

MOUNTAIN LAKES DISTRICT
PLANNING BOARD PUBLIC HEARING MINUTES
Saturday, January 19, 2008
District Office 9:30 A.M.

Call to order - The meeting was called to order at 9:32 A.M. by Sandy Schmid.

Roll call - Sandy Schmid (Chair), Janice Neubauer (Vice Chair), Chris Demers (Ex Officio), Carol Modrell (regular) and Florence Hartmann (alternate).

Absent – Tom Eighmy (regular) and Beverly Hasbrouck (alternate).

Visitors – Karl Schmid (Commissioner) and June Soule (resident).

S. Schmid stated that the purpose of the public hearing is to propose the zoning amendments in preparation for the Annual Meeting scheduled for March 8, 2008.

Two packets were handed out. The four page packet relates to the three proposed amendments. The two page packet specifies the wording that will be used at the Annual Meeting for the proposed amendments. In the four page packet the sections in light printing will be included in the new amendments and the strike outs signify wording that will be omitted.

The proposed amendments address three categories: 1) Septic, 2) Shoreline Protection, 3) Motorized Vehicles on District land.

SEPTIC (Section 404, 404.1, 404.3)

S. Schmid stated that the Town of Haverhill has a Health Regulation in place relating to Mountain Lakes Septic. However, they are in the process of repealing the regulation. The Mountain Lakes Planning Board proposes to amend Section 404 to cover the Septic issues previously covered in the Town of Haverhill's Health Regulations. The changes would be minor. Basically each homeowner has been required to pump their septic every four years and send proof to the District Office that this has been completed. The new amendment adds two additional components to the pumping. It will be required that the homeowner's certified pumper verifies that the septic field is functioning. The other component is that the homeowner doesn't have to have their septic pumped every four years but they do have to have it inspected every four years to ensure that the tank has a combined thickness of sludge and surface scum less than one third of the tank depth. Violation of this ordinance may result in a \$275 fine per day.

S. Schmid walked everyone through the wording for proposed amendments Sections 404, 404.1, and 404.3. S. Schmid asked if anyone wanted further discussion. There was no further discussion.

PROPOSED AMENDMENT RELATING TO SEPTIC

Section 404 Septic System Requirements

404.1 Operations and Maintenance

Protection of the two lakes at Mountain Lakes is essential for the indirect water supply, public health, District recreation and land value purposes. Proper operation and maintenance of the subsurface sewage disposal system (septic tank and leaching field) is mandatory. Therefore, every four years all home owners at Mountain Lakes are required to submit written proof to the District Office within 60 days that:

A) Their septic tank has been pumped and the septic system has been verified to be functioning properly.

Or

B) That the septic system is functioning properly and the septic tank has a combined thickness of sludge and surface scum less than one third of the tank depth. (Required by NH Code of Administrative Rules Part ENV-WS 1023).

404.3 Administration and Enforcement

Administration and enforcement of these septic system requirements shall be in accordance with Sections 902 and 903 of this Ordinance.

SHORELINE PROTECTION (Section 406.6)

This amendment provides that residents who wish to install docks or alter the shoreline must go through the State's administrative agencies for the appropriate permits and that such plans and permits would then be reviewed by the District's Planning Board prior to construction or alteration. K. Schmid pointed out that the existing wording specifies a maximum of 144 sq ft for a dock and the new wording doesn't specify a size. Neubauer responded that the size of the dock is determined by the state. There was further discussion about the ability of the Mountain Lakes Planning Board to approve a dock permit contingent upon approval by DES, which would not slow down a home owner getting a dock permit. Neubauer recommends adding the corresponding laws to the end of the amendment (RSA 482A – Wetlands Protection Act and RSA 483B – Comprehensive Shoreline Protection Act).

S. Schmid walked everyone through the wording for proposed amendment Section 406.6. S. Schmid asked if anyone wanted further discussion. There was no further discussion.

PROPOSED AMENDMENT RELATING TO SHORELINE PROTECTION

406.6 Alteration of shorelines is governed by State Law, which requires Dredge and Fill permits from the Wetlands Board. Permits for the construction of docks must be obtained from the NH Department of Environmental Services. All permits and plans must be reviewed by the District Planning Board before construction or alteration of land may begin.

MOTORIZED VEHICLES ON DISTRICT LAND (Section 406.14)

S. Schmid stated that the change to this amendment deals primarily with ATV's and snowmobiles on the ski slope. The objective is to allow people to enjoy their sport but limit their access to routes that have been authorized by the Commissioners. This wording would allow Mountain Lakes to use the tractor to mow and snowmobiles to tow sleds up the ski slope during Winterfest.

S. Schmid walked everyone through the wording for proposed amendment Section 406.14. S.

Schmid asked if anyone wanted further discussion. There was no further discussion.

PROPOSED AMENDMENT RELATING TO MOTORIZED VEHICLES ON DISTRICT LAND

406.14 No person shall use or operate any power boat, snowmobile, all terrain vehicle, car or truck or any gasoline, diesel or electric powered conveyance on the waters or ice of the lakes in Mountain Lakes or any wetlands in the Mountain Lakes District, nor on the Mountain Lakes District lands excepts as authorized by the Mountain Lakes Commissioners. District residents may operate snowmobiles on routes designated in writing by the commissioners for the purpose of accessing approved snowmobile corridors outside the District.

There was a discussion about the necessity of a second hearing since there weren't any challenges to the proposed amendments. S. Schmid will contact lawyer Bernie Waugh for guidance on this matter.

Hartmann moved to accept the wording of the proposed amendments contingent upon input from lawyer Bernie Waugh regarding whether or not a second public hearing is required, seconded by Demers. Motion carried.

Adjournment – There was no further business. Demers moved to adjourn the meeting, seconded by Modrell. Motion carried and the meeting adjourned at 10:07 A.M.

Respectfully submitted by:

Michelle G. Chamberlain

Date

Approved by:

Date