

Place: Raymond High School; Media Center

Call to Order: 7:15 p.m.

Members Present: Jonathan Wood, Chairman; Carolyn Matthews, Vice Chairman; Doug Vogel, Secretary (arrived during the public hearing); Bill Hoitt, Selectmen's Ex officio; Gretchen Gott; Jim Kent; Bill Cantwell.

Staff Present: Ernest Cartier Creveling; Community Development Director; Laura Spector, Mitchell Municipal Group; Robert Price, Planning Technician.

Pledge of Allegiance

Public Hearing – Hearing for the Adoption of Excavation Regulations

The purpose of this public hearing is for the adoption of a completely rewritten version of the Earth Excavation Regulations. The rewritten Regulations are available for review in the Community Development Department.

Members Sitting for this Hearing: Jonathan Wood; Carolyn Matthews; Bill Hoitt; Gretchen Gott; Bill Cantwell; Jim Kent; Doug Vogel (arrived during the hearing).

Public in Attendance: Kevin Cole Sr. & Kevin Cole, Jr. of Raymond Sand & Gravel; John Galloway of Waldoborough, LLC; John Vetne, resident.

The Board went through the proposed Regulations, and members offered various amendments. Public comment was taken throughout the night.

Mr. Galloway stated he feels the proposed revision in Article VII (A)(1) is too restrictive. Mr. Wood informed Mr. Galloway that all provisions within the Regulations can be waived. Mr. Galloway stated he understands this, but it does not necessarily mean a waiver will be granted. He stated he personally can not adhere to the distanced outlined in proposed language.

Mr. Cole, Sr. stated he understands that anyone can ask for a waiver, but feels that if you have a disapproving abutter, then it is highly unlikely a waiver will be granted.

Mr. Wood stated he feels the proposed distances are excessive. It was agreed that more discussion on this item would be held later.

Article VII(9) – Ms. Matthews proposed changing 25 feet to 50 feet, with her rational nexus being tied to the State's efforts with expanded protection under the Shoreland Protection Act.

Article VIII (B) - Mr. Hoitt stated he thought this section should have been changed. After some discussion, it was agreed that the first sentence should be deleted.

Article X (B) - It was noted that the proposed pre-blast survey distance of ½ mile is five times that of the requirement of the State. Mr. Wood again noted that this item could be waived by the Board if requested by the applicant.

Mr. Cole, Sr. and Mr. Galloway each agreed with the sentiment that ½ mile is too great a distance.

Mr. Vetne stated having a ½ mile standard is related, in part, to NH Mining Law. He stated circumstances do exist where a smaller radius will be appropriate, adding that it is easier to grant an exception than to lower the standard within a Regulation.

The Board agreed to take up the concern with the ½ mile radius again.

Article XII – The Board noted a definition of hardship needs to be added here.

(Doug Vogel arrived to the meeting at this time – approximately 9:00 p.m.).

Article XIII(A)(2)(v) – It was noted that the ½ mile radius in this section is again, too large an area. Some Board members agreed with this sentiment, and agreed to discuss both distance, and items required in this section, again later.

Article XIII(A)(6)(iii, iv, and v) – It was requested for the Board to identify the standard for each of these items. Mr. Cartier Creveling stated it's not necessarily a requirement that specific standards be identified.

Mr. Vetne stated it would be a bad idea to outline detailed standards, as technology evolves and requirements change.

The Board agreed to include language that studies should comply with then-current industry standards.

Article XIII(A)(7) - Mr. Cole, Sr. stated he is concerned with the hours of operation, noting they are too restrictive. Mr. Vogel stated he would be amenable to modifying this section. The Board agreed to revisit this section later.

Article XIV(3) – The Board brought up the issue of the length of permits. It was agreed that this topic needs to be discussed further, later.

Article XV(A)(2) – It was suggested that this paragraph be reworked so that all the information within it shows as a bulleted list rather than a long paragraph.

Article XV(B)(3) – It was noted that this section needs to be reworded and revisited by the Board.

MOTION: Ms. Matthews made a motion, seconded by Mr. Kent, to continue this hearing to May 20, 2010 at 7:00 p.m. at Raymond High School. The motion carried with a unanimous vote of 7-0-0.

Work Session – Rules of Procedure

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Bill Hoitt; Gretchen Gott; Bill Cantwell; Jim Kent; Doug Vogel.

The Board reviewed a new draft of their Rules of Procedure which contained the revisions made at previous meetings. The Board was in agreement with the changes.

Mr. Price proposed language relative to legal notice to abutters and abutter re-notification. The language was accepted by the Board.

MOTION: Ms. Matthews made a motion, seconded by Mr. Cantwell, to adopt the Rules of Procedure, as amended. The motion carried with a vote of 6-0-1, with Ms. Gott abstaining.

Work Session – Goals and Objectives

The Board agreed to table this discussion to another meeting.

Work Session – Lamprey River Nomination Discussion

Documents that were distributed to the Board of Selectmen at their last meeting were distributed to the Planning Board for their review and consideration. The discussion on whether or not to recommend support for the nomination of the Lamprey River for protection will be taken up again at the next meeting, so the Board has time to read everything they received.

Other Business

The Board heard reports from its members serving on other Boards and Committees.

Ms. Matthews and Mr. Kent issued a report on the Office of Energy & Planning's Spring Conference.

Adjournment

MOTION: Mr. Cantwell made a motion, seconded by Mr. Hoitt, to adjourn. The motion carried with a unanimous vote of 7-0-0. The meeting adjourned at 10:02 p.m.

Respectfully submitted,

Robert Price
Planning Technician