

1/5/2015

Comments on the Minutes Recorded at the joint Easton Planning Board/Easton Conservation Commission Meeting of December 4, 2014

The minutes recorded at the 12/4/2014 meeting, first issued on 12/19/2014 and with subsequent releases on 12/21/2014 and 12/22/2014 are inaccurate in places, and incomplete.

In short, this meeting, by agreement between the Planning Board (PB) Chairperson and the Conservation Commission (CC), was to have been a joint working session to consider changes to a limited number of deficiencies in existing town ordinances pertaining to water quality and shoreland protection. It was further agreed that a public hearing would follow, on any proposed changes to the ordinances, which would then be the subject of a Town warrant article.

The intent of the two commissions to have a working session was made clear to the public in attendance in an opening statement by CC Chair Roy Stever, in response to a general question posed by Howard Pritham. Howard acknowledged that this response was clear and complete and left shortly thereafter. In response to continued questions from the public (allowed by PB Chair Jim Collier), Beth Harwood, Debbie Stever and other members of the CC reiterated that the meeting was to have been a working session. Beth indicated that members of the two bodies had been “tasked”

with drafting new ordinance proposals. After one and three quarters hours of open dialog, which explored issues well beyond the original topic, and often covering topics that had already been debated in the session, the meeting ended with no progress on the original objectives. Furthermore, questions and concerns raised by some members of the public appeared to reopen the discussion around the Shoreland Water Quality Protection Act and the merits of local versus State control, which had been fully debated in a series of public meetings held by the PB and CC in the preceding months, around the nomination of the Ham Branch to the NHRMPP.

As the result of the outcome of this meeting, with no progress on new ordinance proposals, Roy Stever offered that the CC would take the lead on crafting the changes in the next, regularly scheduled, meeting of the CC.

To the extent that the Minutes record some discussions and ignore others, parse pieces of key points made, and quote some members verbatim while not including whole points made by others, these Minutes are insufficient.

Specific points that need to be clarified include:

- 1) The meeting minutes were recorded by Toni Woodruff, Secretary to the Planning Board, not Debbie Stever, as indicated in the drafts of 12/19/2014 and 12/21/2014.
- 2) Ed O'Brien should be added to the list of public in attendance.

- 3) The concerns of Ed O'Brien should be recorded – they centered around loss of property value from restrictive ordinances.
- 4) The input of Howard Pritham, Beth Harwood, Debbie Stever and Roy Stever, previously described, should be recorded.
- 5) The input of Debbie Stever should be recorded – that this meeting was not a public hearing, and that a hearing was to be the next step.
- 6) Roy Stever said that the Planning Board had taken the lead in contacting Tara Bamford, not on “taking the lead on this possible action”.
- 7) Bullet 7 is out of context. It should be noted that after a discussion on the merits of SWQPA, Roy noted that the Town had a chance to do even better by enacting rules that might be stronger, could be more appropriate for the town, and would not be subject to changes depending on the tone of the legislature (indicating that the changes could go either way). He further pointed out that SWQPA existed because history has shown that people and institutions don't always play by the rules, and that Easton is not immune.
- 8) Frank Woodruff and Bob Thibault initiated a discussion, noting that town ordinances lack enforceability, at one point noting that it is the State alone that seems able to enforce rules. Roy pointed out that, if enforcement was the concern, then having some rules in place was better than having no rules and, therefore, no recourse against violators. Roy also pointed out that the two seemed to

be making a case for SWQPA. The discussion ended and Bob left the meeting shortly after.

- 9) A draft of changes to the specific ordinances under consideration, was distributed by Kris Pastoriza. This draft had been forwarded to Chairman Collier, as agreed at the previous Conservation Commission meeting, but Jim had not distributed the input to members of the Planning Board. Some members of the public in attendance quickly took exception to the provisions, despite being cautioned that it was simply a starting point and did not reflect the views of either commission or, perhaps, anyone else. It was noted that it was a starting point for discussion by the two boards.
- 10) Several members of the CC noted that the drafts provided by Tara Bamford, circulated by Jim Collier, did not appear to be appropriate for our case, drawn from two towns with very different needs. Also, it was noted that by CC members that we would be better to stick with the format of the existing Easton ordinances, consistent with a draft submitted by Kris Pastoriza. Members of the PB concurred with this approach, as noted.
- 11) Ned Cutler raised concerns that the value of properties in Easton would drop, with impact on tax rates, if we imposed strict rules. Roy responded by saying that nothing in the specific ordinances under consideration would have that effect. Further, Roy pointed out that studies show communities that have proactively protected their special resources actually experienced a dramatic rise in property values, and offered to provide the evidence. Debbie Stever pointed

out that not adopting standards might actually cost the town more due to erosion, flooding and surges.

In short, the meeting objectives were not met, and the input and the intentions of the CC and PB and, in some cases, the public in attendance, were not well recorded in the Minutes.

Easton Conservation Commission