

**MINUTES OF THE NEW CASTLE CONSERVATION COMMISSION
Tuesday, November 5th, 2019 – 5:00 p.m. (Town Hall)**

Application for Conditional Use Permit for work at 129 Wild Rose Lane.

Application for replacement of the structure located within the 250 foot shoreline buffer zone at 120 Wild Rose Lane.

New deck within 100 foot shoreline buffer zone at the Beckett residence, 4 Quarterdeck Lane.

Members Present: Conni White, Chair, Beth Barnhorst, Tom Chamberlin, Darcy Horgan, Brian Mack, Bill Marshall, Ron Pascale, Jim Rini.

Members Absent: Lynn McCarthy, Vice-Chair, Brandon Tanguay.

Others Present: Marcia and Robert Beckett, 4 Quarterdeck Lane, New Castle, NH; Caitlin Campbell, 129 Wild Rose Lane, New Castle, NH; John Chagnon, Ambit Engineering, 200 Griffin Rd. Unit 3, Portsmouth, NH; Corey Colwell, TFMoran, 170 Commerce Way, Portsmouth, NH; Larry Gray, 5 Curriers Cove, Portsmouth, NH; Vicky Martel, Woodburn & Company Landscape Architecture, 103 Kent Place, Newmarket, NH; 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 5:05 p.m. and asked attendees to sign in. Ms. Barnhorst made a motion to approve the October minutes as written. Mr. Chamberlin seconded. Motion carried unanimously.

1. Applications.

A. Application for Conditional Use Permit for work at 129 Wild Rose Lane.

Engineer Corey Colwell from TFMoran presented the plans on behalf of Porthaw Realty Trust. There are four main parts of the proposed project. The first is to construct a 270 square foot wood frame porch, of which 204 square feet would be enclosed. The second is to build a 560 square foot wrap-around deck, with two stairways leading to ground level. One set of stairs would lead to a proposed path, and the other would be on the west side of the deck. The third part of the proposal is to have a three foot wide pathway leading from the deck to the beach. Mr. Colwell noted that the property is on the Piscataqua River and that the backyard is currently all lawn. The Applicants would like a walkway to prevent walking on the lawn. There would be a proposed wooden footbridge that would sit about one foot above the ground across from the wetland. Lastly, the Applicants are proposing grading changes. The septic system in the back

sticks above the ground by approximately four feet and is within the 50 foot wetland buffer. Mr. Colwell is proposing to remove the septic system and put it outside the 50 foot buffer. The system would be Enviro and would have a new tank. The grading in the buffer would be primarily to remove the septic system, which would allow storm water to continue to flow over the yard and eventually into the wetland. There is also a proposed one foot high berm made of earth to help control the storm water in the drainage ditch that runs along the north side of the property. The berm would prevent flooding and ponding in the yard without being so high as to allow water onto neighboring lots. The lot coverage with the proposed additions would be 15.5%, which is under the 20% coverage requirement.

Mr. Colwell highlighted the Conservation Commission's main comments on the October 15 site walk. Members suggested pulling the proposed path further away from the wetlands. The Applicants have agreed to maintain at least 10 feet between the wetland and the path. Mr. Colwell was unsure of what the path would be made of, but noted it would be a permeable material. Native plantings will be added between the proposed path and the wetland. There will also be native plantings in the area off the side of the house where the sump pump drains. Much of the lawn would be removed and replaced with native plantings. A landscaping plan will be provided in the future.

The sump drain will be fixed so that the pump will not go into the wetland. The discharge would remain close to the house, but there would be a six foot deep swale to allow for the discharge. The swale would provide treatment so the discharge is not directed straight into the wetland. The berm thickness is a maximum of one foot. Ms. White asked whether the proposed berm will wash away in a major storm event. Mr. Colwell said that the plants and existing stone wall will keep the berm from washing away during a storm. Lastly, the Applicants have agreed to move the propane tank that was installed in 1997 by the previous owners out of the wetland buffer. The tank will move from 25 feet to 80 feet away from the wetland buffer. Mr. Colwell does not yet know if the tank will be above or below ground, but stated that it would likely remain 500 gallons in size.

Members discussed the culvert, as Ms. Campbell commented that she was sent a letter by the Town informing her that it was her responsibility as the homeowner to keep it cleared. Ms. White noted that saltwater will help get rid of phragmites and keep the culvert flushed out. Ms. White will need the landscape budget before the final approval so that the Conservation Commission can recommend a bond amount to the Planning Board. Ms. Campbell noted that she has a landscaper she plans on using, and that planting will begin in the spring. Overall, Ms. White felt it was a tremendous improvement.

Mr. Rini motioned to recommend approval of the plan for 129 Wild Rose Lane, owned by the Porthaw Trust, plans dated October 28, 2019, with the understanding that a planting plan will be submitted subsequently. Mr. Chamberlin seconded. Motion carried unanimously.

Ms. White will write a letter to the Zoning Board Chair so that the Applicants can move forward in the application process.

B. Application for replacement of the structure located within the 250 foot shoreline buffer zone at 120 Wild Rose Lane.

Mr. Chagnon of Ambit Engineering, Mr. Ross of William Ross Design, and Ms. Martel of Woodburn & Company Landscape Architecture presented the plans for structure replacement within the 250 foot shoreline buffer zone at 120 Wild Rose Lane. The Applicants came before the Commission last month with a landscape design, which has not changed significantly. There are trees that will need to be removed for the leach field, while other trees will be removed because an arborist has determined that they are in poor health. Mr. Chagnon presented a plan which notes where the existing trees are and what trees will be removed. Ms. Martel presented a planting list with pricing.

Mr. Chagnon has submitted the wetland and shoreland applications to the NHDES. The Applicants require Conservation Commission recommendation for the Wetland Bureau and the Planning Board to obtain a conditional use permit. At the previous meeting, the Commission had asked for the comparison exhibit to be revised, which Mr. Chagnon has done in order to show what will remain impervious, what will go from impervious to pervious, and what pervious surfaces will become impervious. He noted that there will be an overall reduction in total impervious surface area, both within the entire lot and within the 250 foot shoreland zone. There would be 5,005 square feet of impact in the New Castle buffer area from the freshwater wetland in the back of the home. In front of the house, there would be 3,639 square feet of impact in the New Castle buffer 50 feet from the freshwater wetland in the low part of the yard. There would also be 2,122 square feet of impact in the NHDES tidal buffer zone. The project has a minor temporary direct wetland impact of 30 square feet in order to take power from the pole in the wetland and run it to the house. Mr. Chagnon added that there is proposed grading for part of the septic system and the path out to the harbor.

The area of use cannot feasibly be carried out on portion(s) of the lot outside of the Conservation Commission district because of the freshwater wetland and surrounding harbor. The Applicants are seeking to place a new structure where impervious areas were from the previous structure. Mr. Chagnon argued that the application is for redevelopment of an existing use, and that it is natural that over time, a structure would need to be replaced. The construction and maintenance will be conducted in such a way as to minimize detrimental impacts to the wetland resource. Mr. Chagnon noted improvements such as an advance treatment septic system and the preservation of two large pine trees in the front yard. He pointed out that the improved septic system will have a positive impact on groundwater. The structure will be pulled back from the resource and the impervious surface area will be reduced.

Ms. White asked what material will be below the deck. Mr. Chagnon noted that sand and better soil will go below, which will allow for water infiltration. Mr. Mack would like to see a depth of one to one and a half feet of gravel below the deck. Mr. Chagnon replied that they can make a note to put in a minimum of 12 inches of gravel below the deck. There will also be free draining soil around the house. Mr. Mack asked about the use of silt fencing. Mr. Chagnon stated that they will use silt fencing around the edges of the disturbed areas, and he will bring the soil erosion plan to the Planning Board meeting. Mr. Mack also inquired about the type of equipment needed for the project. Mr. Chagnon noted that the tree stumps will be coming out of the ground,

but there would be no trees removed in the 50 foot buffer. There is fill required in order to bring the house elevation up to meet FEMA requirements. Ms. Barnhorst also mentioned concerns voiced by Mr. Tanguay at the last meeting regarding the portion of the garage in 50 foot buffer. Mr. Chagnon noted that the house has been rotated slightly so this portion will no longer be in the 50 foot buffer.

The proposal includes a driveway consisting of crushed seashells with granite cobble banding, which would all be counted as impervious. Mr. Gray asked how much the material of the driveway matters. Ms. White responded that the Commission would like to see the most pervious surface possible. She pointed out potential issues with maintenance for snow removal if the Applicant has a seashell driveway, and suggested using a different material that would be easier to maintain while also allowing for water infiltration.

Mr. Rini motioned to recommend approval of the plans for the Gray residence at 120 Wild Rose Lane dated October 15, 2019, conditioned on the submission of a \$20,000 bond and permission to review the final planting within two years from when construction begins. Mr. Mack seconded. Motion carried unanimously.

C. New deck within 100 foot shoreline buffer zone at the Beckett residence, 4 Quarterdeck Lane.

Steve Riker of Ambit Engineering presented plans for the Becketts at 4 Quarterdeck Lane. The Applicants determined that a pervious patio would no longer be feasible. They are proposing a 384 square foot deck, which has already been approved by the NHDES. There would be a stone drip apron with 12 inches of gravel under the deck, which will aid in stormwater infiltration and treatment on the site. There is also a proposed 7.5 foot by 7.5 foot hot tub that would be on the deck. Ms. Barnhorst asked about the drainage from the hot tub. Mr. Riker noted that the house is on sewer, so the hot tub will drain through a hose that goes into the sewer line in the house.

Mr. Rini motioned to approve the deck for the Beckett residence at 4 Quarterdeck Lane as delineated in plan C-2 dated October 30, 2019. Mr. Mack seconded. Motion carried unanimously.

2. New Business.

Ms. Barnhorst noted that the Town Select Board decided that the new Deer Committee would be a subcommittee of Conservation Commission. Members agreed that wildlife management is not under the purview of the Commission. Ms. White stated that the Commission is more about land use and vegetation, and suggested that the Deer Committee report to the Select Board. Commission members also discussed the budget for next year.

3. Unfinished Business.

None.

4. Announcements.

None.

5. Adjourn.

Mr. Chamberlin moved to adjourn the meeting. Ms. Barnhorst seconded. The motion carried, unanimously, and the meeting adjourned at 6:33 p.m.

Respectfully Submitted,

Meghan Rumph