

**Tamworth Conservation Commission**  
**Committee** Reviewing the Major Dredge and **Fill** (Wetlands) Application  
filed by Motorsports Holdings (**MSH**), March **2004**

**Minutes**  
**Public Hearing**  
**April 12, 2004**

Present to receive comments:

Committee: Ned Beecher.& John Mersfelder (co-moderating), Chris Conrod, Don Johnson, Lori Lenart (note-taking)

Tamworth Conservation Commission: Charlie Townsend

Others: Irene Garvey, consulting wetlands scientist for the Commission

The Public Hearing started at **8:12 p.m.**

John introduced the hearing: "We are receiving comments from the public so that we can effectively respond to the wetlands dredge and fill permit; if we get comments that stray too much or pontificate, etc.; they will not be as useful to us." He noted there will be other opportunities for public comment in the future—the DES hearing on April 27th; ACOE (Army Corps) will be posting public notice of this project because this project has been defined as major and they will issue another permit (ACOE expands their concerns to economic, historical, etc.). EPA is also involved in this application process. And there are other opportunities for comment such as the Tamworth Wetlands Ordinance, the Tamworth Racetrack Ordinance, Hazardous Waste Ordinance, and possibly a gravel mining ordinance.

Ned reviewed the schedule ahead: This Friday, April 16<sup>th</sup>, the Committee finishes its business in an open meeting at the Town Offices. The TCC will review the draft report and recommendations at its meeting on Monday, April 19<sup>th</sup>—"we will address the status of our progress and determine whether or not we need additional work to complete comments." He re-emphasized that there is available to attendees of the hearing a list of topics that require addressing by ESS to DES. He asked that when speaking, each person please give name for record and, on the speaker sign-up sheet, state the topic area that you will be addressing and indicate if you are submitting written comments as well. Written comments will be accepted until 5 pm Thursday to Committee members or town office.

Public verbal comments were received from the following. For details of comments of those speakers marked with two asterisks (\*\*), see written comments submitted.

**\*\*Muriel Robinette (Haley and Aldrich, consulting firm for Focus: Tamworth) and Rick Van de Poll (wetlands scientist, botanist, ecologist consulting for Focus: Tamworth):** powerpoint presentation arguing incompleteness of application.

**\*\*Amy Berrier (Tamworth citizen):** Concerns, as a neighbor on the north side of the Bearcamp River further upstream, about impacts. Also argued the application is not complete. Noted that the Club Motorsports website claims that 85%

**\*\*William Farnum (Tamworth citizen):** Noted discrepancies in the applications (site specific application and wetlands permit).

**\*\*Bob Streeter (Tamworth citizen):** DES Mike Nolan wrote a letter to the editor of several newspapers urging citizens to help protect ground water. Mr. Streeter challenged him to deny this permit; "there are no measures to contain spills on the track...MTBE pollutes ground water.. This is a primary recharge area for the [Ossipee Lake] aquifer...it has rapid recharge with transmissive soil." He said that 5 gallons of gas can contaminate 40 million gallons of water. He quoted Lester Brown discussing pollution of groundwater around the world to underscore his point that the aquifer needs strong protection.

Scott **Aspinall** (Tamworth citizen): Questions: Is DES fast-tracking this application? How does this affect how well the town can process and be involved in this development? How do you come to consensus on the amounts of wetlands that actually exist on the site and the amounts that are impacted? Isn't it *illegal* to keep town reviewers of the application from inspecting the land? Shouldn't the expected larger flow volumes be part of this application?

Blair Foltz (Director, Green Mountain Conservation Group, or GMCG): Displayed the state map of stratified-drift aquifers... Noted that the Ossipee **Lake** aquifer extends east to Saco, Maine and lots of people downstream depend on this aquifer. Noted that water quality monitoring has been done according to a plan designed in part by Dr. Robert Newton, chair of the Dept. of Geology, Smith College. At the intersection of Rtes. 16 and 25 the soil is very transmissive. She read a letter from Dr. Newton\*\* that noted that 28% of site is a primary recharge area and that chemical contaminants falling on it have a high probability of entering the aquifer; most dangerous is gasoline – especially hi-octane racing fuels that are exempt from EPA permits. He wrote, MTBE is of concern, as is benzene, which has a very low MCL. He noted that the lower till may occur on this site which could cause increased release of silt and clay sediment. Ms. **Foltz** also read a letter from Saco River Comdor Commission\*\* expressing the concern of downstream, down-groundwater neighbors in Maine, who may not have a political voice, but whose interests should be considered and protected.

Joanne Rainville (Tamworth Community Nurse): It is important to plan for generations to **come**. Urged design improvements to move garages, paddocks, etc. further south so they don't impact wetlands as much.

\*\***Joe Binsack** (Tamworth citizen): Discussed noise impacts, noise of cars and noise abatement issues that should be addressed. The **Tamworth Racetrack Ordinance** requires a limit of **69 dBA** at any site boundary. Estimates he presented suggest that that requirement means that any single car on the track at places closest to the boundary should not exceed **84 dBA**. He cannot imagine how these limits can be met without putting in earthen berms, which requires land movement. "If there is additional land movement that will be done, then this application is null and void."

\*\***Steve Gaal** (Tamworth land-owner, resident of neighboring town): Abatement measures may significantly change the application (as noted by **previous** commenter); last summer's noise study suggested the need for noise abatement measures. The applicant has publicly stated their interest in allowing motorcycles and snowmobiles—which can be very noisy. It is not clear whether or not CMI can be meet noise limits. Also discussed stormwater management, wildlife impacts (what would be the impact on wildlife if there is a fence put up?).

**Kris Bontaites** (Tamworth citizen, wildlife biologist): Lives not far from site. Supports Dr. Van de Poll's assessment regarding impacts to wildlife. Noted that the Ossipee Mountains cirque is one of the last areas in Carroll County (outside of the White Mountain National Forest) to maintain large undisturbed wildlife communities. She noted that NH is the fastest growing state in New England: **Tamworth** is the fastest growing town in Carroll County, which is the fastest growing county in the state. "It is important to protect our wildlife and water."

\*\***Chele Miller**: Spoke about the alternatives presented in the plan. DES requires explanation of alternatives. "What constitutes viable alternatives?" At section 5.0, in the plan 27 parcels are considered.; of these, 6 were viable. When zoning and the real possibility of use is considered, most are not viable: e.g. towns may not allow racetracks, sites were unreasonably steep or had lots of wetlands on them... they are not viable alternatives. Regarding the on-site alternatives, the first presumes inclusion of an additional parcel of land that could not be bought by the applicant. "Is this a viable alternative if it includes that other parcel of land?" Track cannot be split into 2 equivalent lengths; CMI business plan talks about splitting of track; how does that affect viability? The on-site alternative 4 would violate subdivision ordinances. Is it a reasonable alternative if it is not permissible under current regulations? "In summary, do the various scenarios presented represent truly viable options?"

Ellen Keith (Tamworth citizen): Is this particular process the only permit process for this facility? When is the septic plan to be finalized? Will the subsequent applications be made available to **TCC**?

Suzy Kjellberg (Tamworth citizen): Where will the racetrack's garbage be dealt with? Our transfer station? Will they be recycling according to our community standards? Expressed concern about the potential for negative impacts on water to affect the health of breast milk and babies in the womb. Also noted concern of air quality effects on baby and parent. Concerned about water and air quality of current and future generations.

Dom Bergen (Tamworth citizen): The application does not work with local Tamworth ordinances, such as the Tamworth Wetlands Ordinance: this should be looked at. To adjust plan to meet local ordinances, this application plan will have to be altered and wetlands impacts will be altered. DES does not need to look at local ordinances, but they should, because of this. What is CMI's motivation by not applying for the local ordinances at the same time? Also discussed BMP's, hours of operations, waste ordinance, noise part of racetrack ordinance.

\*\*Claes Thelemarck (Tamworth citizen): Not convinced everything possible has been done to reduce wetlands impacts. Doesn't like mitigation alternatives provided—they are in Sandwich and do not meet the same functions; suggested that restoration should be considered, for example, perhaps restoring the abandoned racetrack site in Effingham would be appropriate, or protecting the silver maple community along the Bearcamp River downstream of the site.

\*\*Marsha McKenna (Madison Conservation Commission): The application does not show strong enough concern for protecting the Ossipee Lake watershed..

\*\*Geoff Burke (Tamworth citizen): He discussed values and ethics of land use and community benefits. He noted the TCC is charged with protection of air, water qualities, etc. He is concerned with aesthetic values—the region is rich with wetlands, but does that mean the ones on this site should be discounted? The availability of fresh water is of international concern. He mentioned Commissioner Nolan's comments in his editorial to the local paper regarding protection of groundwater. "This is the largest alteration of terrain ever proposed in Tamworth: is this in line with values of the town?... This will change the natural beauty of the town."

**This public hearing closed at 9:54 p.m.**