

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

MEETING OF 10/09/19

Members Present

Karen Mackay, Paul Gagnon,
Mike Gendreau, Dennis Hogan (alt),
Brandie Shydo

APPROVED 11/13/19

Members Absent:

Ken Stanvick, Kara Kubit (alt),
Lisa Loosigian, Al Steward (alt),
Louise Delehanty

Paul Gagnon brought the meeting to order at 7:07 p.m.

NEW BUSINESS:

Map 41 Lot 6-118	59 Bridge Street – Presentation of a Dredge and Fill application for a proposed access road and installation of a waterline for the R&B Plaza – Presentation by Shayne Gendron of Edward N. Herbert Assoc., Inc.
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The proposal is for a 285 square foot (sf) wetland impact for an access road to the well location on the rear property line. Bruce Lewis, a water engineer, has been representing R&B Plaza. He has been working with the state for 13 to 14 months to get water to the new building on route 38. The well that served the previous business on the property cannot be used by the new business because the well is too close to the underground fuel tanks. Public water supply standards require that the water supply be 500+ feet from fuel tanks. The business must have an approved water supply prior to gaining an occupancy permit.

The proposed location for the new well is in the far rear corner of the lot. This application has come in well after the approval of the business to build in this location because the owners were counting on a public water supply that was proposed to come down route 38, but was never developed. State waivers have been obtained for the location of the well in relation to the road and the wetland. The state has finally approved this location. An access road 10 feet wide must be built to drill and service the new well. The access road area will need to be kept open in perpetuity in order to service the well when necessary. The road is proposed to run from behind the business, along Pulpit Rock Road, then along the rear property line to the well location.

This dredge and fill application does not need any signatures as it is not an expedited permit application. Expedited applications move more quickly through the process and require the local Commission to sign that they approve of the project prior to the application being sent to DES. This permit application is a standard minimum impact application. Mr. Gendron would like the Commission to write a letter to DES with our approval for the 285 sf impact to the wetland for the driveway and water line.

Additionally, this project has 8,000 sf of WCD impacts. This matter is separate from the wetland impacts which require state approval. The state does not regulate the WCD. The 8,000 sf impact is regulated by the town. Mr. Gendron asked the Commission if we could separate these two matters so

that if we found the 285 sf wetland disturbance reasonable we could vote to approve and send a letter of support to DES so the project could keep moving forward. The WCD impacts can be discussed and worked out separately. A special permit from Planning will be needed for the work in the WCD. Installation of a well, water lines and a driveway are all allowed uses in the WCD.

The driveway will not be plowed in the winter unless access to the well is required for repairs to the well or pump. Mr. Gendron is comfortable with a condition stated on the plan that there will be no plowing unless access is needed. No vehicles of any kind will be regularly parked on the access road.

The access road is proposed to be 10 feet wide including grading along the rear property line so as to minimize impacts to the wetland. The road, including slope grading, widens out to about 20 feet along Pulpit Rock Road and toward the center of the lot where the water and power lines will connect to a conduit area that will connect the lines to the building. Water and power lines will be underground and within the access road easement.

Members proposed the access road come out onto Pulpit Rock Road thereby reducing the WCD impact for a full gravel road along the lot line adjacent to Pulpit Rock Road. Mr. Gendron said he would need a curb cut approved from Planning in order to come out of the lot onto the road. This option would cut the permanent impacts to the WCD in half. There would still be impacts to the WCD along Pulpit Rock Road, but they would be for a trench to lay the water and power lines rather than a 10 foot wide road. After construction, this area could be allowed to revert to its natural state. The area would need to have an easement along the trench line for repairs if ever needed, but would not need to be disturbed again unless there was a problem with the lines. This option would require less grading, less gravel and cause less impact. Mr. Gendron agreed to pursue this new option, but reminded us that he would need this road if Planning would not give a curb cut access to the well road.

Public Input:
None.

Mr. Gagnon appointed Mr. Hogan to a voting member for this evening.

Motion: (Hogan/Mackay) to recommend to DES the 285 sf wetland impact for the well access driveway.
Vote: 5-0 in favor.

Motion: (Mackay/Shydo) to authorize Mr. Gagnon to write an email to Planning to request a curb cut on this project for the purpose of reducing WCD impacts by approximately half.
Vote: 5-0 in favor.

Map 1 Lot 5-107-3	9 Dick Tracy Drive – Proposed addition of 6 commercial condo units on an already developed lot. Proposed development to impact the WCD – Presentation by Joseph Coronati of Jones and Beach Engineers, Inc.
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The first building was constructed on the site in the late 80's or early 90's. The current owner is not the original developer of this site. Family Paving operates out of this property. The owner would like to expand the uses on this property to add 6 industrial use condos for rentals of trade businesses such as

carpenters and plumbers. The condo units will be 1,200 sf in size. Customers are not expected to frequent the property because the nature of the proposed businesses is largely off-site work.

The current conditions include no treatment of storm water and no buffer to the off-site wetland. There are 4 catch basins that collect water and pipe the water into the wetlands with no treatment. There is a drainage easement off Dick Tracy Drive into the wetland along the east side of the property.

The area of proposed work has been disturbed for many years. The majority of the work will be conducted on the north-west side of the site. The new proposed building, water treatment systems and parking lot will not have any wetland or WCD impacts. There will be 2,851 sf of WCD impact for re-grading the site and no wetland impact for this project. Grading will be on the south-east side of the site. There is a wetland off-site on the south-east side of the lot.

This lot is completely disturbed. No trees will be removed during construction. The lot has various areas of pavement with gravel throughout. There may be pavement areas, unknown to the applicant, that are under the gravel. There will be no additional disturbance to this lot for this project. Asphalt will be removed from the area of the new building, in the center of the site and possibly in other locations that have asphalt under the gravel on the site.

This lot has drainage issues that will be fixed as part of this new development project. The lot is completely flat with no slope or pitch which causes puddling and pooling of storm water. The catch basins and culverts throughout the site are not draining well. The drainage lines will be re-laid on a one percent slope to direct water off the site. Drainage will discharge in the same location as currently discharged. The property will be regraded from the property line in the WCD back to the construction area.

The new building will use the upper driveway to the north side of the lot. The paving business will use the lower or southern driveway. The front of the building will stay "as is" with landscaping and a grassy area. Both driveway entrances to the site are paved. No parking will be added to the south-east side of the property.

Steve Keach, our town engineer, has sent a letter about this project. The Commission has received the letter and reviewed comments from Mr. Keach. Mr. Coronati believes Mr. Keach seems satisfied with the water treatment design. He did request more cover over the pipes than currently exists. The applicant will make the adjustments and fill over the pipes to a 3 foot depth as required by town regulations.

There will be 2 methods of storm water treatment. The first is a StormTech system to handle runoff from the building. This system will be along the side of the building. The second system is called a focal point system that is linked to a rain garden that sits atop an R-Tank which is used for treatment of storm water. The focal point system is roughly in the center of the site. ACF Environmental makes this storm water treatment system with the underground R-Tank. All asphalt will be curbed in the new parking area and will flow to the focal point system. The StormTech and focal point systems are not connected to each other.

Some of the catch basins on site will be removed because they are in the location of the new proposed condos. The basins to be removed are numbers 2258, 2082, and 2442. Catch basin number 2249 will be reused on this project. The basin will be east of the raingarden. The basin will remain in its current location. If it is damaged, it will be reworked or replaced. Water from this basin flows to the wetland.

Basin 2249 is downstream from the rain garden. Water from this basin will not flow into the rain garden system. There is a direct line from basin 2249 into the wetland. Catch basin 203 is a proposed new catch basin. Storm water from the parking area will go into catch basin 203 or water will go into the focal point system with the below ground R-Tank. Road and pavement water will be treated before discharging into the wetlands.

All WCD impacts will be for regrading in the corner of the site. Presently, there is pooling of storm water. Grading will be toward the wetland. The grading that will be done to improve the site will be mild at approximately one percent slope. This mild grade should not cause any erosion. Silt fence will be used in the area of the regrading. Grading toward the wetland will cause a lot of dust and silt to flow into the wetland. The new proposed development area is good, but there is no buffer to the wetland.

Commission Comments:

The new area of development on the site looks good. The plan for the grading area could be better. The grading seems reasonable, but vehicles are parked in the WCD area with no plan to relocate the parking of these commercial vehicles. There is a lot of space on this lot which means the vehicles could be parked off the WCD. In order to improve the WCD area, the area should be graded, plant with grasses or shrubs and WCD signs should be added. Vehicles should no longer be parked in the WCD area. The area should be allowed to revegetate. Mr. Coronati said he could ask the applicant, but he could not make the decisions without consulting with his client. He is not sure the vehicles can be relocated as there is frequently equipment moved in and out of the site. He will bring the subject up with his client.

If the applicant is going to make changes to the site with a new building, new storm water treatment and rain garden, then we would like to see improvements to the WCD area. This would allow the impact to the WCD for the initial grading, but then the area would be improved by a return to a more natural condition.

Commission members acknowledged the site is being improved with a new building and storm water treatment, but these features are also an additional burden for the site. The new construction and new treatment may balance each other out. The Commission likes to see an improvement to the site from the previous condition when new development is added to a site.

Mr. Gagnon suggested the motion for this project contains a condition that after the WCD is regraded the WCD is covered with loam, seeded and no longer used to park vehicles. In addition, WCD signs are installed along the buffer in the regraded area.

Commission members felt comfortable voting on this plan without visiting the site.

Planning will decide between our recommendations and the applicant's wishes or any compromised position in-between, if the applicant is unwilling or unable to relocate the vehicles.

The case will be before Planning on November 4, 2019.

Public Comments:

None.

Motion: (Mackay/Hogan) to approve the plan with the proposed 2,851 sf of WCD impact under the condition that after the WCD is graded it should be covered with loam, seeded and no longer used to park vehicles and also to add WCD signs at the edge of the buffer.

Vote: 5-0 in favor.

Dave Curto of the Windham Conservation Commission will present information about the dam reconstruction project on Moeckel Pond.

Mr. Curto thanked the Commission for having him and for giving Windham the ability to use Bayleaf Way for the dam project. Mr. Curto is interested in inter-town communications with the goal of connecting with neighboring towns. The Moeckel Pond Dam project is on the border of Pelham and Windham; therefore, will have impacts on both towns. In addition, both towns have conservation lands that abut Moeckel Pond and the dam area. The pond will be accessible for residents of both towns when the dam has been reconstructed.

Mr. Curto gave a brief history of the dam. The dam was original built in 1788-1789. Joseph Simpson and company men from Windham and Pelham build the mill. Originally, the mill was built to process lumber. Later in the 19th century the mill was used as a grist, saw and lumber mill. The mill was a significant benefit for Windham and Pelham residents and provided economic growth. Products from the mill were sold to builders in the area. The addition of the grist mill helped grow business. The dam area was a huge historical part of town. Old foundations of dam outbuildings are scattered in the area in both towns. Residents can learn more about the dam history at www.moeckelpond.com.

There is a land area that will become an island when Moeckel Pond is filled with water. Some Eagle Scouts have planned to set up some areas for picnicking. When the water comes up residents will be able to canoe out to the island to relax, and picnic. The peninsula on the island will have a clear view of the dam and Deer Leap. Spotted turtles have historically been found on the island. Mr. Curto would like to create conditions for the turtles to come back to the pond. Nesting sites are possible on the island. Deer Leap is the abutting conservation areas. There are great trails with overlooks to Moeckel Pond. Parking for Deer Leap is on Woodvue Road.

Mr. Curo showed multiple pictures of the dam and surrounding area. There is an out of service bridge in Pelham. Mr. Curto said he would like the bridge to be rebuilt at some time. This would connect trails in Pelham to the dam site and trails in Windham. During the dismantling of the dam, antique artifacts were found. Many of the artifacts were mechanical features and grinding stones that were used in the operation of the mill. Mr. Curto has proposed to display the artifacts in the area as a type of museum with informational posts about historical features.

Road improvements have been completed on Bayleaf Way. There will be a parking area near the dam when construction is complete. Mr. Curto showed numerous construction photos and described the temporary dam and the method to divert water while the dam is constructed. The process for reconstruction will be to remove the old dam, dig down to the bedrock, drill rods into the bedrock then build the dam off the rods. Concrete from the old dam will be removed from the site. There is a historic stone wall near the dam that may have been used to divert water in the past. This wall is beautiful and in excellent condition. The wall will remain after the dam is repaired.

The dam is a modern design. Water will be spread across the top of the overflow to minimize erosion of the stream bed. This design slows the flow of the water. Windham Conservation Commission has approved an Americans with Disabilities Act compliant docking system at the dam site. The dock will be wheelchair accessible. Canoes and kayaks will be able to be launched from the docking system.

There are a few beaver dams in the marshy area of Moeckel Pond. Currently, the pond has little stream branches and small ponds throughout the marshy area. Moeckel Pond will be a shallow pond. The deepest area of the pond could be closest to the dam. There may also be deep pools around the pond. Moeckel Pond will be about 40 acres when filled with water. Cobbett's Pond feeds Moeckel Pond. Cobbett's Pond is scheduled to drop the water level the week of October 13, 2019. Windham Conservation Commission is trying to get them to hold off for a week so the dam work can be finished.

WALK IN ITEMS:

The NH Association of Conservation Commissions is having their annual meeting on November 2, 2019 at Pembroke Academy. The town will pay for any member to attend the meeting. There are seminars related to conservation issues. Any member can sign up and will be reimbursed for the fees.

MINUTES:

Motion: (Hogan/Gendreau) to approve the minutes of September 11, 2019.
Vote: 5-0 in favor.

ADJOURNMENT:

Motion: (Mackay/Gendreau) to adjourn.
Vote: 5-0 in favor.

Adjourned 9:01 p.m.

Respectfully submitted,
Karen Mackay,
Recording Secretary