

**TOWN OF TUFTONBORO  
PLANNING BOARD  
December 1, 2016  
MINUTES**

**Members Present:** Chris Sawyer, Chairman, Jack Parsons, Vice-Chairman, Matt Young, Tony Triolo, Fenton Varney, Members.

**Members Absent:** Bill Marcussen, Selectmen’s Representative, John Lapolla, John Cameron, Members.

**Staff Present:** Lee Ann Keathley, Administrative Secretary.

Chairman Sawyer opened the meeting at 7:00 PM.

**I. Consideration of Minutes  
November 17, 2016**

**It was moved by Tony Triolo and seconded by Jack Parsons to approve the November 17, 2016 Tuftonboro Planning Board minutes as submitted. All members voted in favor. The motion passed.**

**II. Discussion Items**

**a. 2017 Zoning Changes Public Hearing**

**It was moved by Fenton Varney and seconded by Matt Young to move the following changes to the Zoning Ordinance to public hearing on December 15, 2016; Sections 1.1, 10.4, 5.4.2, 5.4.3, 11 and 17.8.3. All members voted in favor. The motion passed.**

Jack Parsons requested an additional zoning change be included in the 12/15/16 public hearing; noting the Town’s current zoning conflicts with State statute. He read Section 19.2 as follows; Any person, firm or corporation violating any of the provisions of this Ordinance shall for each violation, upon conviction thereof, pay a fine of not more than One Hundred (\$100.00) dollars for each day such violation shall exist. He recommended striking “pay a fine of not more than One Hundred (\$100.00) dollars” and replace with “pay a designated fine as stipulated in RSA 676:17”.

**It was moved by Fenton Varney and seconded by Tony Triolo to move revisions to Section 19.2 of the Town’s Zoning Ordinance as recommended above to public hearing on 12/15/16. All members voted in favor. The motion passed.**

The Board reviewed Section XI; Local Regulation of Excavation and agreed to the following changes;

**• 11.2 PURPOSES**

The purpose of this Section are to provide for the control of excavation of sand, clay, sod, loam, gravel or rock products and to provide an orderly procedure for such removal to take place while protecting the health, safety, and general welfare of the community. ~~is to provide for reasonable opportunities for excavation;~~ **is to provide for the regulation of excavation of earth or rock products, minimize safety hazards, which can be created by open excavations; ensure that the public health and welfare will be safeguarded, protect natural resources and the environment. and maintain the aesthetic features of the Town.**

- ~~11.6.1~~ 11.11.1 Existing Operations:** Any owner **or operator** of an existing earth excavation operation **area, that has been issued an Intent to Excavate in the prior two years from the effective date of this Zoning Ordinance,** ~~lawfully in existence prior to the effective date of~~

~~this Ordinance and which is subject to the provisions thereof may continue such existing operation with permit as previously granted by the Board of Selectmen provided such operation is not substantially altered or enlarged except~~ **subject to Planning Board Site Plan Review approval and issuance of a Permit to Excavate. Any alteration or enlargement of an excavation area must be** in conformance with this Ordinance or any regulations adopted pursuant thereto and further provided that the owner shall suitably restore said area of operation within one year following the intended cessation of the excavation or any completed section thereof so as to secure the area against any unsafe or hazardous conditions which may endanger the health and safety of the general public.

- **11.11.2 Permits**

B. A permit shall be **issued for five (5) years and renewable every five (5) years not to exceed twenty-five (25) years from the date of the Planning Board Site Plan approval.** ~~valid for up to five years and the expiration date shall be specified. A permit is automatically withdrawn if no substantial work is done on the site for a period of two years from the date of the issuance of the permit.~~ **Planning Board Site Plan approval is valid for up to twenty-five (25) years.**

The Board agreed to request Town Counsel review said revisions.

**III. Informational Items**

None.

**IV. Other Business**

**CIP Presentation**

Chris Sawyer stated the CIP Committee is presenting its report on 12/6/16 at the Town House; noting the report is on the Town's website.

**It was moved by Tony Triolo and seconded by Fenton Varney to adjourn the December 1, 2016 Tuftonboro Planning Board meeting. All members voted in favor.**

*There being no further business before the Board, the meeting adjourned at 8:06 PM.*

Respectfully Submitted,

*Lee Ann Keathley*

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