

**MINUTES
CONSERVATION COMMISSION**

**1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE
CONFERENCE ROOM "A"**

3:30 P.M.

JULY 11, 2012

MEMBERS PRESENT: Chairman Steve Miller; Vice Chairman Mary Ann Blanchard,
Allison Tanner, Barbara McMillan, Elissa Hill Stone, Peter
Vandermark, Rich DiPentima

MEMBERS ABSENT:

ALSO PRESENT: Peter Britz, Environmental Planner

I. OLD BUSINESS

A. Approval of minutes – June 13, 2012

It was moved, seconded, and passed unanimously (5-0) to approve the minutes as presented.

Mr. DiPentima and Ms. McMillan arrived at this point in the meeting.

II. CONDITIONAL USE PERMIT APPLICATIONS

1. 120 Spaulding Turnpike
Two Way Realty, LLC, owner
Assessor Map236, Lot 33

Ms. Stone recused herself from the discussion and vote.

Mr. Eric Weinrieb and Mr. Eric Saari, both of Altus Engineering were present to speak to the application. Mr. Weinrieb stated that the project was the expansion of the Port City Nissan site. Over the last several years, Port City Nissan has acquired the abutting properties. In April, they received Board of Adjustment approvals for variances associated with parking and construction. Since then, they have consolidated the three parcels.

Mr. Weinrieb referred to the displayed map to familiarize the Commission with the site. He showed an area where PSNH had an easement because of existing power lines and also where a

sewer easement ran through the site. He said that the site had a few wetland systems on it and that the entire site was in the Hodgson Brook Watershed. He informed the Commission that he met with Candace Dolan of the Hodgson Brook Advisory Board and she was in agreement that the proposed expansion complied with the spirit of the watershed plan. Mr. Weinrieb pointed out an area that was currently sheet flowing into the wetland without any treatment. He said they were proposing that the whole front area would be a treatment area for the existing building. The existing Madeleine's Daughter building would be demolished. The other existing building will be converted to an auto detailing building.

Mr. Weinrieb stated that the majority of the developed areas of the site were in the 100 foot wetland buffer. The orange areas on the map indicated impervious surfaces that would remain impervious. The dark green areas showed the current impervious surfaces that would become green space. The tan color showed the areas that would become pervious surfaces. He added that everything would be pitched to the center where the rain garden would be located.

Ms. Tanner asked what the amount of the new impervious surface was. Mr. Weinrieb said that it was 5,500 square feet. He added that on a site of this size, it was really not a significant area. He added that the site was made up of 75.88% open space.

Chairman Miller asked for more information regarding the rain gardens. Mr. Weinrieb explained in great detail how the water would drain from the site. Chairman Miller asked about the flow patterns of the rain gardens. Mr. Weinrieb said that they graded the site so that all of the new pavement would flow to the proposed rain gardens. Chairman Miller wondered how the rain gardens would improve the site. Mr. Weinrieb explained that there was no treatment on the site currently.

Mr. DiPentima asked about the current septic systems on the site and asked if they would be removed. Mr. Weinrieb replied yes and said that the systems were not active because the buildings were not occupied at the moment.

Ms. McMillan asked about the detailing building and its function. Mr. Weinrieb said that it would have floor drains that would flow to an oil water separator.

Vice Chairman Blanchard noted that the footprint would be significantly expanded so she wondered about the plans for snow storage. Mr. Weinrieb said that it was discussed at the Technical Advisory Committee meeting. They were proposing to install a guard rail to protect the buffer from snow storage. The excess snow might be able to be stored on the PSNH easement area if necessary. They would also minimize the use of sand and salt.

Vice Chairman Blanchard asked how many new parking spaces would be created. Mr. Weinrieb said that he did not know how many parking spaces there would be.

Ms. McMillan asked if there were any wildlife values associated with any of the wetlands. Mr. Weinrieb said that there was wildlife mentioned in the functions and values assessment but it was not a high value because it was bounded by developed areas.

Mr. Britz stated that he spoke with Rick Taintor, the Planning Director, who said that according to the ordinance, they could have an independent wetland scientist visit the site. Mr. Britz said that he had concern about the wildlife habitat areas and the loss of the buffer. He was not sure there was a better way to go about reducing the impacts but he was concerned about losing the edge of the wetland in the back of the property. Mr. Weinrieb stated that they have looked at many different scenarios. One was to use their land outside of the buffer but that did not go over well with the abutters.

Ms. McMillan asked if the phragmites were in only one of the wetlands. She had a concern that disturbing the phragmites might cause them to spread to the other wetlands.

Hearing no other questions, Chairman Miller asked for a motion.

Ms. Tanner made a motion to recommend approval of the application as presented. The motion was seconded by Ms. McMillan. Chairman Miller asked for discussion.

Vice Chairman Blanchard wondered if there was consensus from the Commission to have someone take a second look at the site. Ms. McMillan suggested getting a second opinion from an independent wetland scientist. Mr. Britz thought he could get something lined up in time for the next meeting. He too felt it would be helpful to have a second opinion. The rest of the commissioners agreed.

Vice Chairman Blanchard made a motion to postpone the application to the August 8, 2012 meeting. The motion was seconded by Ms. Tanner. Chairman Miller asked for discussion.

Mr. DiPentima commented that he had a concern about impacting the construction schedule. Mr. Weinrieb appreciated the concern, but he said there may be other obstacles with regard to the Technical Advisory Committee process.

Hearing no other discussion, Chairman Miller called for the vote. The motion to postpone the application to the August 8, 2012 meeting passed by a unanimous (6-0) vote.

Mr. Britz told the Commission that he would welcome any input they would like to give him regarding the site. He said he would like to know what the impact to wildlife would be. Ms. McMillan said she would like to know the impact and the connectivity for wildlife with regards to the wetlands. She also suggested a site visit. Mr. Weinrieb said they would be happy to have a site visit.

Mr. Weinrieb also commented on the third item on the agenda, 3 Marsh Lane, and said that he used to live in that neighborhood and that he was in support of the application.

2. 435 Route One Bypass
Public Service of New Hampshire, owner
Assessor Map 234, Lot 2A

Ms. Sherry Trefry with GZA Environmental, Inc. and Mr. Pat Pinault, of Public Service of New Hampshire were present to speak to the application. Ms. Trefry said that they were present to discuss the Islington Street substation. She said that PSNH would like to replace aging equipment, built in the 1950's, that was unable to support the increased energy demand in the Seacoast. She referred to a displayed map that showed the items to be removed highlighted in red. She explained that the new substation would be smaller and would not require a fence. The wires would run underground. Ms. Trefry explained that they would build the new substation but the old substation would not be removed right away. It may take a few months before everything would be online in order to connect the new substation and remove the old one.

Ms. Trefry said that the project would increase the distance from the wetland. The permanent impacts to the 100 foot wetland buffer would be 12 square feet. The proposed temporary impact would be 4,962 square feet. She informed the Commission that they would install a silt fence and put erosion controls in place. The area would be seeded and mulched appropriately after the construction takes place.

Ms. Tanner asked why only part of the fence would be removed around the old substation. Mr. Pinault said that eventually, the entire fence would come out when all of the work was complete.

Ms. McMillan asked about the seed mix that would be used. Ms. Trefry said they would use what the Commission preferred.

Hearing no other questions, Chairman Miller asked for a motion.

Vice Chairman Blanchard made a motion to recommend approval of the application to the Planning Board as presented. The motion was seconded by Ms. Tanner. Chairman Miller asked for discussion.

There was discussion about what would be the best seed mix for the disturbed area. Ms. Trefry suggested using a conservation restoration seed mix. The Commission was agreeable to that.

Chairman Miller called for the vote. The motion to recommend approval of the application to the Planning Board as presented with the following stipulation passed by a unanimous (7-0) vote:

- 1) That a wetland conservation restoration seed mix is used throughout the areas labeled as temporary impacts to the wetland buffer.
3. 3 Marsh Lane
Michelle White and Walter Ziebarth, owner
Assessor Map 123, Lot 6

Mr. John Chagnon of Ambit Engineering, and Mr. Walter Ziebarth, owner of the property were present to speak to the application. Mr. Chagnon stated that he was before the Commission last month for a permit by notification application for the project that they signed off on. He said that the plans have not changed except for the addition of a gutter which was recommended by

the Commission. He said he would be glad to go through the material but felt the project was probably still fresh in their minds.

Chairman Miller asked if there were any questions for the application. Hearing none, he called for a motion.

Vice Chairman Blanchard made a motion to recommend approval of the application to the Planning Board as presented. The motion was seconded by Ms. Tanner. There was no discussion. The motion passed by a unanimous (7-0) vote.

4. 476 Ocean Road
Robert R. and Mary E. Threton
Assessor Map 294, Lot 7

Mr. Robert Threton, owner of the property was present to speak to the application. He stated that he would like to remove his deck and construct a new deck. He said that his entire lot was in the wetland buffer zone. The deck size would not change but the location of the stairs would. The change would add 344 square feet of coverage to the lot. He explained that the deck was in an area of mowed lawn so he was proposing to reduce the mowing portion to leave about a 12'-14' wide strip of vegetation.

Mr. DiPentima asked if there would be a change to the impervious surface. Mr. Threton replied no.

Mr. Britz pointed out that the wetland map over counted the wetland and the existing wetland was more in line with the city's tax map. He said that after he visited the sight he felt more comfortable with the application.

Ms. McMillan stated that she was pleased with the decreased mowing. She asked about a vernal pool mentioned in the plans. Mr. Threton said that he did not know if it was a vernal pool but that there was a small area on the corner of the property that always had water in it. Mr. Britz confirmed that it was not a vernal pool.

Hearing no other questions, Chairman Miller asked for a motion.

Mr. DiPentima made a motion to recommend approval of the application to the Planning Board as presented. The motion was seconded by Ms. Tanner. Chairman Miller asked for discussion.

Ms. Tanner stated that she would like a stipulation concerning the decreased mowing.

Hearing no other discussion, Chairman Miller called for the vote. The motion to recommend approval of the application to the Planning Board as presented with the following stipulation passed by a unanimous (7-0) vote:

- 1) That the applicant reduces the mowing area as shown on the plan.

5. 110 Clinton Street
Margaret Coate, owner
Assessor Map 158, Lot 4

Mr. Christopher Albert of Jones and Beach and Ms. Margaret Coate, owner of the property were present to speak to the application. Mr. Albert stated that the 100 foot buffer encircles the entire existing house. He said they were proposing to demolish the structure and rebuild the home. The rebuild would be in phases with the home being phase one and the garage and breezeway being phase two. He said that they would keep the two side foundation walls and the front wall.

Mr. Albert explained to the Commission that the wetland followed the existing tree line on the property. He said that they have modified the site plan since the original plans were submitted. He passed out new site plans to the Commission. He said that they have increased the impervious area from 5.2% to 6.6%. He added that they were proposing a gravel driveway with pavers and adding plantings in the lower buffer area.

Mr. Tanner commented that the new plan was an improvement from what was originally submitted.

Mr. Vandermark asked what kind of trees were in the wetland forest that separated this property from the neighbor's property. Mr. Albert said that it was a red maple forest. Mr. Vandermark asked if that was what they were planning to plant in that area. Mr. Albert said they were looking to put in generic all-around native species that were prominent in the area.

Ms. McMillan asked Mr. Britz to speak to the department memo. Mr. Britz stated that the applicant has done a lot to improve the application. He felt the walkway and pavers would help site. He also liked the idea of the buffer plantings. Mr. Britz suggested removing the language of "phases" from the plan.

Chairman Miller asked if there were any more questions for the applicant. Hearing none, he asked for a motion.

Ms. McMillan made a motion to recommend approval of the application to the Planning Board as presented with the following stipulation:

- 1) That the approval is based on the revised plan presented at the meeting.

The motion was seconded by Ms. Tanner. There was no discussion.

The motion to recommend approval of the application to the Planning Board as presented with the following stipulation passed by a unanimous (7-0) vote:

- 1) That the approval is based on the revised plan presented at the meeting.

III. OTHER BUSINESS

There was no additional business requiring action to come before the Commission.

IV. ADJOURNMENT

At 5:05 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
Conservation Commission Recording Secretary

These minutes were approved at the Conservation Commission meeting on August 8, 2012.