

Approved: \_\_\_\_\_  
Approved with changes: \_\_\_\_\_  
Unapproved: \_\_\_\_\_

**Effingham Planning Board**  
**Meeting Minutes**  
**September 24, 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:** Nate Fogg, Pat Piper, Knute Ogren. Meeting called to order at 6:00pm

Quorum present. Mark Hempton was seated for Gary Jewell.

**Public Hearing (Angelini)**

Theresa Swanick introduced herself and explained others attending. She asked that if your name was not correct, to please fix the screen or send a chat message with the actual name of the participant(s).

This is a continuation of the public hearing for the Angelini Gravel Pit site plan and excavation permit applications.

The sole access for the proposed gravel pit is through Duncan Lake Road in Ossipee. We have become aware that RSA 674:53(IV) requires that both municipalities grant approval for their part of the project. Effingham for the gravel pit and Ossipee for the road access to the pit.

There are approximately 29 individuals attending the meeting.

Effingham will notify the Ossipee PB and ask for them to approve the adequacy of the street access and impacts upon the road.

Theresa Swanick asked the other PB members on how they should proceed. We will have to continue to a date certain.

Mike Cahalane agreed that we must notify Ossipee.

Jim Rines does not want to go to the Ossipee PB if Effingham is not inclined to approve the gravel pit.

Nate Fogg mentioned that we should tell Jim Rines of any issues in Effingham.

Mike Cahalane noted that wildlife is a potential non-road issue, as well as the aquifer and distance to the Pine River State Forest.

Elaine Chick noted that dust and noise would be issues.

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Jim Rines noted that the Right of Way access issue has been addressed.

Mike Cahalane agrees that there is no Right of Way access issue. Milton Dow owned both the pit in Ossipee and the pit in Effingham. He granted access for the Effingham pit to operate. He is not sure what the wildlife study, or sediment, or the aquifer has to do with this operation. The wildlife corridor is down Duncan Lake Road, the pit internally drains so no sediment will leave the site, and they must remain above the water table and are not preventing rain and runoff from reaching the aquifer. Noise level at the property line, dust control, and environmental impact must be addressed.

No discussion of the road at this hearing. That is an Ossipee issue.

Theresa Swanick has no issue with the aquifer. Our site plan and excavation regulations are meant to complement each other.

George Bull believes that the plans are complete and only asked if the final grading of the slopes could erode and affect abutting properties.

Mike Cahalane noted that a gravel pit is a permitted use and would be hard not to approve.

Attorney Andrew Sullivan noted that sand and gravel extraction are not expressly permitted in the access easement.

Lakes Region Planning Commission issued a letter of their findings on 8/12/2020.

A letter about Duncan Lake Road maintenance cost was received by the Effingham PB.

Gordon Pilotte noted that there is a 200 foot treelined corridor for wildlife to cross.

Mark Berry asked what RSA 674:53(IV) referred to. Paul Potter's questions have been asked.

Loretta Sim has health concerns relating to the trucks going up and down the road. Adding more truck traffic would make it worse.

George Bull noted that that Duncan Lake Road is an existing town owned road that is preexisting.

Carol Badolato agrees with Loretta and noted that her husband has health issues also. Mike

Cahalane noted that the drought made any gravel road issue worse this year.

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Andrew Sullivan believed that there was a right of way through Effingham.

Jim Rines noted that there was a right of way through Elm Street Extension. That has been extinguished and would have also been through Ossipee just like Duncan Lake Road.

Miles Deville asked if there was any benefit to Effingham.

George Bull noted that the gravel pit is allowed by zoning as long as it is reasonable. In response to Andrew Sullivan's question, Jim Rines responded that he does not know if Elm Street Extension is a public way.

George Bull noted that we need to consult town counsel on how to proceed with the access issue. We need to be comfortable with the right of way and check out dust and noise.

Elaine Chick wants to review mitigation of noise, dust, and look into a visual barrier around the pit.

Jim Rines noted that with Club Motor Sports the allowable noise is subjective. Any regulation on noise is subjective. Dust control notes are on the plans. The amount of open area is regulated with the Alteration of Terrain (AoT) permit. When the equipment is not loading trucks, it is used to spread loam. AoT permit and plans call out specifically how area is to be stabilized.

Mike Cahalane noted that the backup alarm on equipment is the most annoying noise.

Grace Fuller noted that they should check the requirements from section 6.6 of the Effingham Excavation Regulations to make sure that they avoid any of the prohibited projects.

Jim Rines noted that the Ossipee PB would be meeting on October 2th to review the project.

Theresa Swanick asked if continuing to the November 5<sup>th</sup> PB meeting would work for Effingham.

**Mike Cahalane made a motion to continue the Angelini Gravel Pit applications to November 5, 2020 beginning no earlier than 6:15 on Zoom. George Bull seconded the motion. A roll call vote was taken Mike Cahalane- aye, Mark Hempton- aye, Grace Fuller-aye, Elaine Chick- aye, Paul Potter-aye, Mark Hempton- aye, and Theresa Swanick- aye. The motion passed.**

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George Bull asked if we would be notified by Ossipee PB. Mike Cahalane felt that we would be notified by Ossipee.

Attorney Sullivan asked if Effingham will review the road after Ossipee. The PB was unclear on the process at this point.

Paul Potter noted that RSA 674:53(IV) allowed for a joint meeting with the Ossipee PB.

**Adjournment**

**A motion was made by Elaine Chick to adjourn the meeting. The motion was seconded by Paul Potter. A roll call vote was taken Mike Cahalane- aye, Mark Hempton- aye, Grace Fuller- aye, Elaine Chick- aye, Paul Potter-aye, Mark Hempton- aye, and Theresa Swanick- aye. The motion passed and the meeting adjourned at 8:24pm.**