

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

MEETING OF 11/14/18

Members Present:

Karen Mackay, Ken Stanvick,
Louise Delehanty, Lisa Loosigian,
Paul Gagnon

APPROVED 12/12/18

Members Absent:

Mike Gendreau
Brandie Shydo

Paul Gagnon brought the meeting to order at 7:05 p.m.

NEW BUSINESS:

Map 6 Lot 4-175-1	Valley Hill Road – Proposed duplex on an 11.49 acre lot – Proposed driveway crossing with wetland and WCD impacts — Presentation by Doug MacGuire of The Dubay Group, Inc., Bruce Gilday of BAG Land Consultants, and Bob Peterson
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The proposal is to build a 2 family home on 11.49 acres of land. This is a low intensity use of an 11 acre lot. About 60 percent of the parcel is usable land. The only access to the property is a 50 foot strip of land off Valley Hill Road. The Commission will review the expedited wetlands permit application. The wetland crossing is for a driveway to serve the housing units.

The wetland area is essentially a drainage ditch that is directly fed through a 24 inch culvert under Brown Avenue. The ditch is a defined channel that conveys water intermittently. The stream bed has been dry on some visits, but today, when pictures were taken, the channel had some water due to the recent rains. Mr. MacGuire showed pictures of the ditch and surrounding area.

Total wetland impacts will be 1,447 square feet (sf). This impact qualifies this project for an expedited wetlands permit application. The west side of the wetland will impact 2,420 sf of WCD and the east side will impact 2,754 sf of WCD. Total wetland and WCD impacts will be 6,621 sf.

The property slopes down from Valley Hill Road to the proposed house location. The slope along the sides of the driveway will be engineered as a 1:1. Guard rails will be required along the driveway crossing because of the grade. There will be rock used on the slope with fabric and a grid matrix which will allow plants to grow into the matrix and stabilize the slope. The shoulders will be allowed to revegetate.

The width of the driveway will be 14 feet with a gravel shoulder on each side. The 14 foot driveway is used to minimize the impervious surfaces. Gravel shoulders are necessary to support

emergency vehicles. This is the minimal width required by the fire department on a long driveway. The length is estimated to be about 450 feet. There is a turnaround stub located approximately halfway down the driveway. Mr. MacGuire agreed to gravel the stub rather than pave the stub if the fire department agreed to the change. The fire department has the final say on these matters because any driveway surfaces must be able to handle the weight of large safety equipment vehicles.

The slope along the majority of the driveway is expected to be minimal enough for mowing. Water will sheet flow off the driveway. There will be no concentrated areas of run off from the driveway. There is not enough space on the sides of the driveway for swales because the property lines are too close.

A 24 inch reinforced concrete pipe (RPC) is proposed for the culvert under the new driveway. This culvert size matches the upstream culvert on Brown Ave. and is sized to handle the water flow. The applicant does not know the history of the culvert under Brown Ave. and has no information about the culvert. Mr. MacGuire knows the output of the 24 inch culvert under Brown Ave. and has determined a 24 inch culvert under the new driveway will be adequate to convey water through the property.

Mr. Stanvick is concerned about the water flow in the area. There is a large swamp behind the subject property that is fed by the channel under the proposed driveway. The goal of the developer to maintain water flow patterns exactly how they are presently.

There is no restriction on salt use on the plan, but Mr. MacGuire can add a note to limit salt use. This type of limit is hard to enforce. Commission members are concerned that salt from the driveway will enter the wetland. Londonderry has regulations that follow the Green SnowPro program which limit the use of salts. Mr. Peterson, the owner, is willing to use only sand and will consent to a note on the plan stipulating sand use only.

Mr. Gagnon asked about pervious pavement. Mr. MacGuire said they have used pervious pavement on some projects. The installation and maintenance of pervious pavement is difficult and costly and is better used on large scale projects. Sand cannot be used on icy surfaces because the sand grains would clog the pores in the pavement over time. The Commission has requested the owner use sand rather than salt on this driveway because of the proximity to the wetland adjacent to the property.

There is a catch basin near the proposed gravel stub of driveway. Water will be piped under the driveway and outlet slightly within the WCD. The Commission requested the applicant shorten the pipe so it could be outside the WCD and add a small detention pond to settle out solids. Mr. MacGuire agreed to pull the outlet back from the WCD. He proposed a vertical riser at the beginning of the pipe within a settling basin. Solids in the storm water will settle out prior to entering the elevated pipe which will lead to the discharge pipe. This will help dissipate energy, reduce velocity and settle solids. Salts will not be captured. The Commission asked Mr. MacGuire to add a detail to the plan describing the storm water management system and a maintenance plan for the system.

The property will have 1 well with 2 pumps; one pump for each unit. Each unit will have a holding tank in the basement. There will be 2 septic tanks and one leach field. The waste treatment system has been permitted by the town and the state. The house will be located as shown on the plan. The units are designed to be walk out basements. Neither side yard will be overly useful.

The Commission wants to make sure there is no WCD infringement because the wetland is spectacular. The WCD is designed to protect the wetland. This wetland was a prime wetland prior to the state changing the rules governing prime wetlands. Members want to keep a healthy wetland. The Commission doesn't want any area cut on the 50 foot setback. The Commission wants limited fertilizer use on this property. Fertilizers in wetlands increase nutrients which cause algal blooms which degrade wetlands.

Mr. Gagnon asked if the house could be shifted toward Brown Ave. in order to move farther from the wetland. Mr. MacGuire said the house is situated where it will work best. If the house was moved, there could be a problems with chasing slopes on the land.

Renters on this property will not be allowed to cut or disturb protected areas of land on this parcel. WCD signs will be installed along the 50 foot buffer line. These signs are important to inform future owners of restrictions on this property.

The developer would like to preserve the stone walls, but there is some encroachment into the development site.

Snow storage would be best on the side of the driveway opposite the wetland. There is a natural push angle at the end of the driveway that would be a logical location for plowed snow. Mr. MacGuire agreed to add this snow storage area to the plan.

Bruce Gilday flagged the wetlands on this site. He spoke in favor of a RCP culvert for the driveway. NH Fish and Game prefers RCP culverts because the interior of the pipe is rough which encourages the growth of mosses. This makes the culvert more natural and allows critters to crawl through the pipe. The 24 inch culvert will work well for this driveway crossing.

This area does not apply to any shoreline regulations through the state. This wetland is not a designated water body in regards to the shoreline regulations. If this area was within a shoreline zone, it would be in compliance.

Mr. Stanvick asked if a site walk would be appropriate for this case. Mr. MacGuire stated he would appreciate not doing a site visit because he has agreed to all the Commission requests to improve the plan and the application is for an expedited permit. Expedited permit applications are allowed on minimal impact projects and they are supposed to be processed quickly. Commission members discussed the possibility of the site visit, but did not feel a site walk was necessary for this case.

The Commission will vote tonight on the proposed plan with the discussed updates. Mr. MacGuire will update the plan tomorrow and send it electronically to Mr. Gagnon. If all

members accept the updated drawings, Mr. Gagnon will sign the wetland application and bring the application to the town hall. Mr. Gilday will pick up the plans on Monday if all steps have been completed to everyone's satisfaction.

Public Input:

None.

Motion: (Mackay/Loosigian) to sign the expedited wetlands permit application when the applicant adds the following conditions to the plan:

1. The 14 foot turn around will be changed from paved to gravel if this condition is acceptable by the fire department.
2. The outlet pipe under the driveway, near the turn around, will be pulled out of the WCD and the inlet will have a raised pipe with a small settling basin. The basin will be naturally revegetated.
3. There will be a maintenance plan for the basin.
4. WCD signs will be posted.
5. Sand will be used on the driveway rather than salt and fertilizers used on the lawn will be organic.
6. A snow storage area will be defined on the plan at the end of the driveway near the house.

Vote: 5-0-0 in favor.

WALK-IN ITEMS:

Mr. Stanvick asked about the posting of agendas for our meetings. The state requires that agendas be physically posted in two public locations in town. Ms. Mackay posts them in front of town hall and at the library. She also posts them outside Planning and requests they be posted online from the Planning department. Many times they are also posted on PTV if time allows. This meeting was not posted online or on PTV because of the Monday holiday, but they were posted at town hall and the library. Minutes are posted online after they are approved. Mr. Greenwood said he posts the selectmen and budget committee minutes and Planning posts Zoning, Planning and Conservation minutes. Mr. Gagnon would like one member to manage our website. Ms. Loosigian volunteered to look at the website and work to make it better.

Ms. Mackay went on a site walk with Zoning at a wood mill on Mammoth Road. Members were invited via email. The proposal is to split this large existing lot with 4 houses and a business into 4 separate lots. There were a lot of WCD impacts. All impacts were preexisting. Ms. Mackay recommended the removal of a few vehicles from grassy areas of WCD. The lot is large and these vehicles do not need to be parked in the WCD. There is some driveway in the WCD, but that cannot be changed so those vehicles are not recommended to be moved. Many of the existing buildings are also within the WCD. Ms. Mackay recommended that if any of the sheds, outbuildings, etc. fall down or are taken down because of disrepair that any replacement structures be built outside the WCD. There should be ample space to replace any buildings outside the WCD.

Mr. Stanvick asked if these vehicles and buildings are a violation of the town regulations. This business has been on the same lot for 100 years. The WCD ordinance has been in effect for about 20 years. Ms. Mackay felt uncomfortable calling these conditions a violation as the lot has been

the same since long before the WCD existed. The vehicles can be moved, but nothing can be done about the buildings.

There was a short discussion about violations of the WCD prompted by Ms. Mackay's site walk description. Mr. Stanvick felt we approve plans with conditions related to the WCD or other matters then we do not go to the project site to confirm the plan instructions are followed how are we sure the project is done to specifications. Our projects are inspected by the building inspector and health inspector as well as Planning making sure instructions are followed. Ms. Mackay stated the Commission does not have any enforcement authority and we cannot be walking around on private property. Mr. Gagnon disagreed because he felt we can call the code enforcement officer if we see violations. Code enforcement is a part time position in Pelham, so the officer does not have time to travel all over town looking for violations. If residents see violations, they can call the officer and have the violation investigated.

Ms. Delehanty told the Commission that milk production fell in NH last year. This is a result of farm land being sold for development.

There has been an increase of bald eagles in NH this year. 70 young reached fledgling age this past summer. They fly from the nest at 11-12 weeks of age. In addition, the state has reported there are 6 new breeding territories in the state.

Mr. Stanvick saw a bobcat with 2 kits in Pelham recently. The kits were wrestling.

MINUTES:

Motion: (Loosigian/Stanvick) to approve the minutes of October 10, 2018.

Vote: 5-0-0

ADJOURNMENT:

Motion: (Delehanty/Loosigian) to adjourn

Vote: 5-0-0 in favor.

Adjourned 8:53 p.m.

Respectfully submitted,
Karen Mackay,
Recording Secretary