

**MINUTES
CONSERVATION COMMISSION**

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

3:30 P.M.

DECEMBER 12, 2012

MEMBERS PRESENT: Chairman Steve Miller; Vice Chairman Mary Ann Blanchard, Elissa Hill Stone, Peter Vandermark; Alternate Paul Ambrose

MEMBERS ABSENT: Allison Tanner, Barbara McMillan, Rich DiPentima; Alternate Shelley Saunders

ALSO PRESENT: Peter Britz, Environmental Planner

I. OLD BUSINESS

A. Approval of minutes – October 10, 2012

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

Approval of minutes – November 14, 2012

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

II. CONDITIONAL USE PERMIT APPLICATIONS

1. 77 South Street
Craig W. Welch and Stefany A. Shaheen, owners
Assessor Map 102, Lot 48
(This item was postponed at the November 14, 2012 meeting to the December 12, 2012 meeting.)

Mr. John Chagnon of Ambit Engineering, Inc. and Mr. Craig Welch, property owner were present to speak to the application. Mr. Chagnon stated that they were before the Commission last month and were back before them today with revisions to the proposal. He also said he had a minimum impact expedited application for them to review as well.

Mr. Chagnon explained that the first revision was that the proposed garage would be accessed from the Johnson Court side of the property. This would allow the homeowner to retain more lawn behind the home. He said that they have relocated the rain garden to behind the parking area. As a result, the overall impact has been reduced by about 600-700 square feet.

Chairman Miller asked if the proposal received Historic District Commission approval. Mr. Welch confirmed that it had been approved.

Chairman Miller asked if the rain garden would be moved to an area where pavement was being removed. Mr. Chagnon replied no. Chairman Miller asked if it would still have the same level spreader. Mr. Chagnon replied yes and added that it would have the same outlet.

Mr. Chagnon addressed Vice Chairman Blanchard’s concern at the last meeting concerning roof run off from the roof deck. He showed the Commission a downspout on the plan that would drain to a corner of the rain garden.

Chairman Miller commented that it was nice to see the garage entry switched to the Johnson Court side to free up some yard space.

Ms. Stone asked about draining from the east side from the house. Mr. Chagnon said that it would drain the same way, just running off of the roof.

Vice Chairman Blanchard commented that in Mr. Britz’s memo he suggested buffer plantings. Mr. Britz responded by saying that he thought the applicant would bring a list of suggested plantings but he felt that the new proposal was a nice tradeoff. Chairman Miller added that he thought there were a lot of nice improvements in the plan with a lot of reduction as well. Additionally, he suggested the use of an under drain into the rain garden on the shoulder of Johnson Court.

Hearing no other questions, Chairman Miller asked for a motion. Mr. Vandermark made a motion to recommend approval of the application to the Planning Board as presented. The motion was seconded by Ms. Stone. Chairman Miller asked for discussion.

Vice Chairman Blanchard noted that there was a lot to digest with the new changes. She also thanked the applicant for the attention given to the drainage.

Ms. Stone commented that they got a lot into a little space. Mr. Vandermark added that it was a win/win.

Chairman Miller suggested that they look for ways to enhance the plantings along the shoreline.

Hearing no other discussion, Chairman Miller called for the vote. The motion to recommend approval of the application to the Planning Board as presented passed by a unanimous (5-0) vote.

- 2. 188 Buckminster Way
 Jeffrey W. St. Laurent Revocable Trust, owner
 Assessor Map 282, Lot 6-15

Mr. Corey Colwell of MSC. Inc., Marc Jacobs, certified soil and wetland scientist, and Jeff St. Laurent, property owner were present to speak to the application. Mr. St. Laurent stated that the need for the addition was to accommodate his own family and extended family. He explained that he also needed to address the condition of his backyard. He said when the building lot was prepared, the fill for his lot had many stumps in it and now he is experiencing random sink holes in the backyard. Mr. Colwell passed around photos of the existing conditions in the backyard.

Mr. Colwell stated that the 892 square foot addition would be attached to the rear of the existing building. It would be installed over an existing wooden deck and concrete pad so much of the addition was going over what was already impervious surface. About one third of the addition would be over lawn area. Mr. Colwell explained that the 100 foot buffer zone ran through the house and through the back corner of the lot and across Heather Lane. A retaining wall in the back of the property was being proposed to soften the slope, to remove the existing stumps to improve the lawn area, and assist with drainage of the site. All of the work to be done would be in previously disturbed upland areas. Mr. Colwell pointed out that they would maintain the 30 foot no disturb buffer, which was a deed restriction already in place to protect the adjacent wetlands.

Mr. Colwell addressed the five criteria for approving a conditional use permit application. He stated that the addition was to enhance the property and to make the yard safer. He said that there was only one place where the addition could go. Putting it in the front yard would require removing the septic system and putting it closer to the wetlands.

Mr. Jacobs discussed the third criteria with the Commission. He explained that the wetlands on the property were contiguous to the Great Bog which was a prime wetland. He said that the project was within a previously disturbed buffer zone. He pointed out a 645 square foot shrubbery area that would be converted to the construction of the wall and the reestablishing of some of the grades in the back for the lawn. The retaining wall and the new slope will allow for more infiltration for the run-off going into the Bog and improving the water quality in that area as well as wildlife habitats. He said that the wall would have a fence on it for safety concerns as well as to deter encroachments into the wetlands. He added that migration corridors would continue on either side of the wall.

Mr. Colwell noted that they were only removing 645 square feet of scrub shrub vegetation to construct the retaining wall. He added that there was no natural buffer being disturbed by the proposal. The entire project would all occur in the stump dump fill that was brought to the site over the years.

Lastly, Mr. Colwell said that the new addition would have gutters to collect water and channel it to the wetlands.

Vice Chairman Blanchard asked how the wall would be constructed and would there be excavation. Mr. Colwell replied yes. Mr. Vandermark asked how far down they had to dig. Mr. Colwell said the wall at its tallest would be 10 feet and at its smallest would be two feet. Mr. Jacobs added that the excavation would take place from the house side of the proposed wall.

Vice Chairman Blanchard asked about drainage pipes and also, what type of material would the wall be constructed of. Mr. Colwell said that they had not yet settled on the material of the wall but were thinking of a natural stone. He said that the draining structures at the bottom were absolutely necessary and would probably be 2" PVC pipe.

At this point in the discussion, there was detailed discussion about the drainage from the new addition and the site.

Vice Chairman Blanchard asked for confirmation that the addition would be built first, then the wall and the grounds would be addressed after. Mr. Colwell replied yes, that was the plan.

Vice Chairman Blanchard asked what type of fence they were proposing for the top of the wall. Mr. St. Laurent said that he was thinking of rail fence.

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

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

There was discussion about putting erosion controls in place, whether planting could happen in the easement area, and protecting the 30' buffer area.

Ms. Stone proposed adding the following stipulations:

- 1) That appropriate erosion controls be added to the submitted plans.
- 2) That during construction there is no disturbance in the 30 foot undisturbed buffer area shown on the submitted plans.

Vice Chairman Blanchard commented that she felt the stipulations were important for the benefit of the Great Bog and the privacy of the wetlands. She felt it was in everyone's best interest.

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 stipulations passed by a unanimous (5-0) vote:

- 1) That appropriate erosion controls be added to the submitted plans.
- 2) That during construction there is no disturbance in the 30 foot undisturbed buffer area shown on the submitted plans.

III. STATE WETLANDS BUREAU PERMIT APPLICATIONS

A. Minimum Impact Expedited Application

77 South Street
Craig W. Welch and Stefany A. Shaheen, owners
Assessor Map 102, Lot 48
(This item was postponed at the November 14, 2012 meeting to the December 12, 2012 meeting.)

Following the conditional use permit application presentation, a brief discussion ensued with regard to the minimum impact expedited application.

Vice Chairman Blanchard made a motion to approve the minimum impact expedited application. The motion was seconded by Ms. Stone. The motion passed by a unanimous vote of 5-0.

IV. OTHER BUSINESS

Mr. Britz informed the Commission that he met with Vice Chairman Blanchard and Ms. Nancy Andrews of the Portsmouth Garden Club to discuss the City owned property on the North Mill Pond. He stated that they were going to try to develop a focus for the area. Chairman Miller added that Sustainable Portsmouth has give \$1,000 towards the project and that they will be holding a meeting soon to work on the plan. It was also noted that Dr. Dave Burdick and Ms. Ann Smith would be good resources to contact on how to enhance the buffer in that area. There was additional discussion on how to channel storm water from the site, possibly into a rain garden and the possibility of created it as an Adopt A Spot.

V. ADJOURNMENT

At 5:00 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 February 13, 2013.