

**Planning Board Meeting**  
**7:00 p.m. Town Hall**  
**Wednesday, October 24, 2018**

**NOTE: The September 2018 meeting of the Planning Board was canceled.**

**Members Present:** Kate Murray, Rich Landry, Lorne Jones, Bill Stewart

**Others Present:** Steve Riker

**Members Absent:** Darcy Horgan, Margaret Sofio, Tom Hammer

Acting Chair Bill Stewart opened the meeting at 7:14 p.m and indicated that the voting members are those members who are present: himself, Ms. Kate Murray, Mr. Rich Landry, and Mr. Lorne Jones.

**1. Public Hearing for a Conditional Use Permit for applicant Louise K. Greene, 21 Vennards Court, Map 12, Lot 4 to construct a puncheon style crossing structure within the jurisdictional wetlands to provide an adequate crossing for a walking trail to Pit Lane within the 100-foot wetland buffer under the New Castle Zoning Section 9.2.5.**

Mr. Steve Riker, Wetland Scientist, Ambit Engineering, representing applicant Louise Greene, described the proposal for a trail to cross wetlands. An NH DES permit has been granted, and a positive recommendation was secured from the Conservation Commission prior to the current application to the Planning Board for a Conditional Use Permit for a structure within the wetlands.

Mr. Riker identified the site on the map and the trail location on the plan drawing and referred to a manual, *Best Management Practices for Erosion Control During Trail Maintenance and Construction*, published by the New Hampshire's Department of Resources and Economic Development, which provides instruction for the building of trails through wetlands.

Citing puncheon style construction for trails crossing wetlands described in the manual, Mr. Riker explained that it uses wooden stringers on the ground, positioned parallel to the water flow, as the foundation for the walking surface in order for the water to flow under.

The trail, sited on private property, would create a shortcut for the property owner to access the Commons or the library. The length of the "boardwalk" is about 120 feet. Acting Chair Stewart described that the applicant had proposed a trail crossing about five years ago, but the project didn't materialize at that time.

Responding to questions from the Board, Mr. Riker indicated that:

- the trail did not establish a precedent for a future private road or subdivision

- the sections can be placed and removed by hand, without the need for machinery
- the trail is sited greater than 20 feet from the shared boundary, per DES rules

Board members discussed the extent to which the subject area floods. It is connected via culvert to the other side of Pit Lane and ultimately to Lavenger's Creek. The wetland elevation is between 8 and 10 feet and can fill with water.

Ms. Murray asked whether the Board wanted to stipulate maintenance. Acting Chair Stewart thought that, based on the proposed construction, there wasn't a need, although it would be important that the materials didn't move and create a dam elsewhere in the wetland.

Acting Chair Stewart read the Notice of Decision from the Conservation Commission which included their recommendation for approval pending additional conditions:

- The applicant must make every effort to keep the wetland in its natural state.
- The materials (wood) used should not be treated with chemicals.
- Recommended use of either 2" X 6" or 2" X 8" support stringers under the 4"X 4" stringers, as shown in Drawing A, dated September 4, 2018, in order to help avoid settling of the walkway.
- No heavy equipment used in or within 50 foot of the wetland.
- \$1000 security deposit to insure proper construction and area returned to its natural state post-construction. The security deposit will be released upon verification of the above construction conditions pursuant to a satisfactory post-construction site visit by the New Castle Conservation Commission.

Acting Chair Stewart read the comments received by the Board, consisting of one letter, from abutter, neighbor, Carol White, 40 Vennard's Court who supported the project without reservation.

At 7:39 p.m., Acting Chair Stewart opened the hearing for public comment.

Members discussed the added condition that no soil be removed.

Noting that the Town Ordinance, Section 9.2.6.1 stipulates "the construction of footbridges, boardwalks and wharves only may be erected within the Wetlands Conservation District, provided: (1) said structures are constructed on posts or pilings so as to permit the unobstructed flow of water; (2) the natural contour of the wetland is preserved; and (3) the Conservation Commission has reviewed the proposed construction" members agreed that the puncheon style was a more desirable method than pilings for the proposed trail. Mr. Riker affirmed that the puncheons will not obstruct water flow. Since there will be no soil removal, the natural contour will be preserved. The Building Inspector did not indicate the need for a variance.

Wildlife movement likely will not be impeded; it is likely the deer will use the boardwalk and amphibians will be able to cross.

Hearing no further comment, Acting Chair Stewart closed the public hearing at 7:44 p.m.

Members supported the proposed plan.

*Ms. Murray moved to accept a Conditional Use Permit for Louise K. Greene, 21 Vennards Court, Map 12, Lot 4, for trail development per the plan dated August 7, 2018, with the following stipulations.*

- 1. The applicant must make every effort to keep the wetland in its natural state.*
- 2. The materials (wood) used should not be treated with chemicals.*
- 3. Either 2" X 6" or 2" X 8" support stringers should be used under the 4"X 4" stringers, as shown in Drawing A, dated September 4, 2018, in order to help avoid settling of the walkway.*
- 4. No heavy equipment used in or within 50 feet of the wetland.*
- 5. \$1000 security deposit to insure proper construction and area returned to its natural state post-construction. The security deposit will be released upon verification of the above construction conditions pursuant to a satisfactory post-construction site visit by the New Castle Conservation Commission.*
- 6. No soil removal.*

*Mr. Landry seconded the motion. The motion carried unanimously.*

## **2. New Business**

### **a. Template Motion**

Mr. Landry offered to write-up a template for the wording of motions.

### **b. Lavenger's Creek Work**

A meeting was held to discuss the status of Lavenger's Creek including its designation as a Prime Wetland. Additionally, the group discussed the Town's appeal of a DES-issued dock permit for Lavenger's Creek. The appeal, primarily on grounds of its environmental impacts, is scheduled for January 7 or 8, 2019 and attendance, testimony, and emails to State Reps (with copies to DES) are actions that residents may take to oppose construction of the dock.

## **3. Adjourn**

*Ms. Murray moved to adjourn the meeting. Mr. Landry seconded and the motion carried unanimously.*

The meeting adjourned at 8:04 p.m.

Respectfully Submitted,

Anne Miller, Secretary

