

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

MEETING OF 11/12/14

APPROVED 01/14/15

Members Present:

Paul Gagnon, Karen Mackay
Mike Gendreau, Lisa Loosigian

Members Absent:

Paul Dadak

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

OLD BUSINESS

Map 36 Lot 10-191-01 & Map 35 Lot 10-193	Currier Road – Proposed 46 lot conservation subdivision with WCD impacts – Green and Company – Joseph Coronati, Jones and Beach Engineers, Inc.
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This case is represented by Joseph Coronati of Jones and Beach Engineers, Inc.

The proposal is a 46 lot conservation subdivision on a 68 acre site. This case was heard at the last Conservation meeting and the Commission conducted a site walk of the parcel a few weeks ago. Presently, the developer is working with Planning and Steve Keach, the town engineer, to modify and finalize the plan. No major changes have been made to the layout of the project since our last meeting.

The proposed road will cross two seasonal streams, but there will be no wetland impacts. The wetlands will be bridged by two open bottom culverts. The crossings are located approximately one quarter of the distance down the new proposed road.

Temporary WCD impacts total 68,000 square feet. These impacts are for slopes, grading and 4 detention ponds. These areas will be vegetated after development. Permanent impacts total 8,600 square feet and will be for areas of asphalt in the WCD. Permanent impacts are located near the wetland crossing, some areas of roadway and on proposed lot 36 for a driveway.

The road length will be approximately 4,500 linear feet. This will include an upgrade of Garland Road and the construction of the new proposed road.

Mr. Gagnon thanked the applicant for a great job with crossing the wetlands on the site with open bottom culverts. The density of the development is reasonable with 46 house lots on 68 acres and preservation of 55 percent of the land in open space. This is a good ratio of open space to development and may contribute to our more relaxed view of the WCD impacts. Our only concern with this plan is the continued uncertainty about the trail through the property.

The open trail on the property was used as an asset for the applicant to receive additional house lots within the conservation subdivision. Open trails do qualify for bonus lots as written in the regulations; however, the Commission expects the trail will stay open now that the bonus lots have been approved.

Conservation Commission members are concerned about the trail that currently runs through this parcel. This portion of trail is critical to connecting the east and west sides of town. The trail currently enters the parcel near the Currier/Garland intersection, runs along the southern border of the site through the field, crosses into the woods and continues roughly near the proposed road on the east side then exits in the north-east corner of the site. The developers have suggested a new location for the trail. The trail would enter near the Currier/Garland intersection, cross the field north of Garland Road, cross into a field owned by an abutter, cross back onto the subject parcel behind the small cul-de-sac's, cross the proposed road and exit in the same north-east location as the current trail. Commission members do not oppose the re-routing of the trail they simply want to keep the connection open. This new trail location does complicate the situation because now an additional land owner is involved. Planning and the applicant are working with this land owner to site the trail properly.

The applicant is talking of the trail as if it is a snow mobile trail. They are concerned that noise and speed from snow mobiles will lower the value of the house lots if the trail is too close to the houses. They are working to have signage added to locations of the trail to keep speeds down and noise level down. They are also concerned about abuse of the trail system that may affect residents of the new subdivision.

This trail is part of a town wide system and while it is used by snow mobilers it is a hiking trail. The maximum use by snow mobilers a year is 10-20 days. Some years there is not enough snow to ride any days. The majority of the time the trails are used for passive recreation. Commission members believe the trails system on this lot will be an asset for the applicant to sell the lots. Each member of the subdivision will have immediate access to our town wide trail system. Residents in town can walk for hours on these trails and depending on their location, may not see or hear an automobile. Mr Gendreau estimates there are 40+ miles of trails within town. Many residents have portions of the trail that pass through their land or directly behind their land. These people enjoy the close access to town lands. The trail passes through Mr. Gagnon's land, he does not own a snow mobile and he does not mind the use of the trail. We are currently working with two land owners that have the trail on their land. They do not mind the trail use and have never shut off the trail access. We are working to purchase this land to ensure permanent public future use of the land.

In 2003, the town residents voted to protect open space with the approval by 71% of the voters of a \$3,000,000 bond. At present, we have purchased 825 acres and put the land into public use. Mr. Gagnon showed the trail location through town and showed the subject parcel roughly in the center connecting the east and west sides of town. The Commission's goal is to make the trail system bigger and better. We do not want the system cut off in the middle after so much work has gone into making this an extensive and successful system.

The applicant is confident they will solve the trail issue.

Public input: None.

Motion: (Mackay/Gendreau) to recommend the plan as presented, to Planning, contingent on the trail connectivity being maintained.

Vote: 4-0 in favor of the motion

Map 38 Lots 1-118 & 1-119	Sherburne Road – Proposed 67 lot over 55 community subdivision with multiple WCD impacts – Peterson Built Homes, L.L.C. – Shayne Gendron, Herbert Associates, Inc.
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This case is represented by Shayne Gendron of Herbert Associates, Inc.

The proposal is to build a 67 unit elderly (over 55) housing development on 29.126 acres off Sherburne Road. Land coverage of buildings, structures, impervious and wetlands is 6.79 acres. Open space remaining on the parcel will be 22.33 acres. No wetland impacts are proposed with the project because those impacts were previously approved and have already been completed. The applicant will need a special permit for several areas of WCD impacts resulting from grading and drainage structures.

A site walk was conducted by Planning on Saturday November 8. Members of Conservation attended. Residents and town officials in attendance viewed the center line of the road, unit locations and detention areas. The site is relatively flat and rises slightly in the south-west corner. Two major detention areas are located along the south edge of the property.

Total WCD impacts for this plan are 39,920 square feet. The previous approved plan had a second access road coming from Litchfield Circle with a wetland crossing that impacted 46,611 square feet. The prior plan is an approved plan and could be built out at this time. The applicant wants to develop the parcel in this new way instead. The Litchfield Circle access is not part of this plan. The second access on this plan is off Sherburne Road.

The applicant has removed the pump house from the central portion of the site. The pump house equipment will be housed within the basement of the clubhouse.

Most trees on this site will be cut for this intense development. Some of the new proposed houses are close to abutters. Ms. Mackay suggested a vegetated buffer to provide privacy for abutters as well as new residents. Mr. Zohdi is working with one abutter on this matter.

Mr. Gagnon expressed appreciation for the removal of the pump house as it reduces impacts. In addition, a request was made for the applicant to try to move the treatment out of the WCD near units 19, 20, 21, and 22 and to move the pipe on impact area 8, behind units 41, 42, and 43 closer to the units so the tree line can move closer to the units. Mr. Gagnon commented on the density of the development which is 67 houses on less than 30 acres, amounting to less than one-half an acre per home. He acknowledged that Planning allows this type of development though current regulations. Mr. Zohdi suggested we visit Paradise Estates off St. Margarets to see how this development will look when it is completed.

Public Input: None.

Motion: (Mackay/Loosigian) to recommend the plan while acknowledging the club house is now also the pump house. Ask the applicant to minimize impacts in areas 3, 7, and 8 and Commission members would like to see fewer units.

Vote: 4-0 in favor of the motion.

NEW BUSINESS

Map 28 Lot 2-12-3	112 Marsh Road – Proposed addition to a garage with impacts to the 75 foot WCD – Mammoth Fire Alarm Reality – Peter Zohdi, Herbert Associates, Inc.
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This case is presented by Peter Zohdi of Herbert Associates, Inc.

The proposal is to add a 30x30 foot addition to an existing garage. At the time of plan approval, a 75 foot WCD was drawn on the plan. The proposed addition will be within the 75 foot WCD on the plan, but outside the 50 foot WCD. Town regulations require a 50 foot WCD so the plan will not need to go to Zoning for a variance.

The proposed garage will be located behind the existing garage and will be closer to the wetland. The doors on the garage will open toward the south-west toward the lot line of the property. Traffic on site will no longer be driving between the garage and wetland. A driveway currently exists in the location of the proposed garage so no additional impervious surface will be added with this project.

The area of yard between the pavement behind the garage and the wetland is not vegetated. The vegetation has been removed and gravel/road base has been added to the lot. This area should be vegetated. The WCD is an area of no cut, no disturb. Commission members would like to see plantings of scrubby bushes and native plants that grow well in the immediate area. There is a problem with beavers cutting trees in the area and we observed beaver damage on trees on the subject parcel. Commission members do not think trees should be planted, but the area must be revegetated. Mr. Zohdi said he would talk to a garden center and see if they could find some suitable plants that would not be destroyed by beavers.

Public Input:

Mr. Robert Cavanaugh commented that we had the wrong lot number written on the agenda for tonight's meeting. We mistakenly listed his lot as the applicant's lot. The applicant's lot is 28/2-12-3.

Mr. Cavanaugh spoke in opposition of this plan. He cited violations of the WCD that the applicant has on his property. There is an underground propane tank within 15-20 feet of the wetland. This tank is in regular use as the Commission was furnished photographs of a propane truck filling the tank.

The land owner is seen frequently washing cars behind the garage on the paved area. Run off from the washing process is flowing toward the wetland with soaps, oils and cleaning chemicals.

Mr. Cavanaugh does not believe there is space to put doors on the south side of the garage because there is a retaining wall and driveway that is only a car width wide. This configuration would prevent vehicles from making the turn to drive into the garage.

Mr. Cavanaugh does not want to see the 50 foot buffer loamed and seeded because he is concerned that a lawn will be fertilized and the chemicals will affect the wetland which will affect the value of his property.

Commission members are concerned about the violations (gravel, boat parking, propane tank, lawn) on the property. Mr. Gagnon said that any violations would need to be dealt with through Jeff Gowan and code enforcement. Violations must be addressed then if the applicant wants to come back to us we would look at the project again.

Motion: (Loosigian/Mackay) recommend that Planning not accept this plan as proposed and additionally require the violations within the WCD be corrected.

Vote: 4-0 in favor of motion.

Map 4 Lot 9-144-13	Windham Road – Discussion of possible sale of 16 acre lot of town owned land – Town of Pelham – Presented by Paul Gagnon
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The parcel is located at the north end of town on the Windham line. The parcel became town land as a result of the Gordon Heights development. The parcel is more than 50 percent wet. An abutter has expressed interest in the purchase of this property. The abutter wants the land to remain open with no building allowed.

One of the conditions of the sale would be that the land could never be developed. The restriction would need to be written into the deed. The abutter has proposed to pay \$16,000 for the parcel. This money would go into the Conservation fund to be used to buy other properties with better connectivity to other town lands. This parcel is not close to any town owned properties and it is surrounded by house lots. There are no trails on the parcel and its location prevents connection to other town properties.

Selling the land with the deed restriction would gain money for the town with the sale and would return the parcel to the tax rolls to bring money in each year. The taxes on the parcel would be low because of its low value.

The Selectmen have requested our input on this parcel. Any parcel of town land that the town wants to sell must be approved by the voters at town meeting. If approved by the Commission and the Selectmen the question would go on the March ballot.

Motion: (Mackay/Loosigian) to recommend to the Selectmen that the parcel be sold and the proceeds go into the Conservation fund to purchase other conservation land and write a deed restriction on the deed, that the parcel can never be developed.

Vote: 4-0 to approve the motion.

NON-PUBLIC

Motion: (Gagnon/Mackay) to go into non-public in accordance with RSA 91-A-A:3, seal the minutes of non-public, and adjourn after non-public.

Vote: 4-0 in favor of motion.

Meeting adjourned at 9:15 p.m.

Respectfully submitted,
Karen Mackay,
Recording Secretary