

**MINUTES OF THE NEW CASTLE CONSERVATION COMMISSION**  
**Tuesday, May 1<sup>st</sup>, 2018 – 5:00 p.m. (Town Hall)**

**Members Present:** Lynn McCarthy, Chair, Conni White, Vice-Chair, Rebecca Audet, Beth Barnhorst, Darcy Horgan, Brian Mack, Bill Marshall, Ron Pascale, Jim Rini, Brandon Tanguay.

**Members Absent:** None.

**Others Present:** Lindsay Edgett (Cottom), 110 Beach Hill Rd.; Lisa Paquette, Realtor; Matt Randall, Civil Works NE; Marilyn and Ken Walker, Londonderry, NH.

**1. Approve Minutes.**

Ms. McCarthy called the meeting to order at 5:05 p.m. and asked attendees to sign in. Mr. Rini made a motion to approve the April minutes as written. Ms. White seconded. The motion carried unanimously.

**2. Work Session / Applications.**

Marilyn and Ken Walker, currently residing in Londonderry, New Hampshire, were present along with their realtor, Lisa Paquette, and engineer Matt Randall, of Civil Works NE, for a work session concerning construction plans for 32 Walbach Street (Tax Map 18, Lot 57). The Walkers are currently negotiating the purchase of the house from owners Gary and Josephine Varrel. Should the Walkers purchase the property, they would like to tear down the existing house, and build a single family residence within the 100 foot tidal buffer zone.

Mr. Randall presented a general blueprint of the proposed house, and noted that much of the current gravel space on the lot would be replaced with green space. The construction plans have qualified for a Minimum Impact Expedited Permit from the New Hampshire Department of Environmental Services (NHDES) because the existing structure was previously developed in the buffer tidal zone. Furthermore, Mr. Randall noted that the lot is hydrologically disconnected from other resources because of existing retaining walls, measuring 3.5 feet and 8 feet in height. Mr. Randall also stated that a Shoreland Impact Permit has already been submitted to the NHDES.

The current lot coverage is 59% impervious surface, which would be reduced by 22% based on the Walkers' proposed plan. The proposed house would be orientated differently than the existing structure, and a portion of the house would be roughly 5 feet closer to the buffer zone. The garage portion would be pulled outside of the 100 foot buffer. The driveway is currently an impervious surface, and the proposed plan would have asphalt for the surface of the driveway, a portion of which would be in the buffer zone.

Commission members began discussing the proposed construction. Ms. White strongly recommended using a pervious surface for the new driveway, and urged the prospective homeowners to explore options such as crushed stone for the driveway. Mrs. Walker commented

that she and her husband would be open to the idea, but were concerned about the cost and maintenance of a crushed stone driveway, especially during the winter months that require snow removal.

Ms. Barnhorst voiced concern about the management of storm water on the property, especially during big storms. Ms. Horgan added that the issue would be how runoff water from the property affects the neighborhood and Walbach Street. Ms. McCarthy noted that putting grass down on the lot would help with better water absorption. Ms. Barnhorst asked if the Walkers have considered adding gutters when they build the house, which Mrs. Walker says they plan to have as long as the Town Historic District Commission did not object.

Based on the proposed construction, Mr. Pascale asked if blasting would be needed to create a full basement, as indicated in the plans, in lieu of the crawl space that currently serves as the basement. Should blasting be required to construct the full basement, he questioned whether this would create the potential for more water in the basement. Mr. Randall was not sure if blasting would be necessary, and noted that the Walkers still need to consult with the Town Building Inspector and present their plan in front of the Planning Board.

Commission members provided feedback as to the steps ahead for the Walkers, should they purchase the house at 32 Walbach Street. When the Walkers come before the Conservation Commission with their application, the Commission will need a finalized blueprint of the house, as well as landscaping plans. The Walkers were encouraged to use rain gardens and native plants in their future landscaping plans. The Commission would like to see as much water being absorbed by these plants as possible. Mr. Mack added that he would like for the blueprint to show depth details if blasting is necessary during the construction phase. He pointed out that the Commission will want to know how water will get out of any cavity created by blasting on the property. Mr. Randall stated that such plans could be addressed in Condition of Approval when the Walkers present their application in front of the Commission.

Ms. Horgan provided a copy to the Walkers of the new Town Ordinances being proposed at the annual Town meeting on May 8<sup>th</sup>. The Ordinances regarding lot coverage and impervious surface requirements were specifically brought to the attention of the Walkers, as these will likely have an impact on their construction plans for 32 Walbach Street.

Mr. Rini motioned to approve the Conservation Commission's review of the Minimum Impact Expedited Permit for the NHDES application dated March 29, 2018, with the plan submitted by Civil Works NE dated April 6, 2018, for 32 Walbach St. (Map 18, Lot 57). Ms. Barnhorst seconded. The motion carried unanimously. Mr. Randall will proceed with submitting the Minimum Impact Expedited Permit to the NHDES.

In the next work session, Lindsay Edgett was present to discuss the installation of a hot tub at 110 Beach Hill Road, where she resides with her husband, John Cottom. Ms. Edgett would like to install a salt water hot tub, with crushed blue stone and a rock French drain around the tub. Because the majority of the house falls within the 50 foot wetlands buffer zone, the proposed site of the hot tub would also be within the 50 foot buffer zone.

Ms. White warned that given the rising sea level, her property will likely be affected, with water potentially coming up five to eight feet in the next decade or so. She pointed out that it may not be worth the investment of installing a hot tub if water in the wetlands rises as predicted. Ms. Barnhorst added that she is concerned about the type of hot tub that would be used, as well as how water that comes out of the tub would be controlled. She noted that the water would need to be drained into a barrel and then tested to ensure a neutral pH level.

Mr. Mack inquired about the square footage of the proposed hot tub. Ms. Edgett brought in several ideas of designs, with one in particular being 390 gallons and measuring 49" in height. The tub's height from the ground would be roughly 12". Ms. Barnhorst expressed concern over the potential for children to fall into the hot tub, given the low height from the ground.

Ms. Horgan pointed out that anything over 18" in height above ground is considered to be a structure, and structures are not allowed to be built within the 50 foot setback zone, per Town Ordinance. Ms. Edgett would need approval from the Zoning Board of Adjustment and the Planning Board. Ms. Horgan suggested putting the hot tub outside the 50 foot buffer zone. Ms. Edgett commented that she had explored this option, but it would mean that the hot tub would have to be in the front yard or next to the neighboring house.

Mr. Mack asked how the hole would be dug where the hot tub would be placed. He questioned whether the hot tub could be placed on top of the existing patio, since that is an impervious surface that already exists within the buffer zone.

Commission members concluded that the hot tub would need to be installed any place on the property that is outside of the 50 foot setback and the 100 foot tidal buffer zone.

### **3. Unfinished Business.**

Ms. Barnhorst motioned to go into a non-public session under RSA 91-A.3 (L) to continue consideration of legal advice. Mr. Rini seconded. The motion was unanimously voted on at 6:16 p.m.

Mr. Mack motioned to move back into a public session. Mr. Pascale seconded. The motion was approved unanimously at 6:43 p.m. Ms. Barnhorst motioned to seal the minutes from the non-public session RSA 91-A.3 (L) concerning consideration of legal advice. Mr. Tanguay seconded. The motion carried unanimously.

### **4. New Business.**

Commission members received a draft of a letter that Ms. Audet had composed last month. The letter would be sent to new homeowners that live on wetlands in New Castle, and would inform them of the responsibilities they have to help maintain a healthy ecosystem. Ms. Horgan stated

that she had some changes to make. Ms. White, Ms. McCarthy, and Ms. Horgan will revise the letter ahead of the next meeting.

**5. Announcements.**

None.

**6. Adjourn.**

Mr. Rini moved to adjourn the meeting. Mr. Pascale seconded. The motion carried, unanimously, and the meeting adjourned at 6:46 p.m.

Respectfully Submitted,

Meghan Rumph