

**MINUTES
CONSERVATION COMMISSION**

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

3:30 P.M.

APRIL 10, 2013

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

MEMBERS ABSENT: Barbara McMillan

ALSO PRESENT: Peter Britz, Environmental Planner

I. OLD BUSINESS

A. Approval of minutes – March 13, 2013

The approval of the minutes was postponed to the May 8, 2013 meeting.

II. CONDITIONAL USE PERMIT APPLICATIONS

1. 50 Martine Cottage Road
Jean R. Johnson, owner
Assessor Map 202, Lot 16

Request to postpone to the May 8, 2013 meeting.

It was moved, seconded, and passed unanimously (7-0) to postpone the application to the May 8, 2013 meeting.

2. 2355 Lafayette Road
Alissa C. Bournival, owner
Assessor Map 272, Lots 7 & 9-6

Mr. Eric Weinrieb of Altus Engineering and Mr. Michael LeClair, consultant for the applicant was present to speak to the application. Mr. Weinrieb distributed a revised plan to the commissioners showing a slight modification. He stated that the applicant was proposing a four wheel drive test track on the property.

Ms. Saunders arrived at this point in the meeting.

Mr. Weinrieb stated that the purpose of the four wheel drive test track was for vehicles to have an "off road" experience in a controlled area. He said that the area would be fully fenced and gated. He pointed out that the revision was a change to the fence design. Originally they were

proposing a split rail fence but are now proposing a nautical themed fence. Mr. Weinrieb also pointed out that they would have a wood chipped area at the low point of this site. This was a condition of the Technical Advisory Committee approval. There would be other wood chipped areas to control erosion and sediment from tracking onto the paved surfaces.

Mr. Weinrieb noted that there was very little activity within the buffer area. He said there was no activity within the 25 foot buffer area. In the 50-100 square foot buffer there would only be 150 square feet of impact on one of the parcels and 5,000 square feet on the other parcel. There would be no cutting of vegetation which included a shrubbery area in the middle of the site. He added that no excavation was permitted as part of the project.

Ms. Tanner asked if there was any concern with drainage and the wood chips proposed in the low lying area. Mr. Weinrieb said that water will flow through the wood chips. Ms. Tanner pointed out that wood chips can create a dam and stop the flow of water.

Mr. Vandermark asked if the only work was the placement of the wood chips and the fence. Mr. Weinrieb replied yes and added that they would be installing two locking gates as well. He said this was low impact site development.

Ms. Saunders asked if there would be any displacement of animal habitat. Mr. Weinrieb said that there is habitat as they have seen turkey and deer in the area. He noted that the animal activity would be limited in the daytime areas when the track would be used. Mr. LeClair added that was one of the reasons for the roped fencing so that no animals would get trapped inside the confines of the course.

Mr. DiPentima asked about the course maintenance. Mr. Weinrieb stated that it would not be plowed and that driving would be restricted to the fenced area. The wood chips would need to be monitored and the owner would inspect the grounds on a weekly basis. The owner would also submit site photographs to Mr. Britz every three months confirming that the site is stable.

Chairman Miller asked that given the size of the lot, what prevents the plan from staying out of the buffer completely. Mr. Weinrieb said that it would require more clearing. He felt that with this plan they were proposing a substantial buffer. Chairman Miller clarified that the project was totally out of the limited cut and no cut zone. Mr. Weinrieb said yes.

Chairman Miller commented that this was an unusual application for the Commission and so he wanted to have a good understanding of what the decision for this application would mean for the Conservation Commission.

Mr. LeClair explained that the Bournival staff has received certified training from an off road organization called Tread Lightly which is supported by both the Department of Transportation and the Forestry Service.

Vice Chairman Blanchard asked if a Bournival sales person would be in the vehicle with the test driver. Mr. LeClair responded yes and that all sales people will be trained.

Mr. Vandermark asked if any vehicles would be stored inside the test track area. Mr. LeClair replied no and added that the gates would be locked after hours and unlocked only when there needs to be access to it during business hours.

Mr. Weinrieb stated that they would have to get a variance for the project because the test track was considered an accessory use.

Ms. Saunders asked about the nearby invasive species and asked if the cars would be washed after test drives to prevent any seed spreading of invasive species. Mr. Weinrieb said that the cars are washed regularly.

Ms. Stone asked if the use of the track would be seasonal or all year round. Mr. Weinrieb said it would be in use year round.

Mr. DiPentima also commented that it seemed like there was a way to avoid the entire buffer zone with a different plan. Mr. Britz said that he recommended seeing how the track works as it is without having to do additional clearing. He said that if it turns out that they are creating ruts and other problems then they would have to come back before the Commission to correct the problems.

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

Mr. DiPentima made a motion to recommend approval of the application to the Planning Board with Mr. Britz's recommendations stated in his department memo which were as follows:

- 1) That defined travel ways are provided in the wetland buffer to limit the potential amount of disturbance.
- 2) That the area within the wetland buffer is planted with native grasses or groundcover or covered with wood chips.
- 3) That the applicant conducts quarterly inspection reports which will include: a short description of the approximate frequency of track usage, overall maintenance activities which have occurred for the track, and photographs of the track. The reports will go to the Environmental Planner who will provide the results to the Conservation Commission. If activity on the site is found to be creating erosion evidenced by bare soil, the applicant shall document and provide a solution or re-route the track to stay out of the wetland buffer. If after a year of reporting the Conservation Commission is satisfied with at least three successive monitoring reports no further action is necessary.

The motion was seconded by Ms. Tanner. Mr. Britz then proceeded to go over each stipulation with the applicant since they had not seen his recommendation memo.

Ms. Saunders commented that this application was setting precedence. She felt she needed to be sold a bit more on the positive impact of this project.

Ms. Stone said that she had a concern that it was a commercial enterprise for profit and not a residential proposal.

Chairman Miller said he was wrestling with it too but he was pleased that the project stayed out of the no cut zone.

Ms. Tanner said that her concern was the use of the impervious surface. She also stated that that the lot could be used for something else, if this use was not approved.

Ms. Saunders stated that she was all about innovation and cutting edge, but when you look at the environmental side of it, she was not sold.

Vice Chairman Blanchard stated that this was one of the least managed parcels. She pointed out the massive amount of cutting that has taken place with the Route One overpass. She said she would support the motion with the stipulations.

Ms. Stone said that she was not in favor of any new impervious surfaces and another use for the site would be considerably more destructive, so she said she would support the motion.

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

The motion to recommend approval of the application to the Planning Board with the following stipulations passed by a vote of 6-1 with Ms. Saunders voting in opposition:

- 1) That defined travel ways are provided in the wetland buffer to limit the potential amount of disturbance.
- 2) That the area within the wetland buffer is planted with native grasses or groundcover or covered with wood chips.
- 3) That the applicant conducts quarterly inspection reports which will include: a short description of the approximate frequency of track usage, overall maintenance activities which have occurred for the track, and photographs of the track. The reports will go to the Environmental Planner who will provide the results to the Conservation Commission. If activity on the site is found to be creating erosion evidenced by bare soil, the applicant shall document and provide a solution or re-route the track to stay out of the wetland buffer. If after a year of reporting the Conservation Commission is satisfied with at least three successive monitoring reports no further action is necessary.

III. OTHER BUSINESS

Mr. Britz explained to the Commission how the Planning Department handles the abutter noticing process and requests for postponements.

IV. ADJOURNMENT

At 4:15 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 12, 2013.