

MINUTES

CONSERVATION COMMISSION

**1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE
EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

3:30 p.m.

March 8, 2017

MEMBERS PRESENT: Chairman Steve Miller; Vice Chairman MaryAnn Blanchard; Members, Allison Tanner, Barbara McMillan, Kimberly Meuse, Matthew Cardin; Kate Zamarchi; Alternates Samantha Wright, Adrienne Harrison

MEMBERS ABSENT: N/A

ALSO PRESENT: Peter Britz, Environmental Planner/Sustainability Coordinator

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II. APPROVAL OF MINUTES

A. February 8, 2017

These minutes will be placed on the April 12, 2017 meeting agenda.

III. STATE WETLANDS BUREAU PERMIT APPLICATIONS

1. Standard Dredge and Fill Application
99 Peirce Island Road
City of Portsmouth, owner
Assessor Map 208, Lot 1

Mr. Eric Meserve, AECOM, highlighted changes to the plan since the last meeting. The entire parking area would be constructed with porous pavement, rather than using permeable pavers. The species of the plantings were revised to those more native to New Hampshire.

Mr. Jeff Clifford added that the porous pavement will provide more infiltration than what the State requires. DPW expressed interest in having one uniform surface. The design is based on the UNH Stormwater Center design and he explained how the pavement basically acts as a conveyance device that is made up of several different types of crushed stone layers.

Chairman Miller encouraged the applicant to ensure the contractor has experience installing porous pavement. He explained how applying the layers of the pavement at the wrong temperatures can potentially cause the surface to self-seal. Mr. Clifford acknowledged that and noted construction would likely occur in the late spring.

Ms. Adele Fiorillo, Normandeau and Associates, stated that the expedited process request was approved by DES since the applicant would like to complete the construction before the busy summer season. The applicant will be addressing the comments from the Natural Heritage Bureau within the next week and those responses will be forwarded to DES and the Commission. Their main concern was regarding the outlet to the drain near the grass area.

Mr. Meserve explained to Ms. McMillan the types of ornamental plantings that would be added near the parking area by the boat ramp. The list had changed since the previous submission per the comments received from Natural Heritage Bureau.

Ms. McMillan questioned whether the bittersweet species could potentially migrate into the area in the future. Ms. Fiorillo noted that there is an invasive species management plan near the sewer plant of Peirce Island, but not much on the other side. She felt that the steep banks would help to prevent those plants from migrating.

Ms. Tanner moved to recommend approval of the application to the State Wetlands Bureau, seconded by Vice Chairman Blanchard. The motion passed unanimously.

2. Minimum Impact Expedited Application
390 New Castle Avenue
393 New Castle, LLC, owner
Assessor Map 207, Lot 6

Mr. Steve Riker, Ambit Engineering, noted that a landscape plan with additional plantings was added since the last submission. He explained that the proposed project would raise the residential structure from finished floor elevation 10.1 to 11.5 to make the structure more FEMA compliant. The existing gravel parking area will be loamed and seeded and plantings would be added between the two residential structures. The total area of disturbance is 1,000 s.f., which includes the plantings. Currently, the runoff travels from New Castle Avenue, between the houses, then into the resource area without much infiltration. The additional plantings would help to mitigate that runoff flow.

Ms. Tanner asked whether a rain garden could be added in the landscaped area between the two houses. Mr. Riker explained there will be foot traffic in the area and little space is available to adequately serve a rain garden.

Chairman Miller asked if there is any benefit to raising the structure higher than 11.5. Mr. Mark Hepp explained that there will be an insurance savings to raising the structure. However, there would not be much benefit to raise it beyond 11.1 because regardless the height, the flood zone cannot be avoided. Raising the elevation to 11.1 will mainly help to prevent potential property damage.

Mr. Hepp replied to Ms. McMillan that mostly weeds exist between the two houses. Mr. Riker added that the area near the retaining wall be taken out and filled back in with gravel to meet the

existing grade of the area. Inside that will be landscaped with only landscaped aggregate. He added that the silt socks will only be used during construction.

Mr. Cardin moved to recommend approval of the application to the State Wetlands Bureau, seconded by Vice Chairman Blanchard.

The Commission commented that the proposed improvements will be beneficial to the property.

The motion passed unanimously.

IV. CONDITIONAL USE PERMIT APPLICATIONS

- A. 390 New Castle Avenue
393 New Castle, LLC, owner
Assessor Map 207, Lot 6

Mr. Cardin moved to recommend approval of the application to the Planning Board as presented, seconded by Vice Chairman Blanchard. The motion passed unanimously.

- B. 315 Banfield Road
Hope For Tomorrow Foundation, owner
Assessor Map 266, Lots 4 & 5

Vice Chairman Blanchard recused herself from the discussion and vote for this application.

Mr. Peter Loughlin, Foundation for Seacoast Health, provided a brief history as to why the St. Patrick's Academy is being relocated and how the Hope for Tomorrow Foundation assisted with that process. He explained the three potential options for servicing sewer to the site: install a septic system; route a sewer line down Banfield Road to Peverly Hill Road through wetlands on both sides; or, use the Foundation for Seacoast Health pump system that pumps toward West Road. The applicant is interested in using the Foundation for Seacoast Health pump system and running the sewer line along the existing walking trail through the forested area.

Mr. Eric Weinrieb, Altus Engineering, explained that the buffer area would allow for adequate cover and using the pump station would not require filling. Installing the sewer line along the footpath would require less clearing. He noted various treatment devices across the site and the boulder retaining wall would help to minimize the impact.

Ms. Tanner asked what the trail would look like after the sewer line is installed. Mr. Weinrieb explained that a trench will be dug and filled over it to create a gravel path that will look the same as it exists today, except at a slightly higher elevation.

Mr. Weinrieb replied to Ms. Zamarchi that the retaining wall height would vary from about six inches to four feet with the tallest height located near the wetland crossing.

Mr. Cardin asked what kind of vegetation would be impacted for raising the foundation. Mr. Weinrieb replied that there may be some trees cut or a tree well in the retaining wall could be created. The location of the trees has yet to be identified.

Ms. Zamarchi asked if the path would be plowed in the winter. Mr. Weinrieb noted that the details for maintaining the path have yet to be defined and presumed that it will be maintained to a certain extent.

Mr. Weinrieb explained that an excavator with a thumb, dump trucks, and other types of small equipment would be used during construction. Mr. Britz advised ensuring that the soil does not contain invasive seeds and that the equipment does not track any invasive species during construction. Mr. Cardin and Mr. Britz suggested ways to ensure that the contractor is aware of the sensitive areas.

Ms. Zamarchi moved recommend approval of the application to the Planning Board as presented, seconded by Ms. Meuse.

The Commission discussed details in the plan that should be included in regards to the invasive species, tree locations, and improving the detail of the path in relation to the buffer vegetation.

The following stipulations were discussed and added to the motion:

- 1. That the site engineer will provide construction oversight with routine construction inspections to insure the grading is undertaken as shown on the plans and that there are no additional wetland or wetland buffer impacts beyond those shown on the plan.*
- 2. That the site engineer will provide construction oversight insuring that the clearing of vegetation is minimized and no more than shown on the plans.*
- 3. Invasive species on the site will be shown on a plan prior to construction and an invasive species inventory shall be conducted one year post construction to insure that invasive species were not spread during construction. Results of this inventory shall be provided to the environmental planner and a plan to remove newly established invasive vegetation shall be provided if necessary.*

Members of the Commission appreciated that the sewer line would be located in an already disturbed area and supported the proposed solution for servicing sewer to the site.

The motion passed by a vote 6-1-0, with Ms. Tanner opposed.

V. WORK SESSION

1. Borthwick Forest

Mr. Patrick Crimmins, Tighe & Bond, presented two options for the location of the cul-de-sac: one closest to the development and the other halfway between the development and road entrance. He presented the minimum size cul-de-sac that is required by the subdivision regulations. The development is situated in the area that is already developed. He explained the current water flow patterns and stated that the intent is to retain the existing pattern. He

explained the ways that stormwater and infiltration will be handled. The stormwater from the parking lot would be treated and detained in a gravel area, then discharged as it currently flows. Using onsite best management practices and a simpler road design will help to maintain the current flow patterns.

Mr. Crimmins noted the net buffer impact is 500 s.f. mainly due to removing the existing BBX road and restoring it to a vegetated state. He presented an alternative option to repave and use the existing roadway and explained what improvements and work would be required in that scenario. He noted that extending the cul-de-sac area would provide an opportunity to mitigate the upper area.

Ms. Tanner asked for the rationale to extend the cul-de-sac longer. Mr. Robert Ciandella, DTC Lawyers, replied that the applicant intends to apply for a shorter cul-de-sac. The Commission discussed why the longer cul-de-sac distance was considered and noted that it is difficult to speculate whether or not it would be needed in the future.

Chairman Miller felt that the amount of cutting required to install a rain garden in the southerly corner of the parking lot may not be ideal.

Ms. McMillan mentioned that it would be helpful to have more details regarding the planned restoration for the existing road. The restoration plan was explained that included removing the culvert and filling to match the grade on both sides. It would be filled with seedless wetland topsoil mix and shrubs would be added.

A representative of Environmental Services presented a summary of their observations regarding wildlife activity on the site. In the forested area, typical residential and urban activities were sighted such as, possum, turkey, and fox. The open field side of the site consists of many invasive species and a cottontail was sighted on the easterly corner against the hedge-line near the abutting parcel. He explained how the area poses a challenge for deer to traverse the site given the surrounding major roadways and vast amount of human activity. Ms. Tanner felt that the amount of human activity occurring on the site may not be the only indication that wildlife activity is low. Chairman Miller recalled the 2013 plan for Borthwick Forest and noted that the main concern was in regards to wildlife crossing points on one thru roadway.

Mr. Ciandella noted the applicant plans to submit the option for the shorter cul-de-sac and anticipate an interest from the Planning Board to see a scenario with a longer cul-de-sac. He emphasized the major finding from Environmental Services is there is no heavy wildlife existence.

The Commission preferred to see the buffer restored by removing the existing roadway. Vice Chairman Blanchard suggested to consider the net benefits for cutting to add rain gardens.

Mr. Ciandella asked for input from the Commission regarding the scope of the expedited peer review. The Commission discussed what that would entail and emphasized the consideration for what locations would be best to mitigate for wetland creatures. There was discussion had regarding the wildlife activity in the area.

A site walk was scheduled for April 5, 2017 at 3:30pm.

Mr. Cardin suggested to provide more detail regarding the amphibian habitat of both wetlands.

The consensus of the Commission was to prefer the option for a shorter cul-de-sac.

VI. OTHER BUSINESS

- A. New Hampshire Assoc. of Conservation Commissions dues \$1,059.00 – vote to authorize payment

Ms. Tanner moved to authorize the expenditure, seconded by Ms. McMillan. The motion passed unanimously.

- B. Portsmouth Land Steward Project

Ms. Zamarchi provided an overview of the project and anticipated next course of action. The Commission discussed possible options and programs for training the volunteers to participate in the project. The overarching goal is to increase the amount of information regarding undeveloped parcels that would help to develop a thorough inventory. Ms. Meuse and Ms. McMillan offered to assist with developing the materials.

- C. Other

Mr. Britz noted that the Pease Development Authority is moving forward with a payment from the ARM fund, instead of a mitigation project, as reparation for tree clearing along the airport runway.

VII. ADJOURNMENT

It was moved, seconded, and unanimously passed to adjourn at 6:12 pm.

Respectfully submitted,

Marissa Day
Conservation Commission Recording Secretary

These minutes were approved at the Conservation Commission meeting on April 12, 2017.