

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

3:30 P.M.

OCTOBER 10, 2012

MEMBERS PRESENT: Chairman Steve Miller; Vice Chairman Mary Ann Blanchard;
Members Allison Tanner, Barbara McMillan, Elissa Hill Stone,
Peter Vandermark, Rich DiPentima; Alternate Shelley Saunders

MEMBERS ABSENT:

ALSO PRESENT: Peter Britz, Environmental Planner

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In the Chairman's absence, Vice Chairman Blanchard convened the meeting at 3:30 p.m.

I. OLD BUSINESS

A. Report on Sagamore Creek Island

This item was postponed to the end of the meeting.

II. STATE WETLANDS BUREAU PERMIT APPLICATIONS

1. City of Portsmouth Presentation
Minimum Impact Expedited Application
Mechanic Street Pump Station Aesthetic Improvements
Assessor Map 103, Lot 30

Mr. Terry Demarais, City engineer was present to speak to the application. He stated that the project was aesthetic improvements to the pump station. He said that they have been working closely with the residents of the South End to come up with a good plan.

Mr. Demarais explained that the project was within the 100 foot tidal buffer zone but that all of the impacts would be temporary. There would be about 250 square feet of impacts. The improvements included landscaping, Belgium block pavers, and fencing. He said that they would be removing the existing pavement and installing the Belgium Block in its place.

Ms. Tanner asked if it would be better to have mulch where the existing grass was. Mr. Demarais said that he could discuss that option with staff.

Vice Chairman Blanchard asked how the project would impact Mechanic Street. Mr. Demarais said that Mechanic Street will continue to be consistent with its current traffic pattern.

Chairman Miller arrived at this point in the presentation.

Ms. McMillan asked if the soil would stay in place. Mr. Demarais said that they might amend the soil where they are installing shrubs but they would not disturb it.

Ms. McMillan commented that it looked like a nice plan but she thought it might be a nice idea to have some infiltration. Mr. Demarais said that the water currently sheds off to the storm drain system or into the river.

Ms. McMillan asked what material would be underneath the blocks. Mr. Demarais said that the blocks would be on a gravel sub base.

Vice Chairman Blanchard recognized that there were people from the South End present to speak in support of the project. She reminded them that it was not a public hearing but she allowed them to give their names for the record. Mr. Alan Gordon of 213 Gates Street and Mr. Dan Decrochers also of 213 Gates Street were present and stated that they were in support of the improvements.

Mr. Vandermark made a motion to recommend approval of the application to the State Wetlands Bureau. The motion was seconded by Mr. DiPentima. The motion passed with a vote of 6-0 with Chairman Miller abstaining.

- 2. Standard Dredge and Fill Application
 Banfield Road ROW, Heritage Avenue to Peverly Hill Road
 City of Portsmouth, owner, Unitil, applicant
 Assessor Map ROW, Lot ROW

There was no one present to speak to the application so Chairman Miller postponed the application to the end of the meeting.

III. CONDITIONAL USE PERMIT APPLICATIONS

- A. 120 Spaulding Turnpike
 Two Way Realty, LLC, owner
 Assessor Map 236, Lot 33
(This item was postponed at the September 12, 2012 meeting.)

Ms. Stone stated that she would be recusing herself from the discussion and vote.

Mr. Eric Weinrieb and Mr. Eric Saari, both of Altus Engineering, Inc. and Mr. Rick and Ms. Jennifer Fecteau, owners of the property were present to speak to the application.

Mr. Weinrieb stated that they were before the Commission in August and presented the proposal. A site walk was held in September. As a result of those two meetings, Mr. Weinrieb said that they were before them with modifications to the proposal. He explained that they have revised the plan to provide a 25 foot vegetated buffer around a particular section of wetland that was of concern to the Commission. He pointed out that it was located behind the building that had housed the business Madeleine's Daughter.

Chairman Miller suggested going right to questions since the Commission was quite familiar with the site and the proposal.

Ms. Tanner stated that one of the requests during the site walk was that no cars be parked in the area that was to become a rain garden. She said that she went by recently and saw cars parked all over the area next to the wetlands. She was concerned because it looked like there was going to be snow storage right up to the edge of the wetland. She did not feel that was an appropriate use of the buffer and she stressed that there needed to be some stewardship of the site.

Mr. Weinrieb responded and said that the owners have been trying to get the site approved for a long time. He said that the City has allowed them to park at the Madeleine's Daughter site until they get this approval. He told the Commission there would be a guard rail to protect the buffer as well as plantings that could handle the snow storage. He also pointed out that the area would be a low sanding area where there would be new car storage so there would be minimal contaminants in that area.

Ms. Saunders asked if the project had been reduced in size. Mr. Saari said that the project had not been reduced in size but that there was a reduction of 750 square feet of pavement.

Mr. Weinrieb stated that they could remove the snow storage from the 100 foot buffer. Mr. Britz pointed out an area on the plan where it could be stored. Mr. Weinrieb was agreeable to that change.

Ms. McMillan explained to the owners the importance of maintaining the parking to minimize the use of salt and sand because the site drained to Hodgson Brook. She encouraged training for the crew who would be maintaining the parking lot. Ms. Fecteau stated she was agreeable to that. Mr. Britz said that he would forward a flyer to Ms. Fecteau about an upcoming training session.

Mr. Vandermark asked how the new snow removal area would be identified as the years go by. Mr. Weinrieb stated that they could post two signs with arrows indicating the snow storage area on the site.

Vice Chairman Blanchard stated that there was a discrepancy between the grading and drainage plan (C4) and the conditional use permitting plan (C5) which did show impact within the 25 foot

vegetated buffer zone. Mr. Saari explained that some of the area of disturbance was additional grading in an attempt to clean it up. He said it would be loamed and seeded.

Vice Chairman Blanchard asked if there was any use intended in the additional 25 foot buffer. Mr. Weinrieb said no and added that they would let it naturally revert back to natural growth.

Ms. Saunders asked who would design the rain gardens and how they would be constructed. Mr. Saari said that he would be designing them. He said that they were intended to be a bit drier than some. He explained in detail about their construction and function.

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

Ms. Tanner made a motion to recommend approval of the application to the Planning Board as presented with two stipulations:

- 1) That the snow storage area outside the buffer shall be clearly marked on the site.
- 2) That the 25 foot buffer shall remain in a natural vegetated state.

The motion was seconded by Ms. Saunders. Chairman Miller asked for discussion. There was no discussion.

The motion to recommend approval of the application to the Planning Board as presented with two stipulations passed by a unanimous 7-0 vote:

- 1) That the snow storage area outside the buffer shall be clearly marked on the site.
- 2) That the 25 foot buffer shall remain in a natural vegetated state.

B. Marjorie Street
 Stratham Acquisitions, LLC
 Assessor Map 232, Lots 37 & 41
(This item was postponed at the September 12, 2012 meeting.)

Ms. Lindsey O'Reilly of Gove Environmental Services and Mr. Christian Smith of Beal Associates were present to speak to the application.

Ms. O'Reilly stated that they were before the Commission in September and were now before them with some revisions to the original plan. Mr. Smith passed out a new plan to the Commission.

Mr. Smith stated that they had added a number of things to the plan. He pointed out three trees that were greater than six inch caliper that would likely have to be removed. He also showed 668 square feet of upland scrub shrub within the buffer that would be removed. He said that they added the detail regarding the area of the existing gravel drive, the area of the proposed gravel

drive and the area of disturbance in the wetland buffer. Lastly he pointed out a shed currently in the 100 foot buffer that would be removed. The total proposed area of disturbance was 2,900 square feet.

The seed mix chosen was the New England Semi-Shade and Forb mix. Mr. Smith explained that it was intended for upland areas.

Mr. DiPentima asked what the purpose of the original drive was. Mr. Smith explained that the drive provides access to an existing lot of record that had frontage on Sylvester Street.

Ms. Stone pointed out some existing shrubs next to the drive and asked if they would remain. Mr. Smith replied yes. She also asked about a weeping willow tree on the property. Ms. O'Reilly stated that it was located right on the property line so they would not be touching it.

Chairman Miller asked what the difference was between the plan in the packet and the plan that was just received. Mr. Smith said the only difference between the two plans was the addition of the line that showed the area of disturbance.

Chairman Miller asked about the trees that were to be transplanted. Mr. Smith said that they were going to try to save the locust tree located the furthest south on the property. He also pointed out a few other smaller trees that would be transplanted as well.

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

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

Vice Chairman Blanchard thanked the applicant for putting in the detail and for responding to the Commission's concerns.

Hearing no other discussion, Chairman Miller called for the vote. The motion to recommend approval of the application to the Planning Board as presented passed by a unanimous (7-0) vote.

I. OLD BUSINESS

A. Report on Sagamore Creek Island

Vice Chairman Blanchard made a motion to adjourn for a non-meeting with counsel. The motion was seconded by Ms. Tanner. The motion passed by a unanimous (7-0).

Vice Chairman Blanchard made a motion to reconvene the meeting. The motion was seconded by Ms. Tanner. The motion passed by a unanimous (7-0) vote.

II. STATE WETLANDS BUREAU PERMIT APPLICATIONS

2. Standard Dredge and Fill Application
Banfield Road ROW, Heritage Avenue to Peverly Hill Road
City of Portsmouth, owner, Unitil, applicant
Assessor Map ROW, Lot ROW

There was no one present to speak to the application but Chairman Miller felt the Commission could move forward with the discussion and vote because the project was before them last month for a conditional use permit.

Ms. McMillan recalled that there were questions regarding invasive species. Ms. Tanner stated that she recalled the applicant saying they would remove them and dispose of them properly.

Chairman Miller commented that they were working as closely to the road as possible.

Ms. Saunders pointed out that they did not discuss the possibility of gas leaks.

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

Ms. McMillan made a motion to recommend approval of the application to the State Wetlands Bureau. The motion was seconded by Ms. Tanner. There was no discussion. The motion passed by a unanimous (7-0) vote.

IV. OTHER BUSINESS

1. Review of Conservation Commission Procedures and Article 10 of Zoning Ordinance

The Commission reviewed the process for reviewing applications.

V. ADJOURNMENT

At 5:00 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 December 12, 2012.