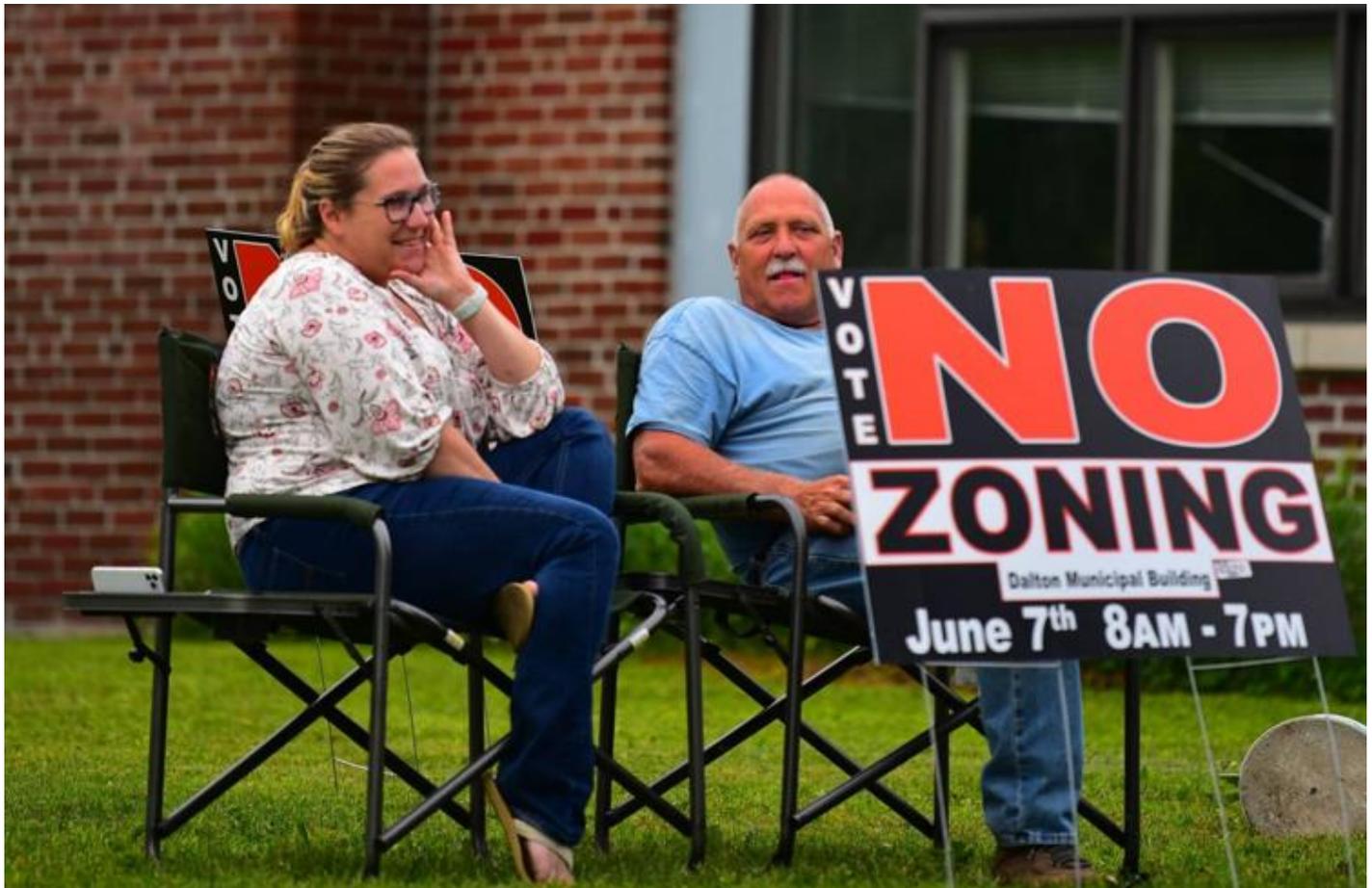


https://www.caledonianrecord.com/news/local/dalton-petitioned-articles-seek-to-abolish-planning-board-conservation-commission/article_f1552d51-bbef-58c4-9c43-779dc6513192.html

Dalton Petitioned Articles Seek To Abolish Planning Board, Conservation Commission

Robert Blechl rblechl@caledonian-record.com Staff Writer
Jan 30, 2023



Zoning opponents Eric and Robin Pilotte, of Dalton, sit outside Dalton Town Hall on Tuesday for the special town vote that rejected a permanent zoning ordinance in June 2022. (File photo by Robert Blechl)

The Dalton Planning Board has been in existence for the better part of six decades, but a warrant article seeks to change that.

Two petitioned articles for the March 2023 town meeting seek to abolish both the Dalton Planning Board and the Dalton Conservation Commission.

At 6 p.m. Thursday at Dalton Town Hall, a public hearing will be held before the Dalton Planning Board on the planning board petition, which cannot be amended and will go on the town meeting warrant as written.

During the March 14 town meeting, the planning board question will go to a ballot vote throughout the day along with votes for candidates for office.

The conservation commission question will be a vote during the evening business segment of the meeting.

Among those making public posts on social media advocating the disbanding of both is Dalton resident Jim Dannis, who has said both are stacked with "Forest Lake extremists."

In his posts, Dannis said the boards, if abolished, can be set up again in March 2024 and reconstituted with new members.

Since Casella Waste Systems first proposed a commercial landfill near Forest Lake State Park in early 2019, a number of those living along or near Forest Lake have voiced opposition and supported a zoning ordinance for a town that, until 2019, never had zoning.

Other residents, some vocal supporters of Casella, have come out against zoning.

In the four years since, the division in Dalton has only deepened.

A vote for emergency temporary zoning allowed under New Hampshire statute passed in the summer of 2019. That tasked the planning board with developing a proposed permanent zoning ordinance.

In June 2022, the town vote for permanent zoning, which saw two representatives representing Casella in Dalton during voting day, failed.

On Jan. 10, after learning of the petition to eliminate the planning board, Kate Paight, state floodplain management program coordinator with the New Hampshire Office of Planning and Development, issued a letter to town officials about what Dalton could lose without a planning board, among the losses being flood insurance for residents through the Federal Emergency Management Administration's National Flood Insurance Program.

Since the town adopted floodplain management regulations under RSA 674:56, if the warrant article passes RSA 673:19 would allow floodplain regulations to remain in effect for two years following the abolition date, but no amendments to those regulations could be made, said Paight.

“After those two years, the town’s floodplain regulations would no longer be valid, and the town would no longer meet the requirements to remain as a participating community of FEMA’s National Flood Insurance Program (NFIP) and would result in suspension from the program,” she said.

Sanctions for communities not participating in or suspended from the NFIP include property owners not being able to purchase a flood insurance policy through the NFIP; existing flood insurance policies not being renewed; no federal grants or loans for development can be made in identified flood hazard areas under programs administered by federal agencies such as HUD, EPA, and SBA; no federal disaster assistance would be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood; no federal mortgage insurance or loan guarantees could be provided in identified flood hazard areas; and federally insured or regulated lending institutions, such as banks and credit unions, must notify applicants seeking loans for insurable buildings in flood hazard areas that there is a flood hazard and that the property is not eligible for federal disaster relief, said Paight.

“The planning board was created in the 1960s,” said Jo Beth Dudley, chair of the Dalton Select Board, who said she wants to present some facts about the planning board and conservation commission. “I believe at one point the town had elected members and then they voted to have the members appointed.”

Dalton has longstanding subdivision regulations in play (according to a town history, the regulations were adopted by residents in 1971 and most recently revised in 2013) and those regulations could disappear if there is no planning board, she said.

Subdivision review by town planners includes notification of abutters and a public hearing.

Supporters of the planning board say without it there would be no subdivision regulations on things that include minimum lot size and setback requirements, no review and approval of subdivisions and lot line adjustments, no requirement for abutters to be notified of a planned subdivision, and no local control or protection for abutting property owners.

Currently, the planning board is updating the town’s master plan, with a timeline to complete it before March.

“Two years in a row, the voters of Dalton allocated money at our town meetings to fund the master plan update via coordination with North Country Council, a separate entity because, outside of the planning board, we had no volunteers to step up to work on it,” said Dudley. “They are a professional organization and have done surveys.”

When the planning board held a public hearing on the draft permanent ordinance, the feedback from residents was that the master plan should be updated first.

Planners took that advice, and instead of putting permanent zoning forward, they asked voters to extend ETZ for a year so they could update the master plan and revise it based on citizen comments, said Dudley.

The current full-member planning board was appointed by the previous Dalton Select Board before 2019.

In early January, Forest Lake resident and landfill opponent Adam Finkel was appointed by the Select Board as an alternate planning board member after he had expressed interest and after a recommendation by town planners.

Conservation commissions seek to protect the natural resources in a community and they share resource information and advise local boards and members of the public on related matters.

Under state law, the commissions have no regulatory powers.

“We have appointed new members to the conservation commission and they’ve really been focused on conservation issues,” said Dudley. “They’ve had speakers in to talk about doing a natural resources inventory and want to move forward with the update of the natural resources inventory for the town that hasn’t been done for several years.”

On Monday afternoon, Dannis, speaking on the planning board petition, said in just a handful of days 87 residents signed the petition to dissolve the board.

“Obviously, there is a tremendous dissatisfaction with the planning board and conservation commission in Dalton and the key factor in all of this is the planning board has lost touch with what we believe is the majority of Dalton,” he said.

Dannis said what he believes has pushed feelings over the top for so many people is the fact that as divided as the town is there was no effort on the part of either body to help bring the town together.

With no ability of a recall, members of the Select Board are unable to undo the appointments, and with terms lasting three years, the abolishing of both entities is the only option for voters who don't believe that they represent the whole town, he said.

As for the loss of FEMA flood insurance for residents who have it or want it, Dannis said there is no guarantee that the planning board would be brought back in 2024, but if residents want it they can submit a petition to do so.

"If that's what the voters decide, the lapse in the planning board will only last for 12 months," he said.

Robert Blechl