

**Town of Pelham, NH  
Pelham Conservation Commission  
6 Village Green  
Pelham, NH 03076-3723**

**MEETING OF 12/08/21**

Members Present:

Karen Mackay, Paul Gagnon,  
Al Steward, Lisa Loosigian,  
Dennis Hogan, Mike Gendreau

**APPROVED 01/12/22**

Members Absent:

Kara Kubit (alt), Ken Stanvick,  
Scott Bowden (alt)

Paul Gagnon brought the meeting to order at 7:03 p. m.

**NEW BUSINESS:**

|                                     |                                                                                                                                                                                                |
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| Map 10 Lot 13-2-1 & Map 11 Lot 13-3 | Bridge Street – Proposed 19 lot subdivision with some lots meeting regulations for duplex lots. Development will have multiple WCD impacts.<br>– Presentation by Nick Loring of Benchmark LLC. |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

This case originally came before us in spring 2021. The Commission conducted a site walk in June 2021. This case is under new business because the plan has completely changed. The previous plan was an open space subdivision. This plan will be a traditional subdivision.

The applicant proposes to merge two lots, then subdivide the parcel into house lots. The total parcel will be approximately 37.5 acres and is located at the corner of Bridge Street (Route 38) and Young's Crossing. The proposal is to subdivide the lot into 17 single family lots and 2 duplex lots. The plan describes 6 possible duplex lots out of the 17 single family lots. Mr. Loring said the owner would like to build 17 single family homes, but that 6 of the lots do meet duplex regulations and therefore is a possible option. The two described duplex lots will have frontage on Bridge Street, but will have driveways within the subdivision with access between proposed lots 5 and 6. The duplex driveways have been located in the subdivision to limit curb cuts on Bridge Street and limit cars entering and exiting properties on Bridge Street.

There are two catch basins that capture water and direct the water to a treatment swale near the intersection of Bridge Street and the new proposed road. This area has 2,500 square feet (sf) of wetland conservation district (WCD) impacts. The swale is sloped away from the catch basins and toward the wetland at a half of a percent. The outlet of the catch basin is at elevation 234.5 feet and the end of the swale is at 234 feet. They tried to extend the length of the swale for more treatment, but could not due to the level nature of the site. The swale is 6 feet wide with 4:1 side slopes and is designed to handle a 2, 10 and 50 year storm event. There will be no check dams in the swale because the slope is too level. This swale will intercept water from the new proposed road as well as a small section of Bridge Street where water flows onto the site. The swale will have a 2 inch flow depth in a 1 inch rain event. The

grasses in the swale will capture solids prior to the water entering the wetland. Alteration of Terrain (AOT) likes this type of structure to treat water because it is low maintenance and works well. Grass mowing in the swale will be the responsibility of the town after the development is constructed.

Ms Loosigian was concerned that 6 of the house lots have the possibility of being duplex homes because there will be more impervious surface and more impact to the WCD on these lots if they are allowed to be duplexes. If they could be duplexes, they should be reviewed as if they will be duplexes. The applicant has not presented them as duplex lots, even though they meet the requirements for duplex lots. The plan as presented does not account for the increased size of the homes and additional driveways for each duplex. Duplex lots have the same frontage requirement of 200 feet the same as single lots. In addition, they require 2 acres and 55,000 sf of upland.

Another WCD impact will be 7,500 sf for a filtration pond which will be located on lots 18 and 19. This pond is a filtration pond not an infiltration pond. The infiltration pond requires 4 feet from the bottom of the pond to the water table. This site only has 2-3 feet to the water table. In addition, the soils on this site are not good for infiltration as the rate is not quick enough. This pond has a forebay to catch sediments before water enters the pond. This pond will have filtering materials in the bottom and will clean the first flush of storm water. No matter how much a certain storm rains, the first inch has all the contaminants, therefore it needs the treatment. Later rain is cleaner than the first flush. Water will enter the pond at a low spot in the road on lot 18. The water will filter down through the materials in the pond to an underdrain system. The underdrain system will convey the water to the wetland. In a large storm, the water level will increase in the pond and the excess water will exit the pond from an outlet structure on lot 19. In a 1 inch storm, the pond will hold the water. In a 2 inch storm, the excess water will drain from the outlet structure.

The bottom of the pond will have a 15 inch layer of 1 ½ inch crushed stone which will contain the underdrain system. On top of the crushed stone will be a 3 inch layer of pea gravel. The upper most layer will be 24 inches of filtration material which consists of a gravelly mix of sand and wood chips. There will be no fabric barriers in this basin. The state has found that fabric can collect scum and reduce the infiltration of water. The pond is located outside the WCD, but the side slope will impact the WCD. Impacts will initially be 7,500 sf, but much of that area will revegetate. The permanent impact will be 1,500 sf.

A 12 foot wide access road will surround the top of the pond. This road will have the strength to hold maintenance vehicles as needed to clean and maintain the pond. Water will be held in the pond for 72 hours or less. Most water will drain out within 24 hours. There will be no plants in the pond and the bottom will not be loamed and seeded in order to keep the highest level of infiltration. If the pond develops a problem with infiltration, then the top layer of filtration material may be scraped off and replaced with new material. The pond will be maintained by the town.

Ms. Loosigian asked if the pond could be moved or elongated so as to remain outside the WCD. This cannot happen as the pond is in the low spot of the road and needs to have certain separation from the water table. The pond cannot be larger so as to hold back more water because the size would need to increase. They need to balance the need to hold water and the size of the pond. If the pond moves toward the trolley tracks or toward lot 19 the pond will be moving uphill. The pond will fight the features of the site if it is moved. The engineers added the bow in the side of the pond to help minimize the WCD

impacts. Ms. Mackay asked if the plants on the outside of the slope could be native flowers as well as grasses and if they could not mow the outer slope. Flowers along with grasses will provide habitat for bees and butterflies.

The two final impacts to the WCD are for the second detention pond. This pond is an infiltration pond located at the end of the proposed street on lots 12 and 13. The applicant has reduced the WCD impacts from the plan they originally sent us. Originally, the plan called for 4,100 sf for an outlet pipe with rip rap to prevent erosion. They were able to reduce that impact to 800 sf. The other impact was originally 3,900 sf. for grading and side slopes. This impact was reduced to 1,200 sf. This pond has a forebay to settle out solids before they enter the main pond. This area of the site is able to infiltrate water so that type of pond was designed. The pond cannot be moved from the described location because of the slopes in the area. The slopes should revegetate naturally.

The infiltration pond should drain completely in 72 hours. The state specifies the bottom may be made up of either 6 inches of sand and pea stones, or grasses, or a mulch/sand mix. This pond is larger than the other pond and holds more water. There is no 12 foot path around the top of this berm.

Ms. Loosigian and Mr. Gagnon expressed appreciation for the reduction in the WCD impacts. Mr. Gagnon asked if lots 3 and 4 could be combined into one lot which would allow the road to move south slightly which would allow more space for the filtration pond. Mr. Loring said the road needs to stay in the described location. The road is balanced between the two wetlands and must be on the north side of the street because water drains that direction.

The first 270 feet of road drains to the swale. The next section of the road, up to the well on lot 17, will drain to the filtration pond on lot 18 and 19. The remaining section of the road will drain to the infiltration pond on lot 12 and 13. Post-development there will be a slight decrease in the rate of water leaving the site.

Motion: (Hogan/Steward) to recommend the plan with a limit of only lots 1 and 2 to be duplex lots and the seed mix for the detention areas be made up of native flowers as well as grasses.

Vote: 6-0-0 in favor.

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| Map 39 Lots 06-183 & 06-184-1 | 217 Marsh Road/Off Patriot Drive – Proposed 8 lot subdivision with WCD impact. The 18 acre frontage lot on Marsh/Mammoth Road will remain a lot with non-conforming uses – Presentation by Nick Loring of Benchmark LLC. |
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This case originally came before us a few years ago under the old conservation subdivision regulations. The Commission conducted a site walk at the time. The subdivision was not built at that time and the regulations changed. This case is under new business because the plan has completely changed. The new plan will be for a traditional subdivision.

The property is comprised of two lots totaling 33.3 acres. The property extends from Marsh/Mammoth road intersection down to Beaver Brook. The lot with frontage on Marsh/Mammoth Roads will be 18 acres in size and will remain a preexisting non-conforming lot. The property has a duplex home with a barn, garages, equipment storage and has been utilized as a farm in the past. Cornstalk Lane is a 300 foot

stub road that was built off Patriot Drive in 2017. This plan proposes to extend Cornstalk Lane to approximately 900 linear feet and build 7 house lots on the road.

A single infiltration pond at the end of the cul-de-sac will service the subdivision. The infiltration pond will have a forebay to settle out solids prior to the water entering the infiltration pond. Water will flow off the road into catch basins then into the forebay and infiltration pond. The pond will outlet to the wetland on the rear of the site, then the water will flow into Beaver Brook. A small culvert area adjacent to the driveway on lot 183-4 will collect water from lot 183-5. This water will flow under the driveway and enter the infiltration pond. The WCD impact will be 1,200 sf for a flared rip rap area at the outflow pipe. There will be no pipe in the WCD area, but the slope at the outflow must be cut to allow water to flow from the pipe to the wetland. This cut in the slope is required to meet the elevation of the wetland.

The applicant anticipates the tree line shown on the plan will be the extent of the cutting on the lots. No further tree cutting should be necessary. Lot 183-4 has the building envelop within the 250 foot shoreland zone. Building is allowed in this zone, but a permit from the state is required.

The town owns adjacent property to the north and the south of this property. The Commission would like to connect a trail between these properties through the subject property. Mr. Gagnon will contact the land owner to ask if the land within 150 feet of the brook could be donated to the town in order to connect trails. If these properties cannot be connected during this development, they will be isolated from each other forever. This land cannot be used for anything because it is within a state protected zone.

Ms. Mackay did not like the location of the infiltration pond in the front yard of lot 183-4. She would like to see a reconfiguration of the plan. Mr. Loring said they could not switch the pond with the house because the land slopes up to the house location.

Motion: (Hogan/Steward) to recommend the plan as described with an ask of the land owner to donate the land within 150 feet of the brook to the town for the purpose of connecting the town land to the north and south of the property.

Vote: 5-0-1 in favor. Mackay abstained due to the location of the house and infiltration pond. She could not say yes to the motion, but did not want to say no.

### **MINUTES:**

Motion: (Steward/Hogan) to approve the minutes of November 10, 2021.

Vote: 5-0-1 in favor. Bowden abstained.

### **WALK-IN ITEMS:**

Ms. Mackay said she talked to Jenn Beauregard in the Planning office about the open forum, email or phone participation that Mr. Stanvick had discussed with the Commission last month. Ms. Beauregard said the Selectmen do an open forum, but other boards do not. She was not sure Zoning or Planning could do it. She said the Commission is different and may be able to do it. Ms. Mackay had mentioned last month, during the discussion, that we needed to be careful not to violate open meeting laws. Ms.

Beauregard mentioned the same concern. She asked for a short write up about what we might like to do so she could send it to the town attorney for his input.

Mr. Gagnon sent out 341 certified registered letters to the abutters of all the prime wetlands that need to be recertified on December 7, 2021. The Department of Environmental Services (DES) approved the list prior to sending the letters. The public hearing about these prime wetlands will be held at our January meeting.

**NON-PUBLIC SESSION:**

Motion: (Mackay/Hogan) to go into non-public session to discuss land acquisitions in accordance with RSA 91-A:3; seal the minutes of non-public; and adjourn after non-public.

Vote: 6-0-0 in favor.

Adjourned at 9:30 p.m.

Respectfully submitted,  
Karen Mackay,  
Recording Secretary