

Ossipee Aquifer Steering Committee Meeting
Friday, July 9th
10am-12pm
GMCG Office
196 Huntress Bridge Rd
Effingham, NH

Present:

Kamal Nath, Effingham
Al Levesque, Effingham Conservation Commission
Pat Jones, Ossipee secretary to ZBA, PB & CC
Eric Senecal, LRPC
Dave Jeffers, LRPC
Roger ter Kuile, Ossipee Planning Board
Tara Schroeder, GMCG
Blair Folts, GMCG

The meeting started with brief introductions, including new LRPC regional planner Eric Senecal. Eric graduated from Tufts University and currently lives in Ashland, NH. His background is in environmental education and planning for the towns of Ipswich and Chelsea, MA. He is very familiar with working on groundwater issues in these towns, providing regulatory assistance and amending zoning. Eric will be working with Ossipee Watershed towns on the APO project, and can be reached at esenecal@lakesrpc.org.

Tara then gave a review of the June 11th meeting minutes, which included a request for updates to any towns' natural resource ordinances. Kamal pointed out that the lightning and scenic road ordinances for Effingham that were mentioned at the 6/11 meeting need to be double checked by John Shipman. Pat also has updates for Ossipee's ordinances and will contact John. Kamal suggested that the updating should include clarification of an ordinance or part of site-review.

Ossipee: Roger and Pat then briefed the group on where things stood in Ossipee with the APO. Pat reaffirmed the fact that the planning board did not have a subcommittee; they have a controversial hawkers & peddlers ordinance and sign ordinance that they are working on currently. Roger says that he can work on the APO for the PB as he did on the wind power ordinance. He adapted the windpower model ordinance to Ossipee, and can do the same with the APO and upgrade Ossipee's ordinance using the state's model. They felt that it would be possible to do the updates to the ordinance by 2011. Blair suggested that Roger, Pat and Eric work together so that Eric/LRPC can keep the language of the ordinance strong.

Dave asked if the spill prevention plan for Ossipee needed to be reworked and if the planning board has referred to the APO in the past. Pat said there is a lot of reference to the spill prevention plan in the site plan review process (updated in 2007), and that any time there is a proposal within a water precinct, the planning board refers to the ordinance. For example, there's a car wash business proposal applying for four different variances currently and a special use permit through the planning board. Roger said that he will update the ordinance (dated 1989) with references to what is new in the model ordinance with Eric's help.

Dave then asked if there had been any challenges to enforcement of the ordinance in Ossipee, and Pat and Roger both replied that there had been none. Dave suggested that if a town does not have someone with experience enforcing and using BMPs, that they increase the prohibited uses in their ordinance to make the ordinance more effective. In Belmont, the town is fortunate to have a zoning officer with a lot of expertise in the business industry working with PCSs.

Dave asked whether or not Ossipee would want to add any other prohibited uses to their ordinance. Pat and Roger could not comment on that yet. Tara asked if the new map of the aquifer overlay would be a problem for Ossipee to replace the 1977 Cotton map referenced in the current ordinance. Pat said it wouldn't be a problem, and Roger added that telling the planning board that the map is updated, more accurate and digitized would help. Pat said not to have another planning board presentation in Ossipee but instead have LRPC work with Ossipee to prepare the ordinance. Rodger recommended presenting a draft of the APO to the board in the fall. Eric stated that it would be helpful to hear concerns or questions of the board or Rodger and Pat in the meantime so he can address them.

Effingham: The group then discussed the Effingham planning board's situation with working on the APO. Dave spoke with the clerk who stated that the planning board has many other priorities at this time and has not formed a subcommittee to work on the APO, although Susan Slack and Jay Buckley had volunteered to help draft the ordinance at the last meeting. The ordinance has to go through the planning board, although the BOS can sponsor the article. Kamal suggested using a different approach in Effingham, and figuring out the minimum list of prohibited uses the planning board would be willing to have. Recent events in Madison have brought up golf courses as another potential prohibited use to add to their APO; currently it is a conditional use due to the chemical management plan.

In terms of next steps, Kamal suggested going to the next planning board meeting and persisting with the APO, asking whether or not they have followed up on Susan and Jay's offer to form a subcommittee. The board meets on the first Thursday of the month, and Kamal recommended LRPC & GMCG present a progress report of where the other towns are in their APO process at the next meeting in August. He recommended staying away from focusing on outside influence or assistance with drafting the ordinance. Al reiterated that he has lived in Effingham for 8 years and that the majority of people don't like it when you tell them what to do with their land; this group should stick to the positive i.e. the importance of clean drinking water, and not dwell on the negative. The group discussed that now was an opportune time to emphasize clean water since the recent Gulf oil spill is on peoples' minds. He stated that it would be more effective as well to approach the planning board with the planning board's interests in mind and present the APO from the perspective of how it can benefit their interests. Since this is not a state mandate like the flood or housing ordinance, there needs to be a different approach to make them more receptive to making the APO a priority. Blair volunteered to follow up with Susan and Jay to work on the APO for Effingham. Al stated he would work with Steve and the planning board.

BMPs, Outreach & Enforcement: Dave said he is working on a powerpoint/handout about the economic benefits of clean water and consequences of contamination. He said that it will have low cost steps to take to give a positive spin to the project, as well as address BMPs. Pat mentioned that a big clean up just happened in Ossipee with leaking oil tanks that had been

leaking for years. The town applied to the spill relief fund from the state which put in test wells, dug up pavement and contaminated soil, repaved it and added new soil. The cost for the project must have been high, she estimates. Eric asked whether or not emphasizing neighboring towns' progress has been a positive incentive. The group said that in most cases mentioning the regional approach and other towns' progress has been helpful.

Kamal stated that we need to emphasize BMPs and lessons learned from the Gulf i.e. what happens if something fails? This APO will be valuable for protecting the aquifer only if it is preventative and BMPs are followed. Pat mentioned that Irving Oil has improved its facilities and plans to prevent spills and contamination. She suggested that she has their improvement reports which could serve as guides for other facilities. The group discussed how site plan review is so important for preventing contamination from stormwater runoff. Al recommended that there should be a list of grants to help towns and businesses who need other resources in order to follow BMPs. Tara stated that these would be added to the BMP Strategic Plan. Pat stated that towns don't have enforcement of BMPs currently; the philosophy of no more government or hiring because towns and taxpayers don't want to pay more. BMP reports don't get enforced usually unless there is a complaint.

Tamworth: Dave mentioned that he has been working with Tamworth's subcommittee of the planning board to refine the APO, which will go to the board at the end of the month. GMCG will help distribute this draft to other towns' PBs and the OASC once it is available.

Tara will work on getting updates in the minutes from Freedom and Sandwich on their progress with the APO, and will also connect Eric with these folks to introduce himself and find out whether or not their boards need an update meeting about the project. Pat and Rodger will email and meet with Eric to work on Ossipee's ordinance. Finally, it was suggested again that all six town planning boards' chairs get together informally for dessert and to share ideas about the APO and other natural resource ordinances. The September meeting date for the OASC of September 16th was suggested.

The next meeting of the OASC is Friday August 13th from 10am-12pm at the GMCG office.