

TOWN OF GILMANTON PLANNING BOARD
TUESDAY, DECEMBER 16, 2008
ACADEMY – 7 p.m.
MINUTES OF MEETING

Present: Chair Nancy Girard, Vice-Chair John Funk, Dan Hudson, Marty Martindale, David Russell, Alternate Member Pam Fecteau, and Planning Administrator Lynne Brunelle.

Absent: Selectmen's Representative Don Guarino

Chair N. Girard opened the meeting at 7:02 p.m., introduced the Board members, and appointed Alternate P. Fecteau as a full voting member for tonight's meeting. N. Girard explained that this meeting was originally scheduled for Thursday 12/11/08 and had to be postponed due to inclement weather.

ACCEPTANCE OF MINUTES: The Board members reviewed the minutes of the 11/13/08 meeting and minor changes were made. **Motion:** D. Hudson moved to accept the minutes of 11/13/08 as amended, M. Martindale seconded. Motion carried 3-0-3, J. Funk, D. Russell and P. Fecteau abstained, as they were not in attendance at that meeting.

PUBLIC HEARING – Douglas W. Towle: Boundary Line Adjustment to transfer 7 acres from Town Tax Map/Lot #419-68, of 19 acres, to Map/Lot #419-65, of 5.5 acres. Properties located at 1218 & 1246 Province Road in the Rural Zone; PB#1908.

Doug Towle was in attendance to present the proposed plan prepared by Licensed Land Surveyor (LLS) David R. Noyes, who came before the Board informally on 10/9/08. At that time the Board members agreed that a waiver of topos, contours and wetlands delineation would be appropriate because both lots have existing homes/outbuildings and no further development is being proposed. Mr. Towle explained the purpose of the Boundary Line Adjustment was to transfer backland/woodland from his sister's lot (#419-68) to his lot (#419-65) in order to achieve sufficient acreage to be eligible for a current use credit. The land is currently assessed as woodland and will remain woodland. No road frontage is being transferred.

J. Funk addressed the jog being created by the proposed lot line configuration. It was determined that although the proposal will be creating an irregularly shaped lot, it is already irregularly shaped. The Board agreed that the irregular shape is acceptable because both lots are presently irregular and developed, as well as the purpose of the transfer is to place the land in current use and is wooded backland. Furthermore, it was noted that if when looking at the tax map, there are a number of irregularly shaped lots in that area.

Final acreage amounts will be: Towle Lot #419-65 = 12.43 acres and 344.7' of existing frontage on Province Road. Freese Lot #419-68 = 12 acres with 436' of existing frontage on Province Road.

With no further questions from the Board and no abutters' input provided, the Chair entertained a motion to close the public hearing.

Motion: J. Funk moved to close the public hearing, DR second. Vote U. It was suggested that the Board deliberate and render a decision at this time instead of later in the meeting.

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Motion: J. Funk moved that the Board grant the request to waive Section III.C.1.h. of the Subdivision Regulations requiring that topography, contours and wetland delineation be shown on the plan because the lots are existing and no new development is being proposed, and therefore it is not applicable to the proposed boundary line adjustment. D. Russell seconded, motion carried 5-0.

Motion: J. Funk moved that the Board grant the request to waive Section VI.C.1.i. of the Subdivision Regulations requiring that lots with very irregular shapes not be accepted because the original lot was somewhat irregularly shaped and the area to be transferred is backland and/or woodland and is not being used for building. Furthermore, it is not inconsistent with the lots in the neighborhood and it is necessary for the lot to be enlarged so it qualifies for current use. Additionally, no further development is proposed; therefore, the irregular shape will have no adverse affect on the surrounding properties. M. Martindale seconded, motion carried 5-0.

Motion: J. Funk moved that the application be accepted as complete and be granted conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Gilmanton with the following conditions:

Conditions to be complied with or secured (as appropriate) prior to the plan being signed and recorded. No site improvements shall commence and no building permits shall be issued until the plan is signed and recorded.

1. Submission of final plans in accordance with Town Ordinances and Regulations with the exception of any waivers that may have been granted.
2. Final plans will not be recorded until the transferring deeds are also ready to be recorded.
3. The applicant is responsible for the payment of any fees required by the BCRD for the recording of the approved plan and/or any conditions of approval.
4. A compliance hearing shall be held by the Board prior to signing the plans, and prior to the approval becoming final, to determine if any conditions of approval are beyond administrative in nature or would require discretion on the part of the Board staff to determine if the conditions have been complied with.

General conditions to be complied with subsequent to the plan being signed and recorded:

5. No changes shall be made to the approved plan unless application is made in writing to the Town. Minor changes may be allowed following review by the Planning Board. Major changes may be allowed after review by the Planning Board at a public hearing and abutters shall be notified.
6. Approval is subject to expiration, revocation and changes in the Ordinances under Town Regulations and the State RSAs.

D. Russell seconded, motion carried 5-0.

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CONTINUED PUBLIC HEARING – Paul L. DeForest: Site Plan Review to establish a Contractors Yard on Town Tax Map/Lot #405-04, of 25 acres, located at 8 Grant Hill Road in the Rural Zone; PB#1608.

Paul DeForest was in attendance to present the proposed plan. The public hearing was continued from 11/13/08 so that the Planning Board and Conservation Commission could perform a Site Walk on 11/22/08. The ZBA granted a Special Exception for a Contractor's Yard on 9/18/08.

L. Brunelle conveyed that the Conservation Commission forwarded their notes from the Site Walk including observations/recommendations, which N. Girard read into the record. The Commission's recommendations were as follows:

1. Pull about 40' of the sand fill to the right of the building back towards the building and construct a retaining wall to keep additional sediment from eroding into the wetland.
2. Remove windows, wagon, etc. from the wetland.
3. Move stored lumber away from wetland onto gravel fill. Another option would be to store this material under a shed roof added to the back of the existing structure. Mr. DeForest said he would like to do that but then the structure would be too close to the stream.
4. There should be no further encroachment onto the wetland or the stream. No waste products from the barn/workshop should be placed in the wetland.
5. If the Planning Board should approve the site plan, there should be restrictions as to how the construction yard may be used in the future, especially in regards to storage of fuels, vehicles and toxic substances.

Mr. DeForest agreed with the recommendations and N. Girard indicated that they would be incorporated into the Board's motion, if approved.

J. Funk stated that he was impressed with the site and building, and if the Conservation Commission's recommendations are followed, then the applicant should be able to use it as proposed.

N. Girard indicated that the Fire Chief had attended the Site Walk and read his recommendations into the record. He has no concerns for the proposed (limited) use. If power is ever proposed, then some form of alarm/fire system should be installed. He also expressed concerns regarding fuel storage. Mr. DeForest stated that if any fuel is stored on site, it will be inside the barn on a concrete floor where there is no chance of impacting the wetlands.

D. Hudson stated that on the Site Walk, the Fire Chief viewed the pond across the street to determine whether it could potentially be utilized as a fire pond. Dan continued that he agrees with the Commission's recommendations but thinks that the use is low impact. His concerns are, however, that if there is a change of use or increased impact, that the applicant be required to return to the Board(s) for further approval(s). Dan also submitted a disk containing digital photos from the Site Walk, as well as an aerial photo, which is more recent than the one currently on file.

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J. Funk asked the applicant to describe the proposed use(s) of the site. Mr. DeForest conveyed that the business that he works for, among other things, restores colonial homes. He removes wooden beams from these homes, brings them to the site and uses a planer to restore them and returns them to the building site/home. He continued that this occurs only a couple of times a month and uses a generator for power. J. Funk responded that although this is not the typical definition of Contractors Yard, it is the closest use in accordance with Article IV, Table 1 of the Zoning Ordinance.

Bob Harris, abutter, asked when the building permit was issued was permission granted to manufacture items for an off-site business? He believes the building permit was issued for indoor storage only, not for manufacturing. At the last ZBA meeting held 9/18/08 a ZBA member stated that this has nothing to do with the use of the building and Mr. Harris thinks that if the proposed use is allowed, then the town is violating their own rules. Mr. Harris continued that he spoke with Building Inspector/Code Enforcement Officer Bob Flanders who informed him that the building permit was not for a commercial use, and he firmly believes that if this goes to court, the record will show that the ZBA did not approve the use of the building, only for outside storage.

D. Hudson reviewed the building permit and indicated that it was issued for a barn, which can be used to house animals, for storage, to work on vehicles, as a workshop, etc. He continued that the proposed use could have met the parameters of a Cottage Industry, but the ZBA determined that it was a Contractors Yard to include outside storage.

Mary Beth Harris, abutter, asked whether it is a Cottage Industry or a Contractors Yard? She stated that both require a Special Exception in the Conservation Zone. Discussion occurred regarding whether the property is located in the Rural or Conservation Zone. L. Brunelle referenced Article II.C. of the Zoning Ordinance, Zoning District Boundaries, which states: *“In any instance where there is doubt as to the location of a Zoning District boundary, the Planning Board shall determine the location of such boundary, consistent with the intent of this ordinance and zoning map. The frontage or point of access shall determine the applicable Zoning District.”* She continued that the ordinance was amended on 3/13/07 as a clarification, not a rule change.

J. Funk asked what do the Harris's find objectionable? Mrs. Harris stated that there is noise, fumes, dust, employees' vehicles, trucks and trailers. Mr. DeForest informed the Board that he does not have any employees. Mrs. Harris continued that when trucks and trailers drive by it disturbs their horses and destroys the road, and as far as she's concerned he's destroying their property because they own half the road. She continued that Mr. DeForest put gravel on the road and was not permitted to do so. N. Girard explained that when a road is discontinued, ownership reverts back to the abutters at the centerline of the road; however, an abutter cannot deny access to another property owner. Therefore, Mr. DeForest has the right to access his property.

J. Funk asked the applicant how many times does he drive back there? Mr. DeForest stated that he drives back to the site a couple of times a week, about seven or eight times a month. He has two trailers that are stored behind building the building and are shown on the Site Plan.

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M. Martindale asked what kind of trailers are they? Mr. DeForest responded that they are flatbed trailers.

N. Girard read into the record a letter from Tom & Paula Farley, abutters, stating that they have no objection to the proposal. It was noted that Mr. Farley attended the Site Walk.

J. Funk referred to photos presented by Mr. Harris and asked when were they taken? Mrs. Harris responded that the pictures were taken last year just before hunting season. She continued that the applicant works on the site more often than twice a week. She stated that he runs the generator at least a couple of times a month and has several employees. She feels that it depreciates their quality of life by impacting their daily life. Mr. Harris continued that he would enjoy his property more and probably use that end of the road by riding his horses, walking his dogs, etc. if this were not located across the street.

J. Funk referenced Article X of the Zoning Ordinance stating that Cottage Industries shall not include uses that generate noise, fumes, outside storage or other activities objectionable to neighboring properties. Mr. DeForest responded that he uses a generator by power take-off (PTO) from his farm tractor, so it doesn't create any more noise or fumes than if he was using his tractor for haying, or the Harris's tractor for that matter.

J. Funk asked what kind of equipment is being run off the generator? Mr. DeForest stated that he typically uses skill saws and a planer.

D. Hudson noted that the generator is located at one end of the building which helps shield the noise from the neighbors. He spoke to the closest abutter, Eric Harper, who attested that he could not hear it.

J. Funk asked what are the hours of usage and if there is any outside lighting? Mr. DeForest responded that when he works onsite it is between the hours of 8 a.m. and 3 p.m. There is no outside lighting existing nor is any proposed.

D. Russell commented that Mr. DeForest is before the Board for Site Plan Review for a Contractors Yard, which involves outside storage and a Special Exception by the ZBA. A Cottage Industry is for inside activity, which does not require Zoning Board approval. Why is this an issue? D. Hudson agreed that he's makes a good point that a Cottage Industry is a permitted use in the Rural Zone and the applicant has already received the appropriate Zoning approvals for the Contractors Yard. L. Brunelle explained that a Home Occupation and/or Cottage Industry may not require Zoning approval, but may be subject to Site Plan Review by the Planning Board. She continued that with a Home Occupation, the owner may have up to three paid employees other than the owner/operator/tenant. A Cottage Industry may have up to six employees including the owner/operator/tenant.

J. Funk noted that a Sawmill is permitted in the Rural and Conservation Zones, a similar use to this; one which involves noise, fumes, heavy trucks, etc. He continued that the purpose of the Town's Site Plan Regulations is to protect the public health, safety and welfare, and therefore it is appropriate for the Planning Board to review.

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Mr. Harris asked if the entire property is allowed for use as a Contractors Yard? N. Girard responded that if approved, it would be for this site only. Mr. Harris asked if the applicant is allowed to park tractor-trailers on site? N. Girard informed him that the Board will approve the specific materials/vehicles and their storage location(s) on the Site Plan. If the applicant parks/stores anything on site beyond what is shown on the final plan, then he will be required to return to the Town for further approvals.

Motion: D. Russell moved to close the public hearing on Application PB#1608. M. Martindale seconded, motion carried 5-0.

INFORMAL DISCUSSION – Ron Ferland, Bob Green & Ken Lantz: Preliminary plan for Boundary Line Adjustment between Town Tax Map/Lots #110-43, #110-44 & #110-45 located on Justamere Lane in the Rural Zone.

Barbara & Ron Ferland of 41 Justamere Lane (Map/Lot #110-43), Bob Green of 45 Justamere Lane (Map/Lot #110-44) and Ken Lantz of 49 Justamere Lane (Map/Lot #110-45) were in attendance to present a preliminary plan for a Boundary Line Adjustment. The three neighbors came before the Board informally on 7/10/08 and they have since had a survey performed. All three lots are non-conforming; the Ferland's lot is the largest at 1.06 acres. They propose to transfer .46 acre to the other two lots for purposes of enlarging them and meeting setbacks. The Ferland's Lot #110-43 will be .60 acre. Mr. Green's Lot #110-44 of .15 acre will become approximately .39 acre. Mr. Lantz's Lot #110-45 of .30 acre will become approximately .52 acre. Frontage amounts will also be altered slightly. There exists a shed on Lot #110-44 that was built on the Ferland's property line. The boundary line will be adjusted so that the shed will be entirely on Lot #110-44; however, it will not meet the required 20' setback but a 4' setback.

Discussion occurred regarding the fact that although the lots are pre-existing non-conforming lots, because the Ferland's are reducing the size of their lot as well as their frontage, they will need to apply to the ZBA for a Variance. L. Brunelle suggested that the Planning and Zoning Boards hold a Joint Hearing so that both Boards may review the plan and discuss the purpose of the proposal concurrently. She explained that both applications for Variance and Boundary Line Adjustment need to be submitted with the updated survey by the deadline.

INFORMAL DISCUSSION – Chris Keith & Bob Williams: Inquiry regarding potential barn to constructed on Map/Lot #414-61, of 57 acres, in the Rural Zone.

Chris Keith, and his realtor, Bob Williams, were in attendance to ask questions regarding the Site Plan Review process to construct a storage barn. Mr. Williams called the office earlier in the day and spoke with L. Brunelle, who suggested that they stop in to tonight's meeting and speak with the Board directly.

Mr. Keith has a Purchase & Sales agreement for property located on Meeting House Road located in the Smith Meeting House Historic District. He would eventually like to construct a barn to historic standards for purposes of storing construction equipment to be used off-site.

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L. Brunelle referenced Article IV, Table 1 of the Zoning Ordinance (Table of Uses) and suggested that the description to the proposed use is a Contractors Yard, which is “the outside storage of equipment and materials for offsite business”. However, there will be no outside storage. She continued that the proposed use does not necessarily fit the description of Warehouse. J. Funk doesn’t think the proposed use is a Contractors Yard because it is an accessory building to house the equipment that will be moved a couple times a year. This shouldn’t require ZBA application, but does require Site Plan Review as well as approval by the Historic District Commission (HDC).

Mr. Keith asked whether he should go before the HDC informally prior to making formal application. Lynne conveyed that the ZBA does not conduct informal discussions, but the HDC does and it would be to his benefit to schedule one before submitting his application.

Mr. Keith asked whether he should consider utilizing a separate driveway to the barn so he doesn’t damage the existing driveway to the house. He continued that there is an existing logging access, which is somewhat camouflaged by a wooded area, that he is considering using as access to the barn. The Board agreed that this is a good idea to have a separate driveway as well as retain the wooded buffer.

Mr. Keith asked if he should risk purchasing the property before obtaining any approvals because the sellers would rather not place any conditions on the P&S. The Board members agreed that there shouldn’t be any problems as long as he follows the Site Plan Regulations and HDC guidelines. Mr. Keith and Mr. Williams thanked the Board members for their advice.

DELIBERATION/DECISION – DeForest Site Plan:

J. Funk reviewed the findings of fact that one abutter, Eric Harper, does not have an issue with noise and another abutter, Tom Farley, has no objections to the proposal. Other abutters, Bob and Mary Beth Harris, voiced objections to noise, dust and diminished enjoyment of their property. The applicant uses the property no earlier than 8 a.m. and no later than 3 p.m. and has no exterior lighting. He uses a power take-off from his farm tractor to run a generator located on the opposite side of the building to reduce the noise impact. The Gilmanton Conservation Commission recommended that sand/fill be removed from the wetland approximately 40’ and that all buildings and/or materials on site meet wetland setbacks to reduce further impacts. The Gilmanton Zoning Board of Adjustment granted a Special Exception for a Contractors Yard on 9/18/08 with conditions, which shall become part of the Planning Board’s decision.

Motion: J. Funk moved that the Planning Board make the following findings based on the application, materials presented, the applicant’s and/or abutters’ testimony and the Site Visit:

1. The applicant intends to use the building as a workshop to mill old wooden beams and to store them outside, which the applicant has historically used the site for in the past.
2. Two abutters, Eric Harper and Tom Farley, have stated that they have no objection to the proposed use.
3. Other abutters, Bob & Mary Beth Harris, have objected to fumes, noise and dust, which interferes with the recreational use and enjoyment of their property. In support of their objection, they submitted photos documenting trucks, trailers and other activity on site.

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4. The applicant intends to use the site no more than seven times a month during periods of the year that he can't work on projects off-site. This period principally involves the winter months during inclement weather.
5. On most occasions the applicant uses the site for business purposes no earlier than 8 a.m. or no later than 3 p.m. and has no exterior lighting.
6. The applicant occasionally may use trucks and/or trailers to haul beams, wood, etc.
7. The applicant has no employees but occasionally has another person helping.
8. The applicant shall take every attempt to reduce noise while running the generator.
9. The applicant shall store materials behind the building, keeping the site neat and orderly.
10. The applicant shall work inside the building while using skill saw(s) and planer(s) so not to generate noise outside.
11. The Planning Board's Site Visit confirmed that the road is adequate, the condition of which supports the use. The building was well constructed and maintained such that the noise generated in its interior would not be unreasonably objectionable to persons outside the building, and its location is remote to residential buildings in the neighborhood.
12. The Conservation Commission visited the site with the Planning Board and made recommendations with respect to the restoration of wetland areas and wetland setbacks to which the applicant has agreed.
13. Taking all factors into consideration the noise, dust and fumes generated by occasional trucks using the road and work activity inside the building being minimal and consistent with the proposed use of the site, is not objectionable to any reasonable standard.
14. The Board finds that the proposed use of this property qualifies as a Cottage Industry as well as a Contractors Yard, and therefore requires Site Plan Review. Furthermore, the Board finds that the applicant has met the standards of a Cottage Industry as set forth in Article X of the Zoning Ordinance.

D. Russell seconded the motion, vote passed 5-0.

Motion: D. Russell moved that the request to waive Section VII.B.3.a.b.g.h.i. of the Site Plan Regulations requiring that the plan be prepared by a licensed land surveyor at a scale of 1" = 20' on a sheet size of 34" x 22" showing a proximity map, all boundary lines, wetland delineation, topographic and contour lines be granted because the building is existing and no new development is being proposed. M. Martindale seconded, motion carried 5-0.

Motion: J. Funk moved to accept the application as complete and to grant conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Gilmanton with the following conditions:

1. Any required Town, State or other agency permits shall be provided to the Planning Office before final plan may be signed and recorded.
2. Submission of final plans in accordance with Town Ordinances and Regulations with the exception of any waivers that have been granted.

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3. The final plan shall reflect the conditions set forth by the Conservation Commission, to the Commission's satisfaction, as follows:
 - (a) Remove all sand fill located to the right of the building and take measures to prevent additional sediment from eroding into the wetlands.
 - (b) Remove the windows, the wagon and other materials from the wetlands.
 - (c) Remove/relocate stored lumber from the wetland.
 - (d) Take appropriate measures to prevent any further encroachment onto the stream and the wetlands.
 - (e) Applicant shall not store any waste products produced from activities on or off site in the wetland area.
4. There shall be no storage of fuel, waste oil or other contaminants on site.
5. A compliance hearing shall be held by the Board prior to signing the plan and prior to the approval becoming final to determine if any conditions of approval are beyond administrative in nature or would require discretion on the part of the Board or staff.
6. Applicant is responsible for the payment of any fees required by the Belknap County Registry of Deeds for recording the approved Site Plan and/or Conditions of Approval.

Construction conditions to be complied with subsequent to plan being signed and recorded:

7. Property owner shall install all required traffic control, fire, life safety and health facilities and systems required by the Board, in addition to other applicable Codes and Regulations.
8. All dumpsters shall be located on a solid cleanable surface such as concrete, shall be of sufficient size to contain all materials, shall be kept closed, and shall be appropriately screened.
9. The use of the property is limited to those indicated in the applicant's testimony at the public hearing and submitted documents for an off-site building restoration business. Any other use(s) require further review and approval by the Planning/Zoning Boards.
10. There shall be no exterior lighting on the site.
11. The site may be used for business activities during normal hours of operation, no earlier than 8 a.m. and no later than 5 p.m. Use of the generator shall not exceed 60 hours in any 30-day period. If the applicant wants to increase the frequency of use or a change in power source then he shall return to the Planning/Zoning Boards for further approval(s).

General conditions to be complied with subsequent to plan being signed and recorded:

12. No changes shall be made to the approved plan unless application is made in writing to the Town. Minor changes may be allowed following review by the Planning Board.

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13. Major changes may be allowed after review by the Planning Board at a public hearing and abutters shall be notified.
14. The Planning Board shall have the power to modify or amend its approval of a Site Plan upon its own motion to do so.
15. Approval is subject to expiration, revocation and changes in the Ordinances under Town Regulations and the State RSAs.

D. Russell seconded the motion, vote passed 5-0.

ADMINISTRATOR'S REPORT

Natural Resource Audit: Planning Administrator Lynne Brunelle followed up on the audit developed by NH Fish & Game by the Jordan Institute and NH Audubon called "Addressing Wildlife Habitat and Natural Resource Protection in Municipal Land Use Documents: Ideas for NH Municipalities". At its last meeting, the Board asked Lynne to get more information about this and she discovered that the Town is eligible to have an intern assist in conducting a review of our Master Plan, Zoning Ordinance, Subdivision and Site Plan Regulations with respect to 25 topics pertaining to wildlife habitat and natural resources. This would be arranged through UNH Cooperative Extension and the County Forester.

2009 Budget Request: The Board approved the 2009 budget to be level-funded. The bottom line will actually be less than 2008 as there are no increases being proposed to the salary line and the decision to withdraw from LRPC will reduce the bottom line by \$2,827. The total budget request for 2009 is approximately \$35,580.

Crystal Lake Farms Subdivision: Lynne copied the Board on a letter dated 11/25/08 and invoice in the amount of \$1,192 received from Hoyle, Tanner & Assoc. Inc. (HTA) in regards to the road construction/plan review for the Crystal Lake Farms Subdivision. There still remain outstanding items on the road plans and since sufficient funds are not available in the Subdivision Consulting Account, HTA cannot continue their review. The Board of Selectmen will forward a letter to Mr. Rague requesting the second installment of his payment plan. In the meantime, Lynne has requested HTA to refrain from any review on this project until further notice.

Water Withdrawal Ordinance: Lynne copied the Board on a memo from GCC Chair Nanci Mitchell to the Selectmen regarding the establishment of a Large Groundwater Withdrawal Ordinance. The Board members discussed the background leading up to this request. In summary: at the 2006 Town Meeting, a petitioned Warrant Article was passed to work with other communities to adopt a Water Withdrawal Ordinance. That year the Planning Board, in collaboration with the GCC, proposed a Wetland & Watershed Protection Ordinance, which was not well received by the public and therefore was not placed on the ballot. In 2007, the GCC presented a Water Withdrawal Ordinance (WWO) and the Board felt that the language was too complicated and would require significant changes before it could be placed on the ballot. Therefore requiring multiple public hearings that there was not enough time for.

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When the GCC submitted another draft ordinance for the Board's review, it was determined that the language was too vague. The Planning Board understood the Conservation Commission's frustration; however, it conveyed that with the State regulations in place, the consensus was that a Large Groundwater Withdrawal Ordinance would be preempted by State law and unnecessary. The GCC conveyed that they intend to move forward with a WWO as a Selectmen's Ordinance. N. Girard conveyed that she has written some of these ordinances for other NH towns and strongly believes that an establishment of an aquifer overlay district would provide much more protection for the town. The Board members agreed that if an application were to come in for a Large Groundwater Withdrawal Permit, it would go directly to the State anyhow, and that an Overly Aquifer Protection District would be the most effective.

Final Plan – Osborne: Lynne informed the Board that the final plan for the Osborne Boundary Line Adjustment has been submitted and is ready for signature.

Final Plan – Towle: Lynne informed the Board that the final plan for the Towle Boundary Line Adjustment has been submitted and is ready for signature.

ADJOURNMENT

On a motion made by D. Russell and seconded by J. Funk, vote passed unanimously. Meeting adjourned at 11:05 p.m.

Respectfully submitted,

Lynne R. Brunelle