

Approved: _____
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**Effingham Planning Board
Meeting Minutes
August 13, 2020
(via video conference call)**

Members Present: Theresa Swanick (chair), George Bull (vice-chair), Grace Fuller, Paul Potter, Elaine Chick, Mark Hempton (alternate), Mike Cahalane (selectman's rep).

Members Absent: Gary Jewell (recording secretary).

Others Present: See attached list.

Meeting called to order at 6:00pm. Quorum present. Mark Hempton was seated for Gary Jewell.

Knute Ogren welcomed those attending for the public hearings and explained how the meeting would proceed.

Theresa Swanick opened the public hearing for the Burbank subdivision application.

The checklist was reviewed and found to be complete.

George Bull made a motion to accept the application as complete with one waiver request. The motion was seconded by Paul Potter. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Mike Cahalane- aye, Grace Fuller- aye, Paul Potter-aye, Mark Hempton-aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.

Jim Rines reviewed the plan with the PB, noting that both lots would be over 5 acres, and that the length to width ratio for the lots were 4.96 to 1 and 5.49 to 1 respectively.

The PB discussed that the length to width ratio can no longer be found in the regulations. If they want the regulation back in the regs they will have to add it back.

Jim Rines asked for a waiver for soil testing. The lots are both over 5 acres and they do not otherwise need test pits because no state subdivision approval is necessary. One of the two parcels already have a septic system.

Mike Cahalane made a motion to accept the waiver for a soil test. The motion was seconded by George Bull. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Mike Cahalane- aye, Grace Fuller- aye, Paul Potter-aye, Mark Hempton- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.

Elaine Chick noted the wetlands near the road and asked if access to a buildable area was possible without impacting the wetland. Grace Fuller noted that she had the same question. Jim Rines noted that there was 39 or 39 feet between the property line and the wetland, which would be more than adequate to have a driveway.

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Mike Cahalane noted that the dashed line on the plan was the wetland setback. Jim Rines confirmed that it was.

Chair Swanick opened the meeting for any public input. Hearing none she closed the public input.

Mike Cahalane made a motion to approve the 2-lot subdivision with the waiver. The motion was seconded by Paul Potter. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Mike Cahalane- aye, Grace Fuller- aye, Paul Potter-aye, Mark Hempton- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.

Theresa Swanick opened the public hearing for the Angelini Gravel Pit applications.

No exception to the gravel extraction permit applies, the use is not prohibited, no waivers are requested. Section 13.1 of the Excavation Regulations was used as the checklist.

Jim Rines reviewed the plans and narrative. The pit is internally drained (no runoff), the pit will operate from 7-5 Monday through Friday, no on-site fuel storage is proposed, he asked that an AoT permit and bonding be conditions of approval. Any area open for more than one year must be reclaimed.

The checklist was found to be complete.

Mike Cahalane asked what type of dust control would be in place. Jim Rines was unsure of measures to be taken. A fence and/or buffer would need to be discussed.

Grace Fuller made a motion to accept the gravel extraction application as complete. The motion was seconded by George Bull. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Mike Cahalane- aye, Grace Fuller- aye, Paul Potter-aye, Mark Hempton- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.

Chair Swanick reviewed the application process.

Jim Rines introduced himself and reviewed the application. Access to the pit is through the existing gravel pit and Duncan Lake Road. 68 acres of the 87.7-acre parcel was available for extraction. The 3.4 million cubic yards of material are expected to be removed. The area will be suitable for development when complete. No extraction will occur within 50 feet of the property line and 150 feet will remain between extraction and any exemplary wetland. The pit would operate between 7am and 5pm on Monday through Friday. They will have an excavator, loader,

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and screener located onsite. Crushing will only be done once or twice per year. No fuel storage. Material will be sold by volume, not weight. No building is proposed on the property. No extraction closer than 5 feet to the seasonal high-water table. The depth to the water table is approximately 35 feet. 3:1 slopes on the finished grade. Erosion control will be installed along the Pine River. Reclamation with follow state and local regulations.

Chair Swanick reviewed the Lakes Region Planning Commission report from the regional impact review. LRPC noted that following AoT permit and conditions closely should be made a condition of local approval. 20-30 trips in a 10-hour day.

SW Cole did four test borings in the 88-acre parcel and found the borings to be consistent.

Elaine Chick wondered if there were any photos taken near the Lost Valley properties. Jim Rines showed aerial photos from the Ossipee GIS site. Elaine felt that photos along the Lost Valley properties would be helpful.

George Bull asked what time of the year extraction would take place. Jim Rines noted that material sales slow down during the coldest time of the year and that the pit may be closed then.

Would the runoff flood the racetrack area and spill over into the Pine River? Jim Rines noted that was very unlikely.

What about the character of the neighborhood? The use is a permitted use.

Would there be any blasting? Stones would be dug out and stockpiled for crushing once or twice per year. If any blasting needed to happen, the pit owner would need to come back to the PB.

Folds are concerned about dust and would like to see well-defined dust control regs put in place for the gravel pit.

Why access through Ossipee? There is no road access in Effingham and the pit has a deeded access through the existing pit to Duncan Lake Road.

Abutters are concerned with the effect of noise, traffic, and dust with the additional truck traffic. What are the short- or long-term health effects on children and adults? Concerned about no water trucks for Duncan Lake Road.

Is water extraction being requested in the AoT permit? A well could be drilled to fill water trucks.

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The public input portion of the hearing was opened.

C Badalato asked who will upkeep Duncan Lake Road in Ossipee and what about pollution? Jim Rines noted that typically town roads have the right to be traveled over.

Lindsay Donovan noted that she and her husband were the new owners of the Green Oaks pit. How would their gate and onsite road maintenance be able to work? Jim Rines noted that Mr Angelini and the Donovans should sit down and work out any details about pit access.

Gary Alcock at 125 Duncan Lake Road would like to see the deed and is concerned about them going through the existing pit.

D Tedford at 73 Duncan Lake Road noted that the pit access should be through Effingham and should not burden Ossipee. Jim Rines noted that if they go out through Effingham, they would still likely travel on Ossipee roads.

Mike Cahalane asked who is responsible for road damage? Jim Rines noted that if they do not follow the rules of the road, then they are responsible.

Theresa Swanick noted that the pit must stay 150 feet away from dwellings.

Miles asked about noise control and who does he file a lawsuit against?

Pansi & Gordon noted that the PB should take LRPC's comments into serious consideration. Invited anyone to 59 Duncan Lake Road to witness traffic. Why open the pit? Is there really a need for more sand?

N Pollard of 75 & 77 Duncan Lake Road asked if the deed specifically allows for a gravel pit? Jim Rines noted that the deed allows all uses.

J & R Andrews noted that the PB should review the deed easement and make sure that this use is allowed. They are concerned about dust and noise.

Andrew is concerned about dust control and noted that the sand will go to Mass and not NH.

Miles, why use seasonal high water and not 100-year flood level? Why create land that is going to flood?

Loretta at 45 Duncan Lake Road noted that there already is too much dust and she cannot open their windows in the house.

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Robin is concerned about the impact on wildlife.

C Badolato asked why use Duncan Lake Road and not an Effingham Road? Jim Rines no access through Effingham.

T Loonan noted that the noise from backup alarms is much worse than the noise from vehicles.

Miles asked how the PB could accept the application without knowing the duration and without an application form.

Chair Swanick Noted that they had to accept the application in order to discuss the issues.

Gordon on Duncan Lake Road noted that they are directly impacted because of the road and are concerned about the wildlife easement along Red Brook.

M Pollard asked what the next steps are and will 75 & 77 Duncan Lake Road be informed.

Matt Sawyer (Ossipee Town Administrator) noted that he will help keep Ossipee residents informed.

Jim Rines noted that he hoped that Mr Sawyer would speak about Duncan Lake Road and Ossipee.

M Sawyer noted that he is not officially authorized to speak on behalf of Ossipee but that he does live in Lost Valley. He is also concerned with dust control and the road which is expensive to maintain. Must make sure that Ossipee Lake is not compromised in any way. Lost River has a public water supply that he does not want to be compromised.

Jim Rines noted that Regional Impact was given to Ossipee and other towns and perhaps another Ossipee selectman should participate who would be impartial.

Mike Cahalane made a motion to continue the public hearing to Thursday, September 24th, 2020 with the PB meeting beginning at 6:00pm and the public hearing beginning no earlier than 6:15pm via Zoom conference meeting. The motion was seconded by Elaine Chick. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Mike Cahalane- aye, Grace Fuller- aye, Paul Potter-aye, Mark Hempton- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.

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George Bull noted that Ossipee residents should make the Ossipee public officials aware of their concerns.

Jim Rines thanked the PB and the participants.

Adjournment

A motion was made by Elaine Chick to adjourn the meeting. The motion was seconded by Grace Fuller. A roll call vote was taken George Bull- aye, Grace Fuller- aye, Paul Potter- aye, and Theresa Swanick- aye. The motion passed and the meeting adjourned at 10:20pm.