinance to. The participants in the case study will be Charles Hanson, Aimee Manfredi-Sanschagrin, Ken Ballance, Bill Ricciardi and Sheila Mohan. The study will be based on the three scenarios, the proposed Ordinance, the existing Ordinance and no non-designated entities and the findings of the case study will be provided to the PB during the May 19<sup>th</sup>, meeting.

### **III. Permits**

The Board reviewed permits.

The Chairman adjourned the meeting at 8:03 p.m. Next meeting scheduled for May 5, 2015 @ 7 p.m.

Respectfully submitted by Aimee Manfredi-Sanschagrin