

**Tamworth Conservation Commission Committee Reviewing
Valley Motorsports Dredge and Fill (Wetlands) Application**

NOTES of MEETING

FRIDAY, APRIL 16, 2004

4:00 – 7:00 P.M.

Tamworth Town Office

Present:

Committee Members:

John Mersfelder, TCC Chair

Ned Beecher

Chris Conrod

Don Johnson

Lori Lenart

Irene Garvey, consulting wetlands scientist for the TCC, etc.

Meeting started at 4:00 p.m.

This meeting was video and audio taped by Club Motorsports.

Meeting began with John quickly reviewing the purpose of the subcommittee's public hearing - to collect comments and recommendations from the public, to summarize them for the Tamworth Conservation Commission and to ultimately give them to the DES; discussed the structure of the report - 20 question structure and add in public comments in each pertinent section; each section should include a summary and a "here's our recommendation" section, referring to specific information from the application; each section should also include a reference to the appendix if comments or proof or document is attached.

John reviewed a letter he wrote to the editor of the Conway Daily Sun regarding the "misrepresentation of TCC" in their headline of their article of the public hearing.

The Committee then went over each of the "20 questions" as follows:

- **Need:** discussion at first centered around the definition of need; use the paragraph from the compiled list of topics and the letter to Susan Duprey regarding the info requested of ESS before the TCC public hearing; Ned will write up this section; final recommendation was **NEED NOT DEMONSTRATED**.
- **Alternatives:** few if any are feasible (discussion centered on the definition of feasible). The Committee was not aware of any answer from the Applicant in response to the Committee's questions about alternatives. On-site alternative 1 is unlikely to be approved by DES. Onsite alternatives may have to be reassessed because of more wetlands being delineated than appear in the application; John asked Irene how do you deal with differing opinions as to what is or is not a wetland? Irene thought of wetland delineation as more of a science than an opinion. One alternative that could have been mentioned about smaller track that was not economically feasible for this group was not mentioned. Chris stated that he thought ESS did not search a large enough area for off-site alternatives -the requirements stated it needed to be near Boston and Loudon, etc.; another requirement was the physical geography of the site; some alternatives listed did not have appropriate slopes; Irene will write up the synopsis of this section; final recommendation was **ALTERNATIVE ANALYSIS SHOULD BE REDONE**.

- Type and classifications of wetlands: unclear in some instances because not all are properly delineated. Irene will write synopsis of this section; final recommendation was INCOMPLETE ANALYSIS.
- Relationship of impacted wetland to nearby wetlands: didn't deal with offsite or abutter property impact sufficiently.
- Bearcamp and the wetlands complex near Rte. 25 that are tied together are not dealt with much as a whole; the application acknowledges their presence but not the impact in the whole system; Ned will write synopsis of this section; final recommendation was: ADEQUATELY ADDRESSED
- Rarity of wetlands: wetland G is a vernal pool—are there others? Need to address protection of vernal pools. Ned will write synopsis of this section.
- Surface area: this area is subject to changes based on revised delineations of wetlands. There is a hummocky wet area up near the hotel that is likely needing to be delineate.--it was seen on the site visit; an intermittent stream was also found on the east side that had not been delineated. Irene will write this section. Recommendation was: NOT ADEQUATELY ADDRESSED
- Impact on fish, plants, wildlife: It was agreed that for subcategories a-e, the Commission can Rick Van de Poll's report at the public hearing. A field survey was not done except in the fall. The NW corner of the property is a moose yard—much striped maple. Species at extremity of range - i.e. black birch; there were lots of large black birch on the upper slopes of the SW corner of the lot (black birch on a N slope is unusual) along with lots of young, too; this was seen on the site walk; Section e - nearby exemplary communities – this seems to be adequately addressed by site walk and evidence of extensive logging on the site. There may be old growth on the steep slope above the site, but does not seem to be any on the site. Ossipee Mountain ecosystems should be preserved, but it is hard to argue one way or another that one lot being developed will cause excessive fragmentation. Don noted that those animals migrating along contour may be forced onto road if they are blocked by extensive planned fencing. More field work would help. Wetland G needs special attention so that it doesn't get sedimentation and other impacts that impair its function. Ned emailed Susan saying that we'd like to be on site later next week to do vernal pool survey and to look at water level in lower wetland sites. Lori will write this section; final recommendation is that MORE FIELD SURVEYS NEEDED and WANT TO REVIEW ONCE THAT'S DONE.
- Public commerce and recreation: John mentioned that the largest impact is on wildlife. Recreation offsite should be included in analysis. Ned thought we should bring up noise issue here (canoeing in White Lake, etc.) and reference the letter to Susan Duprey. Don also mentioned that if the land is now posted, and it wasn't before, there will be no more hunting on the site. Hiking in the area will also be affected, in the Ossipee's as well as the Sandwich Range. Commerce: increased traffic but may spawn additional kinds of businesses or hinder others. The application makes a point that offsite services would be boosted, but if Chris's numbers are correct, the hotel and other facilities could draw away activity from existing local businesses. Wetlands impacts could be reduced by not building these extra services. Ned will write up this section; final recommendation is NEED MORE INFO ON OFFSITE IMPACTS.
- Aesthetics: noise and light; viewscape. Mention info from letter to S. Duprey. There are no noise abatements mentioned in the application; the Haley/Aldrich report says that walls will be effective only if ground contact happens; Duprey mentioned that things can't be added after the fact; all this adds up to confusing and not enough info. At the site visit, the ESS engineers said earthen berms are not going to be used; however, if walls are made, posts will be inserted deep into the soil; the land will be affected—will it be impacted enough to be considered in the site specific and wetlands applications? Chris will write up this one; final recommendation: NOT ENOUGH INFORMATION.
- DES topic number 10 is not applicable.
- Abutters: it stipulates in the DES application that wetlands impacts must be > 20' from the property line unless agreed upon with abutters—if delineations are adjusted, this rule will apply--there are wetlands that were not delineated yet in an area near the E boundary; this area is less than 20' to abutter property. Might reference Willie Farnum's letter. There are Salmon and Nickelville soils on abutting properties; these uncommon good farming soils will not be as productive if they get a 20% increase in water volume. Irene said that there could be other wetlands discrepancies on remaining 75% of the site. Ned mentioned that on

the parts his group had walked they saw some intermittent streams and some hummocks, but not a lot of wetlands up high because the lot is steep. John will write synopsis for this section; final recommendation was FURTHER DETERMINE IMPACTS ONTO ABUTTING PROPERTIES; ADDRESS THESE ISSUES.

- Health, safety, well-being of general public: noise the main issue. Chris said he would write this section.
- Quantity and quality of surface groundwater: Ned suggested that this project may be unlikely to have greater impact than anything that's already at the junction of 16 and 25 (i.e. gas stations). Others said it's not as important to compare one site to another, but the fact that it is being considered on that site. Groundwater impacts were strongly addressed at the public hearing. John and Don think this is a good opportunity to put out that this is an issue. Then questions arose concerning the total amount of water that will actually be withdrawn from the aquifer and how that affects recharge and water quality. The Haley and Aldrich report is a reference; Chris thought that Haley and Aldrich overestimated the amount of water use that would be required. Someone suggested that the town be involved in choosing a third party to be an environmental construction compliance inspector. Ned said he'd write up this section.
- Flooding, erosion, sedimentation: Chris will write up this section; he will look at Bob Newton's letter regarding Lower Till soils: will also reference Haley and Aldrich report.
- Redirecting of current: not that applicable to this application; Irene said she'd write something up.
- Cumulative impacts: Chris thought it wasn't addressed in the application; Irene said it was some; Chris said that was only going to S and SE, but not all abutters; Chris will write this section; final recommendation: INSUFFICIENTLY ADDRESSED
- Values and functions of wetlands: Irene will write this section; depends on how future revised delineations will affect impacts and values. Irene then went through all the wetlands she and her soil scientist visited on the site walk and the delineation discrepancies they found; she said that you can't determine total impacts because not all were completely delineated. John was concerned with the fragmentation of wetlands by the paddocks. Those wetlands may be impacted by runoff, especially in areas where retaining walls are to be built (i.e. flooding or seepage over time). When the catch basins are added in, will they have an impact on wetlands? John also mentioned that on p. 87 of the application it said that herbicides will not be used; he wondered what areas were left out of that statement--where will they be using herbicides? Are there impacts potentially to wetlands? The verge needs to be maintained and if it's going to get beat up. What will that impacts be? John said it seems important to address the impact of septic even though it's in the site specific application. Someone wondered about the recharge, will it change, increase, decrease or both (flood quicker and dry out quicker). There was also concern about the loss of habitat due to light not getting to areas under the bridges. In a temporary lotic environment, what kind of fauna is there? Are there some adapted to temporary conditions? In general, there is going to be a much more artificial complex than what was there before.
- Do we address the procedural and legal issues in our comments? Yes. DES permits always say that they do not supersede local regulations, so we should mention local ordinances.

Public input taken:

- W. Farnum asked what happens when they fracture a water vein? That's a concern for recharge of an aquifer; we won't know until it happens; is it worth the risk for the public?
- Katie Thompson stated that the project was an engineering feat for it to work; can we be sure that DES has the wherewithal to review the application? Also asked if we would be sending all the written comments?
- John said that it's info that should be considered and we should include written comments and reports as an appendix.
- David Little asked if we had come up with a decision yet on our judgment?
- Chris said he would deny it; that was his personal opinion.
- John clarified that if so, our position is not against the racetrack but the wetland application specifically.

- Some wondered what the town's role was as written by DES and if there were more than 3 options for our ruling; John decided to look through previous wetland applications to decide the role of TCC and if there were any forms that we might need to fill out.

Meeting was adjourned at 7:12 p.m.