

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

MEETING OF 02/10/16

APPROVED 03/09/16

Members Present:

Karen Mackay, Louise Delehanty
Kaela Law, Paul Gagnon
Lisa Loosigian, Mike Gendreau

Members Absent:

Paul Dadak

Chairman Paul Gagnon brought the meeting to order at 7:00 p.m.

NEW BUSINESS:

Map 35 Lot 10-343	7 Loretta Avenue – Proposed development of a single family house lot with WCD impacts – Presentation by Nick Loring of Benchmark Engineering, Inc.
-------------------	--

Presentation by Nick Loring of Benchmark Engineering, Inc.

The proposal is to take down a dilapidated single family home and construct a new home with an in-law apartment and a 3 car garage. The lot size is approximately three-quarters of an acre. The proposal will fill 2,980 square feet of wetland and have 1,200 square feet of impact to the wetland conservation district (WCD) for the garage and driveway and 7,000 square feet of impact for the yard and grading. Total WCD impact will be 8,200 square feet. The wetland on this property takes up about half the lot.

The original home on the lot was built in 1958. The area was developed as part of a 1960's subdivision. At the time of the original development there were no regulations on the WCD. There are a lot of impacts to the WCD because of the minimal regulations in the past. There is a lot of debris in the yard and buffer. The original house on the lot sits largely within the WCD.

Nancy Rendall of Blue Moon Environmental is the wetland scientist who delineated the wetland on site. She described the proposed fill area as low quality with a lot of disturbance, tires, trash and debris. The wetland is low functioning due to surrounding development and multiple encroachments to the wetlands in the area.

The plan is to clean up the debris, provide a nice home for the family and create a buffer strip to better protect the wetland. The developers are proposing a 10 foot vegetated buffer along the edge of the wetland. The fill area is necessary to square up the lot and provide a better area to build. The squared area will make it easier to center the house on the lot and provide a good back yard space. The developers are proposing a shallow foundation for the garage to minimize impacts.

The existing septic system is 30 feet from the edge of the wetland. The proposal is to install a Clean Solutions septic system. The new system will be relocated to the front yard in the north-west corner of the lot. This new location is much farther from the wetland than the current septic location.

The current well location is in the front, north-west corner of the yard, where the new septic is proposed. The new well will be located in the south-west corner of the yard near the wetland. The well will be located 75+ feet from the south-west corner of the proposed house. The well radius can overlap the house foot print which may allow the well to be moved closer to the house.

Mr. Loring is looking for recommendations and support from the board for the project. The current home is dilapidated. The lot has a lawn and forested wetland in back of the property. There is a defined channel for the stream at the far back of the lot. Water flows to the north-east to an existing culvert under Loretta Ave.

A variance will be required for a portion of the proposed garage and driveway within the WCD. A dredge and fill must be applied for through the state. The project will need to go to Zoning as part of the process. Town regulations require a side line setback of 15 feet and a front line setback of 30 feet. This design has a side line set back of about 20 feet and a front line setback of about 45 feet. The length of the driveway is about 50 feet. The house is sited back on the lot to get the grades to work for the driveway. The driveway needs to be longer so it will slope up gradually instead of being short and steep. A small retaining wall will be built on the east side of the garage to minimize filling in the back/side of the garage.

There will be a full basement with a standard foundation. The floor of the basement will be above the grade of the wetland so foundation drains will be able to be used. Under the basement floor will be footings, crushed stone and perforated pipe which will allow water to gravity drain away from the house.

Ms. Loosigian suggested the house be moved closer to the road so less fill would be needed in the wetland in order to minimize impacts. The leaching field requires a distance of 10 feet from all property lines and 15 feet from the foundation of the house. The house and septic system has some space to move toward the road.

Ms. Mackay suggested the well be moved to the line on the plan marked "limits of proposed yard area." This is 25-30 feet away from the wetland and closer to the home but still keeps the well out of the usable back yard space. The small triangle piece of land in that area of the plan could then be allowed to revegetate and function as the WCD was intended to function. At present this area is lawn. A planting strip straight across the triangle would improve the WCD in the area.

The proposed garage is a three stall structure measuring 36x24 feet. The house dimensions are 40x60, which is 2,400 square feet per floor for a close to 5,000 square foot home. The original home is 32x26 with no garage.

Mr. Gagnon commented that this was a huge size home to build on an under sized lot that required the filling of wetlands. A smaller house would have less impact to the wetland because less space would be needed for building and less fill would be required in the wetland. If there wasn't a house on this lot it would be viewed as unbuildable because there is not room to build a house outside the WCD. The WCD is meant as a no cut no disturb zone. We appreciate all the effort to do things right, but the proposed home pushes the limits of the lot. We understand you are trying to improve the situation with new septic, new home and planting strip. Mr. Gagnon suggested a more modest size home with a 2 car garage would fit the lot better and have less impact to the wetland. He also suggested to move the home closer to the 30 and 15 foot setbacks.

At the present time, the plan is in a conceptual stage. No decisions have been made about home size. The designers wanted to make sure they proposed the largest size possible so there would be room for porches etc. The owners have not been to an architect yet. The house design process has not been started.

Ms. Mackay suggested the driveway could possibly be shortened and still be level. The elevation of the garage could be lowered and the ground could be dug out to keep the driveway level. This may not be possible because we have not seen the lot, but if the garage could be lowered, the driveway could be shorter and be level.

We would like to see the well moved closer to the house to the edge of the yard. We don't want fertilizers in the wetlands. The WCD helps prevent fertilizers from entering the wetlands. Often new home owners say they will not fertilize, but when the next home owners move in years later they want to fertilize. The wetland buffer is important to us. A 20 foot buffer is better than a 10 foot buffer. There are planting notes on the plan. Ms. Rendall, the wetland scientist, has plans to buy seeding mixes and shrubs from Vermont Wetland Supply to plant on the buffer strip.

Public Input:

Colleen Demers is the owner of the property. She explained that the house may seem large, but that her family is looking to build a home with an in-law apartment which will be used by her adult son who is developmentally disabled. Her family has been searching for 5 years for a lot in the down town area, because her son cannot drive and would like to be able to walk down town. The Demers have been residents of Pelham for 30 years and would like to stay, but feel it is important for their son to have access to down town.

Their intent is not to build a 5,000 square foot home, but to build a home that is comfortable with an apartment for their son that is fully accessible. This new home will improve the quality of life for the whole family. They feel they can improve the quality of the neighborhood by building a new home and cleaning up the debris on the site. They own other homes in town, but none have walking access to down town. The house on the lot is in poor condition and is not livable for their needs. They are thinking of building a house similar to the homes in the new development at the end of Loretta Ave. They intend to improve the lot and improve the neighborhood. The dream for their family is to stay in town.

A site walk is scheduled for Saturday, February 20, 2016 at 8:30 a.m.

Map 30 Lot 11-93	95 Dutton Road – Proposed development of a single family house lot with WCD impacts – Presentation by Michael Richard of Simpson, Gumpertz and Heger.
------------------	---

Presentation by Michael Richard of Simpson, Gumpertz and Heger

Mr. Richard is the owner of the property. He is proposing to build a single family home on a 10 acre lot. The proposed home is a one-and-one-half story structure, approximately 1,600 square feet with a 2 car garage. This square footage does not include possible expansion for a porch and/or deck along the back side. The house will be sited on the front half of the property. There are no wetland impacts on the project. There will be impacts to the WCD for the driveway construction only, the septic, house and well will not impact the WCD.

The owners purchased the property about a year ago. The previous owner had been approved for a 15 unit elderly housing complex on the lot. A full size road was approved for the development. Mr. Richard has tried to match his proposed driveway to the location of the approved road.

The front of the driveway has the largest impact to the WCD. A hammer head at the end of the driveway also impacts the WCD. The hammer head is a code requirement by the fire department because of the need for a turnaround for fire trucks in the long driveway. At the closest proximity to the wetland, the driveway will be sited about 5 feet from the edge of the wetland which is located in the front central portion of the lot. The slope of the land in this area is slight; therefore, no fill will be required nor will a retaining wall be needed. The owner intends to start with a gravel driveway, but may pave it in the future to make winter maintenance easier.

Mr. Gagnon stated for full disclosure that he lives just down the street from this parcel. He felt he could vote fairly about the proposal. Ms. Law stated her mother lives in the area and she is familiar with the property.

Mr. Richard is not aware of any trails on his land. The property does border town land that does have a trail system. There are several stone walls on the property. The owner intends to keep the walls intact.

Stumps uprooted from the site are to be buried on the lot. We are not sure about the exact regulations regarding stumps except that no structure can be built on top of buried stumps.

Ms. Loosigian suggested the driveway run along the property line farther up into the property and then make a turn toward the house. Mr. Richard has designed the house so that all the windows face the conservation land. He does not want to be looking at the driveway out the windows. The front yard is planned along the east side of the driveway. There will be no development on the west side of the driveway. Land to the west of the driveway will remain forested wetland. Mr. Gagnon suggested the driveway be moved to the north-east slightly so it could run along the WCD line. The curve could be adjusted between point 2+00 on the map to point 4+00 on the map.

Ms. Loosigian suggested the house could be moved closer to the side line setback with the conservation area which would pull more of the hammer head of the driveway out of the WCD.

Mr. Richard stated that he plans to add a deck to the side of the house facing the conservation area; therefore, he cannot design the house too close to the setback. Commission members suggested he add the proposed deck to the plan for his meeting with Planning.

Ms. Mackay suggested the applicant talk to Jeff Gowan about the driveway flare. The current design looks as though the flare of the driveway extends past the lot line. Planning regulations do not allow the flare from a driveway to pass in front of a neighboring lot. Planning may request the end of the driveway be moved slightly

This case is scheduled to be before Planning on March 7, 2016.

.Commission members did not feel there was a need for a site walk in this case.

Public Input:

None.

MOTION: (Mackay/Law) to recommend this design of the home and driveway to Planning. We suggest an adjustment of the driveway from the 2+00 to the 4+00 points. The driveway should be moved to the east and run along the WCD line. The driveway to be within the WCD.

VOTE: 6-0-0 in favor.

WALK IN ITEMS:

Ms. Delehanty spoke about a proposed bobcat hunting season in New Hampshire. Neighboring states of Massachusetts, Vermont and Maine already have a season. NH Fish and Game is proposing a hunt. They are asking for comments from the public via telephone (603-271-3421) or internet (info@wildlife.nh.gov). They are proposing 50 licenses. The estimated population is 1,500 cats. All killed animals must be submitted to conservation officers for the collection of biological data and to ensure the animals were taken legally. The proposed hunt is controversial. Ms. Mackay thought they had already approved the hunt at a public hearing on February 1, 2016. Comments are probably still welcome.

Ms. Delehanty found an article describing a project of the town of Boxford, Massachusetts. The town acquired some land to build ball fields and realized they had some secluded areas that could be used for Blanding's turtle habitat. They have begun construction of the habitat areas.

The Land and Water Conservation Fund is funded this year at a 900 million dollar level. The money is collected from off-shore oil leases and is used to preserve land for conservation.

The LCHIP grant Ms. Delehanty applied for was not granted. The money was to create a 'pocket park' on a piece of conservation land that is already owned by the town. The money for the grant comes from moose license plates.

Ms. Mackay monitored the Little Island Pond Conservation Area off Nature's Way at the end of the year. The town owns this property but, LCHIP has a secondary easement on the property and requires it be monitored each year. The Dunlap property was also monitored at the end of the

year. The Dunlap property is privately owned with an easement. The Forest Society requires Dunlap be monitored once a year.

Ms. Law took a webinar class about the Regional Greenhouse Gas Initiative. Five million dollars is available for municipalities to upgrade to energy efficiency. Pelham has taken advantage of this in the past to upgrade lighting at the transfer station.

MINUTES:

Motion: (Delehanty/Law) to approve the minutes of November 18, 2015.

Vote: 4-0-2, Gendreau and Loosigian abstained.

ADJOURNMENT:

Motion: (Dadak/Mackay) to go into non-public session in accordance with RSA 36:A, to seal the minutes of non-public and to adjourn after non-public.

Vote: 6-0-0 in favor.

Adjourned 9:30 p.m.

Respectfully submitted,
Karen Mackay,
Recording Secretary