



CONSERVATION COMMISSION

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Conservation Commission Approved Minutes Thursday, January 14, 2016 7:30pm @ Community Development Department Agenda

Attendance:

Wayne Morris, Chairman-present
James Finn, Vice-Chairman-present
Lisa Ferrisi-present
Justin Pare-present
Dave Curto, alternate-present (alternate, sitting for Pam Skinner)
Jason Rodgers- excused
Pam Skinner- excused

The meeting began at 7:33 pm.

December 29, 2015 Meeting Minutes - Review/Approve

Ms. Ferrisi made a motion to approve the minutes for December 29, 2015 (with the amendment of Dave Curto's name). Seconded by Mr. Finn. Vote 5-0.

Discussion:

- Campbell Farm Subcommittee

The renters are now in the residence and have been in there for about a week and a half. The Committee may eventually see a stewardship type of situation. The lease has been signed.

- Campbell Farm Bylaws

The selectmen held a public hearing and voted 5-0 to recommend the Bylaws.

ZBA Cases – January 26th

- ZBA Case #39-2015, 102 Indian Rock R. & 82 Range Rd., Cobbetts Pond & Canobie Lake Watershed Protection District, allow 55.2% impervious surface
- ZBA Case # 40-2015, 102 Indian Rock Rd. & 82 Range Rd. Cobbetts Pond & Canobie Lake Protection District, allow a building to be 55 ft. tall

Both cases have been withdrawn according to Community Development Staff.

ZBA Cases – February 9th

- ZBA Case #47-2015, 15 Roulston Rd., allow an open space subdivision to go to the Planning Board as is.
- ZBA Case # 48-2015, 15 Roulston Rd., allow the sub-division of a 5 acre lot with a 10 unit apartment and a single family house to remain.

The Chairman read the application. As far as the Board can deduce, there may be a subdivision that will come to this area in the future. Hence, the 5 acres would be subdivided from the 28 acres (as described). The lot is land-locked and would need a long driveway for the sake of access. There is no plot plan available for the Conservation Commission. The Conservation Commission does not feel that there is enough detail to make a statement about this parcel at this time.

Planning Board Applications

Technical Review Committee (TRC) December 22nd & Planning Board January 20th

Case#2015-35/Preliminary Major Site Plan/Design Review Subdivision Application/Watershed/55+ Housing/55 & 67 Range Road (18-L-300, 18-L-201)

A Preliminary Major Site Plan, Design Review Subdivision, and Major Cobbetts Pond and Canobie Lake Watershed Land Development Application have been submitted for 55 & 67 Range Road (Lots 18-L-300 & 18-L-201) located in the Professional Business and Technology, Residence District A, and Cobbetts Pond and Canobie Lake Overlay Protection District. The Applicant Karl Dubay of the Dubay Group, on behalf of the property owner, Angle Wood Pond Realty Trust, is proposing a mixed use development consisting of restaurants, medical uses, offices, research and development space, child care, personal service establishments, adult day care, commercial services and 32 units of 55+ senior housing (townhouse style). Shared parking, greenspace, private roads/driveways, and outdoor passive recreation uses are also proposed. This application is subject to the Design Regulations.

Mr. Karl Dubay addressed the Board. Initially, this was a mixed use development application. Now, this is being proposed as an office park with other integrated uses. There would be businesses and residences. Mr. Dubay would like to reintroduce the project to the Board. There would be a bank in the front of the complex. The lake associations have also been contacted and meetings have been scheduled with these boards. The Dubay Group is not on the ZBA docket because they are not asking for any variances.

There would be no drive thru on the small bistro; that has been removed. There is a park in the back of the complex. The townhouses would be in the rear of this project. The population of the residents would be 55 and older. There would be a childcare center as well. Mr. Dubay stated that a spectrum or mixture of uses would be desirable. There would be smaller buildings in the front and larger buildings in the back. There would be a round-about in the interior of Gateway Park. The project is about 32 acres; there are no vernal pools and two wetlands areas that Mr. Luke Hurley will review for the Board.

The watershed areas have also been studied. The site is between Cobbetts Pond and Canobie Lake. The middle of the site is the high point. None of the impacts are within 20 feet of the property line. There is a site circulation planning for traffic as well. None of the parking areas are dead ends. The driveways and sidewalks are all connected.

Mr. Luke Hurley of Gove Environmental addressed the Board regarding where the two impacts are on the site. The area in the front left of the map is predominantly a forested wetland. There is another system that is scrub/shrub wetland as well on the front right of the map. Japanese honeysuckle is also present at this site. The wetland does extend off of the property and eventually leads to Canobie

Lake. According to the lot's file, previous Conservation Commissions have stated that this site is not in the WWPD. Mr. Dubay was happy to provide that information to the Board. There is a man-made drainage basin that is on the abutting property.

Mr. Hurley went on to talk about the impacts. The first impact is on the far northern corner. The total number of impacts for the first area is 460 sq. ft. The impact for the second area is 3890 sq. ft. The plan is to keep a parking lot 20 feet away from the border of the wetland. Mr. Dubay stated that the goal is to isolate different flows both on and off the site and mitigate as needed. You cannot put an impervious driveway within 75 feet of a wetland anywhere within the overlay district. They are looking at alternative pavement options. There will be pre-treatment and treatment of the site as well. There would also be recharge units on the site. There may also be the need to polish the water and there are specific boxes on the plan to accommodate that projected need. There will be a Dredge and Fill Application being sent up to the State. Geosyntec has also been contacted and there will be a meeting regarding AOT. The State application will be filed when all local interested parties are comfortable with the proposal.

The drainage often takes a circuitous route in this area of town. The Conservation Commission will not comment until the Dredge and Fill is filed.

Mr. Ferrisi asked about water testing. When water is tested, there is different level of testing done at different depths underground. Golf courses. Such as this site, will revert back to their natural state very quickly when not treated.

Mr. Ferrisi would like to know if Geosyntec and the Cobbetts Pond Association have a say in the landscaping species that are chosen. Mr. Dubay responded that all parties should all have their say.

Chairman Morris would like the porous sections to be reviewed by Mr. Dubay. This will meet the 30% porous pavement regulation. There is additional porous pavement on the site as well. Some driveways are porous pavement, yet, are not in the overall calculation of 30%.

There will be a design plan specific to the park that Mr. Dubay would like input on. There would be a 9 o'clock meeting this Tuesday if anyone on the Conservation Commission is available to attend. The Conservation Commission is requesting a joint site walk with the Planning Board at this time.

Planning Board Application – January 20th

Chadwick Place (aka Bella Vista) Case#2015-26/55+ Housing/98 Range Rd (17-I-300)

Major Preliminary Site Plan/Major Design Review Subdivision/Watershed/WWPD

Major Preliminary Site Plan/Major Design Review Subdivision Application for 55+ Housing; and Major Watershed/Wetland and Watershed Protection District (WWPD) Special Permit proposals have been submitted for 98 Range Road (17-I-300), a 9.47 acre lot (413,674 sq. ft.), located in the Rural District Zone, Cobbetts Pond and Canobie Lake Overlay Watershed Protection District, and WWPD. The applicant, Peter Zohdi, of Edward N. Herbert Associates, Inc., on behalf of Chadwick Asset Management Land Holdings, LLC., is proposing to construct fifteen (15) single-family, 2-bedroom, detached housing units for residents ages 55+, in adherence with Section 610 of the *Zoning Ordinance* pertaining to Housing for Older Persons. A 24' porous private driveway/road is proposed off of Range Road to access the development and two bio-retention/detention pond areas are designated for drainage. The homes are

proposed to be served by two individual (2) onsite wells and onsite leach fields. A 5' walking trail is proposed along the perimeter of the property. A WWPDP Special Permit is being requested for the installation of road shoulder work and a portion of the 5' walkway for a permanent disturbance of 11,500 sq. ft. to the WWPDP. A total of 7.63 acres (333,669.6 sq. ft.) or 80% land area is proposed for open space.

The plan that is in front of Conservation Commission does not reflect the independent wetland science report done by Rick Van Der Pool, ordered by the Planning Board. Hence, they are not comfortable commenting at this time without accurate data. The report was then located. However, the Conservation Commission would like to know if the Planning Board has accepted the results of this study at this time.

The Conservation Commission would like to know if the WWPDP delineation would be changed because of the new information gathered from the new report. The Conservation Commission would also like to know how the Planning Board has interpreted this data and the location and extent of the WWPDP.

The Conservation Commission would like to review the new information with the Planning Board.

Intent to Cut Applications

The application was for London Bridge Road Lot 20-D and 20-D-100. They are planning to cut in order to put a road in. The lot would likely yield white pine, 5 mbf, 200 tons of whole tree chips and 45 cords of cord wood and firewood. The Chairman read the application. The Commission was asked if they had any concerns. They do not at this time other than being sure that some trees remain on the lot. The Commission would like to see that not all of the trees have been cut.

The discussion then shifted to timelines. Mr. Pare did ask where the "fail safe" is to stop such applications from going through without the Board's input when timeline approvals expire before the Board reconvenes to review applications. Also, the Commission has concerns around the bylaws and if a larger window of time (30 days) might be needed to review the application. Presently, there is only a 10 day window needed.

DES Permits & Correspondence

Dredge and Fill Application, Duck Pond Realty (application from tonight, hence, the Board will withhold comments at this time)

35 West Shore Road, Chowdry Land Trust, The Board has no issues with the application at this time.

15 Rocky Ridge Road, Roberts Family Trust (replacement of retaining wall)

13 Rocky Ridge Road, (wall and step reconstruction)

11 Rocky Ridge Road, (incomplete permit, plans have changed since the plot plan was first submitted)

The above three application are represented by Joe Maynard of Benchmark Engineering. The Board would like Mr. Maynard come before the Board and provide some more detail for the applications.

25-G-Lots 30 and 40, located on Marblehead Road, Simpson's Crossing with 2 proposed crossings. Chairman Morris wrote a letter asking for additional time and to hear additional testimony, Mr. Morris called last week and has not heard back. He has recused himself previously as he had a

personal interest because of the impact on Rock Pond. Chairman Morris and Mr. Pare had a discussion as to whether or not Dropbox can be used by all parties in order to look at these documents in a timely manner in between meetings. Mr. Pare will be contacting the new staff member at the Community Development Department to see if this can be arranged.

Dredge and Fill Application 17-L-83, 5 Grove St. The Conservation Commission has seen and commented on this application in the past.

Misc. Items

Communication from Southeast Land Trust

Easement process off of Rockingham Road would increase monies to the Conservation Commission by \$147,000. These funds would be used to help pay for the Campbell Farm property. The Selectmen voted 5-0 to support the sale.

Danielle Christopher wrote a letter to the Board stating that some debris had been found near the Blanchard property. The Code Enforcement Administrator will send a letter reminding individuals of the proper use for conservation land.

Mr. Finn made a motion to adjourn at 9:17pm. Seconded by Mr. Pare. Vote 5-0.

Next Meeting: January 28, 2016

Agenda items and order may be modified at the discretion of the Commission