

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

MEETING OF 12/14/22

Members Present:

Karen Mackay, Paul Gagnon,
Ken Stanvick, Lisa Loosigian,
Christine Kamal (alt), Al Steward,
Mike Gendreau, David Abare,
Kara Kubit (alt)

APPROVED 01/11/23

Members Absent:

Scott Bowden (alt),

Al Steward brought the meeting to order at 7:02. Mr. Steward led the Commission in the Pledge of Allegiance.

OLD BUSINESS:

Map 22 Lot 8-85-1	579 Bridge Street – Discussion of plantings within and outside the WCD on the proposed multi-unit apartment building project – Presentation by Joseph Maynard of Benchmark LLC and Bill Reno of Reno Properties
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Mr. Reno thanked the Commission for meeting with them many times. He feels they have been making progress and implementing suggestions from the Commission. He has been willing to compromise and work with the Commission to create a better project. He asked the Commission to keep an open mind about the plans for the planting scheme.

The plantings proposed in the wetland conservation district (WCD) will be native to New Hampshire. There will be some ornamental trees near the building. Other plantings will also be native species. Weeding of non-native or invasive plants will be done in the buffer. Native plants in the buffer will be allowed to naturally reproduce. Plants will be salt tolerant as necessary.

Members of the snow plow team will go through the Green Snow Pro program through the State of New Hampshire. The program will teach the members how to apply salts and snow melt materials to be optimally effective with minimal usage. The landscape architect rearranged some plantings from the plan we reviewed last month. Gaps in the vegetation near the infiltration basin and along the south-east corner of the property were defined on the plan so snow could be plowed into these areas without damaging the plants.

Alteration of Terrain (AOT) and Department of Environmental Services (DES) allow snow to be plowed into detention ponds. The capacity of the detention pond is 25-35 percent larger than required by regulations. In order to determine the size of the pond required for this development,

the predevelopment amount of runoff from the site is calculated. Most rain water on an undeveloped site infiltrates into the ground before running off the site. When the site is paved the calculations change. All water on impervious surfaces will be directed to the basin. The volume of water entering the basin is calculated. Mr. Maynard then takes the volume of water entering the basin and designs the basin to be 25 percent larger than the volume necessary for the runoff. Regulations require about a 10 to 15 percent buffer on a detention basin. This means the basin must be designed to hold 10-15 percent more water than is expected in a given circumstance. For example, if the basin is required to hold 100 cubic feet of water, it must be designed to hold 110 cubic feet of water. This is a baseline buffer. The basin can then be designed to hold additional water. This basin has a capacity of approximately 35 percent more than required by the regulations.

Mr. Maynard increased the size of this basin because the Commission expressed concern at the last meeting about the amount of snow that may be plowed into the basin. He wanted to make sure he was oversized on the basin so there would be plenty of space for the snow. Snow will fall on the site at an unpredictable rate. Snow is not used in calculations, but rain is and snow is simply rain in solid form. Whether snow is plowed into the pond or left on the land, all water from the snow would end up in the basin as it melts and flows through catch basins and pipes. There is no extra liquid going into the basin from snow fall.

The bottom of the basin is 4+ feet above the wetland. No amount of water will be released in a 2 year storm. AOT requires calculations for the 2, 10, 25, and 50 year storm event. There is one foot of free board as a minimum requirement on each pond. This pond is 6 feet deep. There is 35 percent of extra water storage space above the 50 year storm event. The outflow for the pond is piped under the road and discharges near the wetland. The pipe is approximately 100 feet in length.

The WCD impacts were reduced from 27,100 square feet (sf) to 26,000 sf on the new plan. Sixteen thousand (16,000) sf will be temporary impacts for construction. This area will be replanted with native plants. The roadway will be a permanent disturbance of 10,000 sf.

Mr. Maynard said his wetland scientist thought it was unprecedented to have mitigation for the WCD impacts to the degree the Commission has requested, but Mr. Reno wants to work with the Commission and has put forward an option to provide a floating easement of 2 acres of permanently protected back land. Mr. Maynard does not want to specify the exact location of the easement because he may need the area that has been set aside. He instead will agree to add to the plan and deed an agreement that 2 acres of back land will be protected without specifying the exact 2 acres that will be protected. At this time and until or unless zoning changes, the back land will be left in a natural state.

All drainage, from parking and roof areas will be directed to and retained by the infiltration basin. A 2 year storm will be fully captured by the basin and infiltrated. No water from a 2 year storm will flow off site. The pond will have specific types of sands and materials on the bottom which will provide natural filtration. Vegetation will not be planted on the bottom of the pond. Recent studies have shown plants are not necessary and provide no more benefit to filtration than natural soils. Test pits indicated a deep water table with coarse sands on the surrounding land. A

maintenance schedule will be specified on the plan with the goal of keeping the basin functional. Catch basins leading to the infiltration pond will be cleaned on a schedule in order to keep sediments from entering the pond.

Ms. Kamal said the Commission is responsible for proper utilization and protection of our natural resources. She repeated comments she has made at previous meetings about the intense development on the 5 acre corner of this lot. She went over the regulations from the town and state. She understands the regulations to show this is too many bedrooms for this space and the septic loading is too much. The regulations state there can be 10 bedrooms on the first 3 acres then one additional bedroom for every 10,000 sf. Very poorly drained soils cannot be used in the calculations. There must be 20,000 sf of contiguous soils to receive effluent. This project is too large for this site. The septic systems are too close to the WCD. She has spoken to Travis Guest and Eric Thomas at the state and understood them to agree with her reading of the ordinances/rules.

Mr. Maynard said he spoke to both these men and said they told him he was correct in his interpretation of the ordinances/rules. Mr. Maynard said he has the space to build this project and place the septic systems in the designated locations. He meets his nitrate setbacks. He has designed multiple septic systems for this site. The systems work on a cycle. Effluent is sent to one system then to the next and so forth. Each system gets a dose then a rest period over a several hour time span. The effluent infiltrates into the ground. The systems are allowed to be close to the WCD. This discussion went back and forth with no definitive resolution. The state will make the final decision as to what they will allow. In addition, Steve Keach, the town engineer, will review the project as will the Planning Board.

Mr. Gagnon thought Ms. Kamal had several good points. He thought it did not make sense to be able to use land across a wetland in calculations for soil loading. He suggested Mr. Maynard go to Planning and Mr. Keach and get the approvals then come back to us with the matter settled. Mr. Maynard feels he would be going in circles. He would go back to Planning and they would ask what Conservation said. Then they would direct him back to Conservation. He already is trying to balance his approvals. He needs approvals from DES, but they will not approve until AOT approves. AOT will not approve until Mr. Keach does his formal review. Mr. Maynard does not want to do a formal review with Mr. Keach until Mr. Maynard knows he is set with the Planning Board. Mr. Gagnon reiterated Mr. Maynard should get Planning approvals, Mr. Keach approvals and state approvals then come back to us and this matter would be off the table. Mr. Stanvick agreed with Mr. Gagnon about getting approvals then returning to us.

Mr. Steward said we needed to refocus on the plantings as that was the subject of this meeting. Ms. Loosigian expressed appreciation for the specification of native plants in the buffer zone.

Mr. Reno asked if we could do a vote contingent on the approvals of the other boards and the state. Mr. Maynard said we were only voting on plantings tonight. Mr. Steward said they had our original answers on the project with the letter we wrote. As far as the plantings we can probably answer that question. Mr. Steward said if they want approval from us on the project, then take some of our suggestions and then come back again. The Commission would like to see Mr. Keach and the state approve the designs. The Commission wants the applicant to know we are

concerned about the intensity of the project. Mr. Steward is not as concerned about the mitigation as he is about the intense development and the problems this could cause the environment.

Ms. Mackay said if you get Mr. Keach and the state onboard you don't need anything else from us. We will take mitigation or anything else you want to offer us. Even if we do not approve of the project, we want the project to be the best it can be. If Planning says yes to the project, we want our voices to be heard about the plantings and/or WCD. We are looking out for environmental aspects of this development. The developer may be following state and town regulations which require a balance between development and the environment among other things. The Commission does not need to consider the balance of development with the environment our focus is environmental.

Public Input:
None.

Motion: (Gagnon/Stanvick) to approve the planting schedule. This motion is not an approval of the mitigation or of the overall project.

Vote: 7-0-0 in favor.

WALK IN ITEMS:

There is a site walk for Zoning Board of Adjustment (ZBA) on Saturday, December 17, 2022 at 9 a.m. meeting at the corner of Campbell Road and Gaston Street. The subject of the site walk is the addition of a garage to a non-conforming lot.

There is discussion of adding a path through the woods and/or a sidewalk along the main roads from the Terraces housing development to the Hobbs Senior Center. There is a lot of wetland in the woods so this may be tricky. Mr. Abare has received permission from owners of the Saddlery shop to cross their land. He has tried multiple times to talk to someone in charge at the medical center. No one has returned his calls. He asked if anyone knew someone at the medical center could they connect him with that person. Mr. Stanvick suggested this discussion be had with the Selectmen. They have more authority than this Commission and would be able to coordinate all necessary town boards and officials.

Mr. Stanvick said he is being asked about the Off Highway Recreational Vehicle (OHRV) Committee and its work. They have not posted a meeting since September. Mr. Gendreau said the official answer is the Committee has not had a meeting since September and will post any future meetings as they come up. Mr. Gendreau asked about the OHRV complaints log that Ms. Deb Waters referenced at a past meeting. Ms. Mackay requested this list from Ms. Waters earlier today and will forward the list as soon as it is received. Mr. Gendreau thought the list would be helpful if it has descriptions of complaints and contact information for complainants as they could be asked more details about the complaints.

A large OHRV has been riding on the gas pipeline. The driver has now entered Wolven Conservation Area and passed through wetlands. Members of Forestry have added brush to block

the entrance to the wetland and hope that will deter the rider, but they do not have a lot of confidence this will work to keep riders out of the wetlands. Forestry Committee manages the town forests. If trails are damaged, Forestry must fix them.

Ms. Loosigian picked up a brochure in the lobby that talks about salts and winter maintenance for homeowners. The use of alternatives to salt such as kitty litter and brine mixes are described. Ms. Dena Hoffman wrote up the brochure. This brochure could be helpful to land owners in town.

Ms. Mackay asked if members were receiving emails as there has been some question if everyone is getting all the information sent. Members appear to be receiving emails. Mr. Gendreau and Mr. Steward asked everyone to use the dlconservationcommission address to send emails to the group. This address sends to all members on their town and home email. Ms. Kubit has not yet set up her town email. She is planning to set it up this week.

MINUTES:

Motion: (Gendreau/Stanvick) to approve the minutes of November 9, 2022.

Vote: 5-0-2 in favor. Gendreau and Loosigian abstained.

NON-PUBLIC SESSION:

Motion: (Mackay/Stanvick) to enter non-public session to discuss land acquisitions, seal the minutes of non-public, and adjourn after non-public.

Vote: 7-0-0 in favor.

Adjourned at 8:45 p.m.

Respectfully submitted,
Karen Mackay,
Recording Secretary