

LAKES REGION PLANNING COMMISSION

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MINUTES
LRPC COMMISSION MEETING
 Laconia Middle School Cafeteria, Laconia, NH
 July 28, 2014

PRESIDING: Warren Hutchins
QUORUM: YES

CALL TO ORDER: 6:00 p.m.
COMMUNITIES PRESENT: 12

MEMBERS PRESENT:

John Cotton (Andover)	Ken Merrifield, Franklin
Maureen Criasia (Center Harbor)	Rep. Leigh Webb, Franklin
Tony Guinta (Franklin)	Peter Ames, Gilford
John Ayer (Gilford)	Patrick Brown, Gilford
Wayne Ogni (Gilmanton)	John Rochlis, Gilford
Mitch Manseau (Hebron)	Staci Ricks, Gilmanton
Robert Snelling (Holderness)	Senator Andrew Hosmer, Laconia
Dean Anson, II (Laconia)	Christine Brewer, Meredith
Warren Hutchins (Laconia)	Caroline Higley, Meredith
Barbara Perry (Moultonborough)	Bonnie Ireland, Meredith
Douglas Reed (Northfield)	William & Betsy Fargo, Mirror Lake
Steven Wingate (Tuftonboro)	Sam Perry, Moultonborough
Roger Murray, III (Wolfeboro)	Mark McConkey, Ossipee
	Omer Ahern, Jr., Plymouth
SPEAKERS:	Kathy Barnard, Wolfeboro
Carolyn Russell (NHDES Wetlands Bureau)	Staci Pope, Wolfeboro
Darlene Forst (NHDES Shoreland Program)	William & Betsy Fargo
Mary A. Tilton (NHDES Water Pollution Division)	Robert White
	Michelle Wilson
LRPC STAFF:	Joseph Kenney, Executive Councilor
Jeffrey Hayes	Paul Goodwin
Karin Landry, Recording Secretary	Jacque Colburn, NH Rivers Management
	Gary Springs, NH Springs Environmental
OTHER INTERESTED PARTIES:	Paul Goodwin, Watermark Marine Construction
Russ Wilder, Alton	Michelle Wilson, Watermark Marine Construction
Tina Cotton, Andover	Tom O'Brien, NH Lakes Association
Bernie Volz, Center Harbor	Robert White
Michael Cahalane, Effingham	

1. Welcome and Introductions

Chair W. Hutchins called the meeting to order at approximately 6:00 p.m. and declared a quorum for the purpose of conducting business. Introductions were made by those in attendance.

2. Motion for Approval of the April 28, 2014 Commission Meeting Minutes.

A motion to approve the minutes of the April 28, 2014 LRPC Commission meeting was unanimously approved. *M/S/P Snelling/Perry.*

3. NH Wetland Program - Summer 2014 Listening Session

Senior Environmental and Land Use Planner Carolyn Russell and Administrator Mary Tilton opened the Listening Session with a review of the overall goals and objectives of the wetlands program rulemaking and process improvement effort: enhance transparency and predictability, increase consistency and standardization, and ensure that the decisions made are scientifically-based and protective of New Hampshire's sensitive and important natural resources. NHDES is evaluating how various activities and/or impacts to different resources should be regulated in order to simplify the permitting options and evaluation standards, and to clarify when each approach applies. As part of the process, suggestions and comments will be taken for future changes in legislation. General comments were made by those in attendance:

- Abutters and other interested parties should be allowed to participate in a pre-application meeting if one is held;
- Mitigated wetlands are never as effective as natural wetlands;
- The notification process is burdensome, especially for repair or replacement of previously approved permit for ice damage;
- A process should be considered for applications for more than one dock on the same property.

Darlene Forst of the NHDES Shoreland Program reviewed what will be addressed as part of the rewrite of the Wetlands rules including improvements to storm water quality before it enters wetlands or surface water, integrating existing projects into the new standards, manmade ponds, dams, restoration activities, dredging in fresh water (including aquatic weed removal), prime wetlands, and freshwater shoreland structures. She reviewed considerations for making a determination for permitting wetlands projects such as identifying property lines, restoring habitat and functions, keeping water bodies available for public use and maintaining public access to them, minimizing the impacts of single family beaches to water bodies, the environmental benefits of decks or patios as alternatives to beaches, and permitting beaches, docks and boardwalks in wetlands adjacent to surface water. Comments from the audience included:

- Allow decks or patios as an alternative to beaches;
- Make exceptions for restoring habitat in places where it has been lost for long periods of time.

The State's role is as stewards of public waters on behalf of the people of New Hampshire, and one of the goals of improving the process is to identify a more efficient way for the state to fulfill its responsibility of knowing what is happening on public and private waters. At this time, all new docking structures, modifications of docking structures and repairs require permit or permit by notification. Comments from the audience included:

- Allow local conservation commissions or other organizations at the local level to participate in the permitting process.

Dialogue ensued regarding monitoring work once it is permitted. The Department's goal is to create a system that would result in a reduction in paperwork and allow more time for looking at what is actually built and getting more people to want to create that method. Comments from the audience included:

- Educate the public;
- Grant the State the ability to inspect a structure once it has been built;
- Allow contractors to submit as built plans once a project has been completed;
- Hire a third party professional that doesn't have a vested interest in the outcome to rewrite the rules;

- Develop a completely automated process using GIS technology.

One of the objectives is to set standards that balance public/private needs. Comments from the audience included:

- Develop strong, consistent standards based on science and the public right for access as opposed to rules that are subject to judgment;
- Develop an appeals process for certain situations.

The Department wants to implement standards that a staff member or perspective homeowner can look to that set forth what the decision making process will be and what it will be based on. Dialogue ensued regarding the permitting of boat slips. Comments from the audience included:

- Property values and abutters should be considered when boat lifts and canopies degrade views;
- Minimize everything that goes into the routine work and put more emphasis on things that have an impact on lake.

Ms. Forst posed questions as to whether dug in boathouses make environmental or scientific sense, limitations for height and size, requirements for slope grade, water depth, and dredging a shallow cove to allow access. Comments from the audience included:

- Do not allow dug in boat houses;
- The state should consider charging a rental fee for a dug in boat house because there should be some cost to taking a public space for private benefit;
- Allow for supplementing the naturalness of the waterfront on a high use water body to stop erosion.
- There are many boathouses on Lake Sunapee and it has one of the most in tack shorelines in the state.

Additional comments may be submitted on the Spring 2014 Listening Sessions form that is posted on the NHDES website, or at upcoming Listening Sessions.

7. **Adjournment**

There being no other business, W. Hutchins declared the meeting adjourned at approximately 8:30 p.m.