

**MINUTES
CONSERVATION COMMISSION
1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE
CONFERENCE ROOM "A"**

3:30 P.M.

MAY 12, 2010

MEMBERS PRESENT: Chairman Steve Miller; Vice Chairman James Horrigan; Members, Allison Tanner, Barbara McMillan, Brian Wazlaw, Mary Ann Blanchard; Catherine Ennis

MEMBERS ABSENT:

ALSO PRESENT: Peter Britz, Environmental Planner

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I. OLD BUSINESS

A. Approval of minutes – February 9, 2010

It was moved, seconded, and passed unanimously to approve the minutes as presented.

Approval of minutes – April 14, 2010

It was moved, seconded, and passed unanimously to approve the minutes as presented.

II. CONDITIONAL USE PERMITS

1. 25 Granite Street
City of Portsmouth, owner
Assessor Map 217, Lot 5

Mr. Bryant Anderson, project engineer with Vanasse Hangen Brustlin, Inc. and Ms. Lisa DeStefano, of DeStefano Architects were present to speak to the application.

Mr. Anderson stated that they were proposing to relocate the existing Alumni Field from Parrott Avenue to 25 Granite Street which was currently the site of the existing Wentworth School. He said the scope of the project was to remove the existing building and parking areas and replace it with a softball field with parking off of Granite Street. There would be approximately 60 spaces for automobiles and 6 spaces for motorcycles. They would also build an 810 square foot concession building located at the end of the parking lot. Mr. Anderson added that they were

proposing a rain garden to collect water from the parking lot, treat it, and collect it in an under drain that would carry the water off of the site.

Mr. Anderson said that there were some impervious areas in the 100 foot buffer area of a wetland that was largely located on an adjacent property to the south. Approximately 10 square feet of the wetland was on the applicant's property. He showed the Commission an existing conditions site plan showing the buffer zone as well as a tree line area along the wetland. He said that the tree line would not be disturbed. Mr. Anderson said there would be about .4 acres of soil disturbance. The final impervious area amount would be approximately 532 square feet and they will be removing 812 square feet of impervious pavement so it would be a slight reduction in impervious area.

Mr. Anderson discussed the list of criteria to be met for a conditional use permit. He stated that the land was reasonably suited for the use since it has been a municipal use in the past and would continue to be a municipal use. It was also an allowed use. As to the location, they have pushed the field as far away as possible to minimize the work within the buffer. He also added that they would be removing impervious pavement and adding a rain garden to treat the new impervious area. Mr. Anderson pointed out that the Department of Public Works asked that they fix an existing swale on the property that was not graded properly by regarding the swale and installing a catch basin. He concluded his remarks by saying that they would not be disturbing any natural vegetation.

Ms. Tanner asked if there would be bikes racks on the property. Mr. Anderson replied yes and showed her on the plan where they would be located.

Vice Chairman Horrigan asked about two existing drains on the site. Mr. Anderson explained that those drains would be removed because they were not needed. He said that new pipe would run under the field and would drain water away from the site. There was considerable discussion about how the water would drain from various areas on the site.

Chairman Miller asked about the proposed trees on the plan. Mr. Anderson showed where they would be planted along with shrubs. He added that the infield would receive sod and outside of those areas it would be loamed and seeded.

Chairman Miller asked how the field would drain. Mr. Anderson said that the field would be graded at about 1% which was standard for a softball field. He showed the Commission on the plan the various areas where the water would drain to.

Mr. Wazlaw asked about the total number of parking spaces. Mr. Anderson explained that there would be 60 spaces for cars, 6 spaces for motorcycles, and 20 slots for bicycles.

Ms. McMillan asked about the trees on the Market Street side of the site. Mr. Anderson pointed out the existing tree line on the plan and said that they would not be touching that area at all.

Vice Chairman Horrigan commented that removing a lot of the impervious pavement on the site was a big plus. He wondered if they had considered using pervious pavement for the parking

area. He said that this facility would not be used in the winter so plowing would not be an issue. He suggested a gravel parking lot or some other pervious material.

Vice Chairman Horrigan had a concern about the trash and debris in the wooded area along Market Street extension. He hoped that as part of the project, the area would be cleaned up.

Vice Chairman Horrigan asked if they would be able to maintain the cluster of trees separating the field and the residential property at 51 Granite Street. He hoped they would be sensitive to that abutter. Mr. Anderson said that they would be pulling some of that vegetation back but they would try to maintain as much of the vegetation as possible.

Mr. Anderson responded to Vice Chairman Horrigan's suggestion regarding the use of pervious pavement. He explained that there was a fairly high ground water table there but it could be used. He said that they were trying to get a good quality storm water system on the site and they felt they could get that with the rain garden.

Ms. DeStefano explained that they were given a budget to plug into the complete project of the middle school. She said that in response to their appearance before the Technical Advisory Committee they have added items to the project such as sidewalks and fencing that were not in the original budget that they were given. She said they were trying their best to keep the numbers in check. Ms. DeStefano said that they did investigate the use of pervious pavement in one area of the lot and the price was fairly steep, \$75,000.00. She felt that the rain garden would meet the needs of improving the site. She agreed that this would have been a great location because of no plowing.

Ms. McMillan asked if there had been discussion about the maintenance of the field. Mr. Anderson said that he understood that the City did not use much in the way of fertilizers. Ms. DeStefano added that DPW would be taking care of the field and would treat it the same as the other fields in the City.

Mr. Wazlaw stated that he was disappointed that the pervious pavement was not seriously considered because this site would have been the perfect place for it. Mr. Anderson replied that it was seriously considered. They felt another low development technique such as the rain garden would be better suited for this location.

Hearing no other discussion, Chairman Miller asked for a motion.

Ms. McMillan made a motion to recommend approval of the application to the Planning Board. The motion was seconded by Ms. Tanner. Chairman Miller asked for discussion.

Chairman Miller agreed that the porous pavement would have been nice but he liked that there would be a rain garden. He did not think this would be there only application for a City recreational field with a parking lot. He could understand the cost factor given the City's budget constraints. He recommended being proactive for the next proposal like this that comes before them.

Chairman Miller suggested that it be noted that the applicant be aware of the use of nutrients and chemicals in the buffer. Mr. Britz recommended that the applicant refer to Section 10.1018.24 of the City's Zoning Ordinance.

Vice Chairman Horrigan wanted to recommend that trash cleanup along the Market Street wooded area be part of the construction process. Chairman Miller thought that the abandonment of the building had contributed to the accumulation of trash.

Ms. Blanchard amended the motion to recommend that the use of fertilizers be consistent with Section 10.1018.24 of the City's Zoning Ordinance and to further recommend that during reconstruction of the project that there be removal of significant material debris on the property.

Hearing no further discussion, Chairman Miller called for the vote.

The motion to recommend approval of the application to the Planning Board with the following recommendations passed by a vote of 5-1 with Chairman Miller, Vice Chairman Horrigan, Ms. Blanchard, Ms. McMillan, and Ms. Tanner voting in favor, Mr. Wazlaw voting in opposition, and Ms. Ennis abstaining:

- 1) That the use of fertilizers be consistent with Section 10.1018.24 of the City's Zoning Ordinance.
- 2) That during reconstruction of the project there is removal of significant material debris on the property.

In follow up conversation, there was discussion about grant funding to help applicants with more advanced storm water alternatives. Vice Chairman Horrigan said that they need to keep bringing up these alternatives at every opportunity. Mr. Britz said that this was a site for a demonstration rain garden and encouraged the Commission to keep an eye on it see how well it functions in its surroundings. He pointed out that they would have a rain garden at the new fire station as well.

III. OTHER BUSINESS

Chairman Miller commented on the legal department memo that the Commission received in their packet concerning discussion groups on Face book. He said that if three or more people are conversing on Face book then it would be considered a meeting.

Ms. Tanner reported on the Sustainability Fair and said that it was suggested that the Commission have a booth at the Piscataqua Waterfront Festival on June 5 from 11:30 a.m. to 4:30 p.m. Ms. Tanner said she would not be available but would be willing to provide pamphlets and flyers for it. Chairman Miller said he would be at the fair so could possibly help to provide coverage of the booth.

Ms. Blanchard reminded the Commission of a letter sent to the Demoulas property owner and other abutting property owners asking that clean up of the wetlands on their properties take place. She said that the conditions have worsened again and she was wondering if anything could be done about it. She asked Mr. Britz to check with the Legal Department to see if an

ordinance could be developed to allow the City to fine property owners who don't adhere to their City approvals.

Vice Chairman Horrigan expressed concern that a car lot and one restaurant were now being proposed for the Meadowbrook Inn site. He refreshed the Commission, for the benefit of Ms. Ennis who was not on the Commission at the time of the review process, what took place for the original proposal for the site. He wondered if the developers were planning to put in the same elaborate storm water system that they originally proposed. Mr. Britz explained that the applicant would now be going to the Board of Adjustment for a totally different use of the site. He said that the conditional use permit they were granted was for the same disturbance of the buffer and they were not changing the areas of impact. He also pointed out that the conditional use permit has been acted upon because they have already done demolition and some site work. Mr. Britz said that the Planning Director's decision was based on the fact that they were not changing the area of impact that they were granted the conditional use permit for. It would still have the same amount of impervious surface that would be going through the same type of treatment.

Vice Chairman Horrigan wondered why they even heard the project. He felt the two long meetings that they had were about the desirability of the project. Ms. Tanner agreed and said this was a gateway to Portsmouth. Mr. Britz said he just wanted them to understand the reasons the Planning Director made the decision he made. The Planning Director's thought was that the project would still need to go through the Planning Board for site review. Vice Chairman Horrigan felt their thoughts should be conveyed to the Planning Director.

Vice Chairman Horrigan felt he had been had. Mr. Britz assured him that all of the protections to the wetlands were intact. He added that the wetland has to be taken care of no matter what goes on the site. Considerable discussion ensued regarding this new proposed use of the site.

Ms. McMillan stated that her concern was that the storm water management of a car dealership was a lot different from the original proposal. She was concerned with the car washing and the fact that they were switching from roof top to parking lot which had different pollutant concerns. She said that all of these required different storm water management than what they originally approved. Chairman Miller commented that maybe these concerns could be voiced with the Technical Advisory Committee.

Ms. Blanchard asked where the application was in the process. Mr. Britz said that it has been before the Technical Advisory Committee but it has been postponed because it was determined that variances were required. Ms. Blanchard asked if it would be helpful for the Conservation Commission to communicate with the Planning Board to let them know of the conversations that were had with the applicant and that the things that were agreed to are still part of the change of activity that is planned for the site.

Vice Chairman Horrigan mentioned that he checked the minutes of the first meeting and the developer's attorney asked the Commission to cooperate with them or otherwise they would put in a used car lot. Mr. Britz said that he remembered that comment as well but what he thought

that comment meant was that they could put in a used car lot because the zoning ordinance allowed it without doing anything in the buffer.

Chairman Miller pointed out that what they were getting from the original proposal was much better than what currently existed. He said he would much rather see the treatments on the site. Vice Chairman Horrigan commented that he thought there was something wrong with the process.

Ms. Blanchard asked if there would be some communication. Chairman Miller said that Mr. Britz has already communicated with Mr. Taintor and will give him the minutes from this meeting. Mr. Britz offered that the Commission could put their concerns in writing to the Planning Board. Chairman Miller said that he would be happy to go to the Planning Board meeting and speak to their concerns. Mr. Wazlaw said he would be willing to accompany Chairman Miller.

III. ADJOURNMENT

At 4:35 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
Conservation Commission Recording Secretary

These minutes were approved at the Conservation Commission meeting on June 9, 2010.