

**MINUTES OF THE NEW CASTLE CONSERVATION COMMISSION**  
**Tuesday, July 2<sup>nd</sup>, 2019 – 5:00 p.m. (Town Hall)**

**Application for applicant Penhallow NC LLC, for property located at 157 Little Harbor Road, Tax Map 2, Lot 24.**

**Work session for applicant Ruth Gray for property located at 120 Wild Rose Lane, Tax Map 3, Lot 88 to build a new house on the already developed lot.**

**Members Present:** Conni White, Chair, Lynn McCarthy, Vice-Chair, Beth Barnhorst, Tom Chamberlin, Brian Mack, Bill Marshall, Jim Rini.

**Members Absent:** Darcy Horgan, Ron Pascale, Brandon Tanguay.

**Others Present:** Steve Riker, Ambit Engineering, 200 Griffin Rd. Unit 3, Portsmouth, NH; William Ross, William Ross Design, 405 Southside Rd., York, ME.

Chair White called the meeting to order at 5:08 p.m. and asked attendees to sign in.

**1. Work Session / Applications.**

**A. Application for applicant Penhallow NC LLC, for property located at 157 Little Harbor Road, Tax Map 2, Lot 24.**

Steve Riker of Ambit Engineering presented the application for the home, which currently has a cobblestone driveway. The site has a dry-laid wall with manufactured block, a stone patio with a set of steps, and a depressional area with stones and rocks. There is a granite block impervious paver walkway on the west side of the building, and a concrete pad where the utilities are on the east side of the house.

Mr. Riker outlined the improvements being proposed, which amount to 1,505 square feet of permanent impact and a 27 square foot reduction of impervious surface area on the site. The proposal includes converting the concrete pad and the walkway to pervious paver surfaces and removing the stone patio and replacing it with a four foot high deck. The deck will be slightly larger but will not be closer to the water. The existing dry-laid block retaining wall will be straightened out, as it is currently curved. The wall will remain dry-laid and not mortar.

Furthermore, the stones in the depression will be configured to have stone seats and a stone firepit, which will be dry-laid and composed of all-natural materials. There is also a proposed set of stairs to allow foot traffic to the beach. Landscaping plans include the removal of a 14 inch scotch pine tree, which will be replaced with a four inch caliber native tree nearby. A 60 square foot native shrub planting area will go in as well. There currently is no planting area on the property.

Ms. Barnhorst commented that she would like to see some buffer planting along the edge of the property. Mr. Riker pointed out that this could be difficult given that the area is along ledge. Ms. McCarthy noted that she would like the tree that will replace the scotch pine to be salt-water tolerant given its proximity to the water. Ms. Barnhorst asked how much lawn would be removed in the process, and added that she would like to have some grasses down on the edge. Mr. Riker replied that there is not much lawn to begin with, and there would not be much removed. Ms. McCarthy inquired if heavy equipment would be necessary to create the rock seats. Mr. Riker did not feel heavy equipment would be needed, and added that Bob Gray Construction in North Hampton would be doing the work. The seats would be created by restacking the rocks that are already there, so there would be no need to add stones. Mr. Rini expressed concern about moving rocks for the firepit, to which Mr. Riker commented that it is a depressional area and the soil is very shallow. Ms. McCarthy emphasized that Gray Construction should not put in any heavy equipment in the 50 foot buffer zone.

On behalf of the applicant, Mr. Riker is seeking a Department of Environmental Services (DES) minimum impact expedited petition, as well as recommendation for the New Castle Planning Board for a conditional use permit. He noted that the outside improvements are small and minor, whereas the inside of the home has been gutted.

Ms. White felt that the net effect of anything being done to the yard is zero given the 60 square foot buffer planting area being proposed. She recommended a \$5,000 bond to put in the buffer plantings. She would also like to see a planting area around the granite steps by the deck, and encouraged Mr. Riker to recommend this to the landscaping architect. Mr. Mack stated that he would like to see a  $\frac{3}{4}$  inch stone drip edge underneath the deck at a depth of one foot.

*Mr. Rini motioned to recommend approval of the plans for the Kelly residence at 157 Little Harbor Road, dated 05/14/2019, with the following conditions: 1)  $\frac{3}{4}$  inch stone be placed under the entire deck at a depth of one foot; 2) that the plantings in the 60 square foot area be native; 3) the tree with a four inch diameter trunk be native and salt-water tolerant; 4) native plantings within the 50 foot buffer be placed on either side of the granite depression; 5) no heavy equipment shall be utilized; 6) a bond of \$5,000 shall be held in escrow; and 7) the Conservation Commission has the right to return in one year to assess whether the above conditions have been met. Ms. McCarthy seconded. The motion passed unanimously.*

**B. Work session for applicant Ruth Gray for property located at 120 Wild Rose Lane, Tax Map 3, Lot 88 to build a new house on the already developed lot.**

Mr. Riker of Ambit Engineering and Mr. Ross of William Ross Design presented the plans to build a new house on the old Jody White property within the 250 foot shoreline buffer zone. The existing lot consists of a single-family home with a detached garage and a driveway with a loop. Mr. Ross commented that the intention is to keep the driveway where it is currently located, and have it be shared with the adjacent lot purchased by the Grays. The plans depict the 75 foot wetland buffer, which Mr. Riker called the septic envelope. This denotes the areas where a septic system can be placed to meet all requirements.

A site walk was previously held at the property with the Conservation Commission. Mr. Riker notes that per the suggestions from the Commission, the applicant has hired an arborist. The

arborist has marked the trees that will be removed on the site due to disease, old age, or being located where the house will be built. Mr. Riker assured that any tree cutting will conform with the New Castle tree ordinance and grid scores will be done when removing the trees. The applicant would like to save two big pine trees in the front yard since they provide nice shade, according to Mr. Ross. The root system of those trees would not be disturbed by the proposed construction.

The current house includes a 2.5 bay garage. The proposed garage would use approximately 5/8 of the footprint of the existing garage, and would be 40 feet from the wetland to the corner of the building. The plans call for a two-car garage with a third bay for other items. The garage doors will be located directly in front of the driveway. Mr. Ross noted that the house will be raised to meet FEMA regulations, and that the new elevation will be 14.5 feet, where 9.4 feet is required. Mr. Ross stated that the buildable footprint depicted on the plans incorporates the existing decks and setbacks. The applicant is proposing to utilize more buildable space to make the structure less nonconforming. The Grays are considering an all wood deck. The proposed deck width would be 12 feet, and it would remain four feet above ground. There will be drainage all around the deck and gravel under deck. In addition, there will be masonry down to the ground with stone veneer on the front. Ms. White asked about how water will be mitigated coming off the deck. Mr. Ross commented that the landscaping architect will be putting in buffer plantings to address this concern. The Grays would like the overall look of the lot to be as natural as possible.

Ms. White would like to have another site walk once the landscaping plan is completed by Robbi Woodburn of Woodburn & Company Landscape Architecture, and once Mr. Ross finalizes his design plans. She would like to have the site walk before the application comes before the Conservation Commission again for a vote. Overall, Ms. White felt that volume-wise, the proposed structure is larger than the existing structure, and she recommends pushing in the garage more.

## **2. New Business.**

None.

## **3. Unfinished Business.**

Ms. White motioned to go into a non-public session under RSA 91-A.3 (L). Ms. Barnhorst seconded. The motion was unanimously voted on at 6:08 p.m.

Mr. Rini motioned to move back into a public session. Ms. McCarthy seconded. The motion was approved unanimously at 6:36 p.m. Ms. McCarthy motioned to seal the minutes from the non-public session RSA 91-A.3 (L) concerning consideration of legal advice. Mr. Rini seconded. The motion carried unanimously.

## **4. Announcements.**

None.

**5. Adjourn.**

Mr. Rini moved to adjourn the meeting. Ms. McCarthy seconded. The motion carried, unanimously, and the meeting adjourned at 6:37 p.m.

Respectfully Submitted,

Meghan Rumph