

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

3:30 P.M.

MARCH 12, 2014

MEMBERS PRESENT: Chairman Steve Miller; Vice Chairman Mary Ann Blanchard,
Allison Tanner, Elissa Hill Stone, Shelley Saunders

MEMBERS ABSENT: Barbara McMillan, Peter Vandermark, Paul Ambrose

ALSO PRESENT: Peter Britz, Environmental Planner

.....
I. APPROVAL OF MINUTES

1. July 10, 2013

It was moved, seconded, and passed unanimously to approve the minutes as presented.

II. STATE WETLANDS PERMIT APPLICATIONS

1. Standard Dredge and Fill Application
50 Clough Drive, Little Harbor School
City of Portsmouth, owner
Assessor Map 206, Lot 20

Chairman Miller stated that there was also a Conditional Use application on the agenda for this project as well. He said they would here the applications together but vote on them separately.

Mr. Jack Rogers, Project Coordinator, Project Assistants Mr. Eric Weinrieb and Mr. David Witham, and Mr. Charlie Grossman, Principal of Little Harbor School were present to speak to the application.

Mr. Rogers stated that he was working on his Eagle Scout project, which was a memorial garden at Little Harbor School for a little girl named Lydia who had recently passed away. The existing vegetable garden would have a sculpture painted by the schoolchildren installed into it that would be kinetic and would move with the wind. The idea for it came from a drawing that Lydia had done. There would also be a pathway and painted concrete blocks put into the ground and a bench with Lydia's writings inscribed into it. The flower garden would have seasonal flowers, the existing fence would remain, and the invasives would be removed.

Chairman Miller asked if the invasives were mostly phragmites. Mr. Witham stated that Mark West of West Environmental had volunteered to remove the invasives. Chairman Miller asked what would replace it. Mr. Rogers replied that the invasives would be pulled out and the natural species would take over. Chairman Miller said it was difficult for him to encourage clearing, even for invasives, and he preferred that a tall buffer be used, and he also preferred something that they would not have to mow and that wouldn't obscure the view.

Vice-Chair Blanchard asked if future caretakers had been designated. Mr. Rogers replied that the existing garden was maintained and they would expand the maintenance. Mr. Grossman added that they had considered the idea that the school community would take responsibility for the maintenance and that money from fundraising had been set aside.

Ms. Tanner moved to recommend approval of the application to the State Wetlands Bureau with the following stipulation:

- 1) That there are native plantings on the outside of the fence where invasive species will be removed.

The motion was seconded by Ms. Saunders. There was no further discussion. The motion passed by unanimous (5-0) vote.

IV. CONDITIONAL USE PERMIT APPLICATIONS (NEW BUSINESS)

Chairman Miller said they would now vote on the Conditional Use application. He asked the applicants if they had anything else to add to their presentation. The applicants replied no.

- C. 50 Clough Drive, Little Harbor School
City of Portsmouth, owner
Jack Rodgers, applicant
Assessor Map 206, Lot 20

Ms. Tanner moved to recommend approval of the application to the Planning Board as presented with the following stipulation:

- 1) That there are native plantings on the outside of the fence where invasive species will be removed.

The motion was seconded by Ms. Stone. The motion passed by a unanimous (5-0) vote.

III. CONDITIONAL USE PERMIT APPLICATIONS (OLD BUSINESS)

- A. Off Spinney Road and Middle Road
Frances T. Sanderson Revocable Trust and Anderson Revocable Trust, owners
Spinney Road Land Holdings, LLC
Assessor Map 167 & 174
(This item was postponed at the February 12, 2014 meeting.)

Request to Postpone

Ms. Tanner moved to postpone the application to the April 9, 2014 meeting. The motion was seconded by Ms. Saunders. The motion passed by unanimous (5-0) vote.

- B. 292 Lang Road (Work Session)
Ertugrol Yurtseven Revocable Trust of 2010, Ertugrol Yurtseven, owner
Lang Road Land Holdings, LLC, applicant
Assessor Map 287, Lot 4 (Proposed Lot 4-4)
(This item was postponed at the February 12, 2014 meeting.)

Mr. Christopher Berry of Berry Surveying and Engineering, the consultant Mr. Christian Smith, and Attorney Peter Loughlin were present to speak to the application.

Mr. Berry stated that the project originally started as three 5-acre lots that went back to the rear boundary line, but a fourth lot was left around the applicant's property line, so the project was now one lot and three building lots. They decided that it would be better to have three new building lots with a large open lot around Berry Brook, where there were sensitive environmental features and prime wetland. After going to the Technical Advisory Committee (TAC) and the Planning Board, it was decided that some grading plans would be appropriate so that TAC could determine the total impact of the project in respect to driveway construction and earth work required on-site. Mr. Britz had brought to their attention the fact that the wetlands across Lang Road were also prime wetlands and the 100-foot buffer would impact the project. They put together all the grading plans, and TAC had reviewed the project. They were seeking guidance from the Commission to move forward for their final Conditional Use Permit application and State Wetlands Permit. Mr. Berry pointed out the three subdivision lots and said that there was a joint entrance for two of the lots. A driveway proposed for the middle lot would require no Conditional Use Permit. He showed the areas that would impact the 100-foot buffer. They designed an infiltration system that would grab the roof runoff from each proposed house and infiltrate it into the ground. The driveway would be elevated to a bioretention swale along its edge, which would discharge to two rain gardens at the front of the site. The water would be attenuated and treated, and one would have infiltration. The discharge would not be within any buffers on the site. Their storm water drainage analysis had been reviewed by TAC, and they had discussed treatment systems and methods and had provided full construction details. The Department of Public Works (DPW) asked them to look at the tmdl in Berry's Brook and had suggested having a septic system on site to have a further separation from the seasonal high water table. The effluent disposal systems were outside of the buffer zone. They would put together a functions analysis for the buffer they would be impacting. They would also look into on-site mitigation measures and flood zone issues.

Vice-Chair Blanchard asked Mr. Berry to define the adjacent parcels to the brook, and he complied and showed the wetland boundaries. Ms. Tanner asked how many square feet of impact were in the buffer. Mr. Berry stated that it was approximately 3,600 square feet. Ms. Stone asked him point out where the drains would discharge from the rain gardens. Mr. Berry showed the swales said the storm water from the driveways would accumulate and go into the rain garden. They further discussed swales and discharges. Ms. Tanner asked what type of

vegetation was in the swales, and Mr. Berry stated that it was low perennial growth. They discussed specific details about the swale.

Vice-Chair Blanchard asked the proposed capacity of the septic tanks. Mr. Berry stated that it was 600 gallons a day. She asked if he had explored alternative septic technology. Mr. Berry stated that the proposed were alternative septic technologies. Mr. Smith talked about the biotechnical clean solution advanced systems. Ms. Saunders asked if the Presby system was good around flood zones. Mr. Smith replied that it was a better treatment than a standard pipe and stone system. Vice-Chair Blanchard asked if the property owner would be responsible for maintaining the systems and if the lots would be grass. Ms. Smith showed the intended limit of clearing and stated that the leach bed needed to be mowable grass, so he had recommended the New England semi shade and grass mix for the buffer areas and Kentucky bluegrass for the rest.

Chairman Miller thought the plan was impressive but that the owners would need to understand the plan, like the swales, rain gardens, and the advanced septic system and underground infiltration chambers. Mr. Berry stated that they would put together a standard operations and maintenance manual. Chairman Miller noted that the plan showed a forested edge outside the building lot and asked what existed in the tree line. Mr. Berry stated that it was natural woodland and would remain so, with limited clearing.

Ms. Stone was curious about the depth of the pipes below ground and the Presby system in respect to the water table elevation. The one on the east side looked like it was 34 feet and they were starting at 38 feet, and she asked if it was enough elevation. Mr. Smith said the details and cross-sectional data for the entire profile of the septic system and infiltration chambers were in the packet. Ms. Stone suggested that they walk the Commission through it at the presentation. Vice-Chair Blanchard asked if the shared driveway would be maintained, with plantings. Ms. Smith stated that it was in the deed and there would be a driveway easement with maintenance.

IV. CONDITIONAL USE PERMIT APPLICATIONS (NEW BUSINESS)

- D. 445 US Route One Bypass
Searay Realty, LLC
Public Service Company of New Hampshire, applicant
Assessor Map 234, Lots 2, 2A, 3, 7-7

Mr. Patrick Crimmins of Tighe and Bond on behalf of the applicant and Mr. Mike Busby of PSNH were present to speak to the application. Mr. Crimmins stated that the project was a proposed substation to replace the obsolete substation. The site was located on Borthwick Avenue and the Route 1 Bypass and was near wetlands. The substation was obsolete and needed to be replaced with something more efficient. The existing parcel had two buildings and was surrounded by pavement, with a gravel drive in the rear. They would demolish the existing building and pavement and level the site to construct a new substation. The stone area would be fenced in for the substation area and the gravel access drive would go around the substation to allow them to access the building. There would also be an impermanent emergency mobile substation. Almost the entire site was within the buffer. The existing site had almost 20,000 square feet of impervious area and another 20,000 square feet of gravel, adding up to 39,000 square feet of disturbance within the buffer area. The proposed project would result in an

increase in disturbance and would significantly reduce the amount of pervious area in the buffer. The driveway was 2,200 square feet of pavement and the remaining disturbance in the buffer would be the stone substation yard and the gravel drive. It would be a great improvement due to the reduction in storm water runoff and volumes. The driveways would not be treated like pavement because no salt or sand would be used, and there would be limited snow removal. They were also proposing a buffer enhancement area between substations of 3,700 square feet planted with wildlife mix that would be maintained as well as landscape screening. There would be a temporary disturbance for grading and re-establishing the buffer enhancement areas and the landscape of approximately 5,525 square feet, but the disturbance would remove over 17,000 square feet of pavement. Overall, the project was an improvement in the buffer. Mr. Crimmins also discussed the oil containment unit and how it worked.

Mr. Crimmins walked the Commission through the criteria:

- The land was suited to the use because it was situated next to the obsolete substation and the land was already developed. It was an overall an enhancement to the buffer.
- There was no alternative location outside the wetland buffer. It was already in the buffer and they would improve it within the buffer.
- It would have no adverse impacts on the wetland functions because the removal of pavement would reduce the storm water runoff to the wetlands, and they would contain any oil used in the transformer.
- They would plant conservation mix along the buffer and would maintain it.
- Alteration of the natural vegetation: they already had a developed property within the buffer for all the reasons stated previously.
- Alternative that had the least adverse impact: he referred to all the points he had cited about improving the buffer.

Ms. Saunders asked if he had a storm water maintenance plan. Mr. Crimmins said there was a detailed erosion control plan in the packet.

Chairman Miller asked if the buffer enhancement was currently grass. Mr. Crimmins said they would plant conservation wildlife seed mix and provide screening. Chairman Miller stated that he knew the area well and the phragmites grew along Borthwick Avenue. He was concerned that it could be a fire hazard when it was dry because it burned hot and fast.

Ms. Tanner moved to recommend approval of the application to the Planning Board as presented. The motion was seconded by Vice-Chair Blanchard.

The motion passed by a unanimous (5-0) vote.

- E. 209 Gosport Road
Christine V. Crockett Revocable Trust, owner
Assessor Map 224, Lot 10-12

Mr. John Chagnon of Ambit Engineering on behalf of the applicant, Attorney Peter Loughlin, Ms. Robbie Woodburn of the Woodburn and Company, and Ms. Adele Fiorillo of Normandean Associates were present to speak to the application.

Mr. Chagnon showed the Commission a picture of the property with an overlay on the site. The lot was purchased as an investment in 2001 and was assessed as a building lot. In 2009, the assessment was \$376,300 and was increased in 2010 to \$402,900. The owner bought the property as an investment and now wanted to sell it, so they needed the permit to place a single family residence on the property. The wetlands were delineated in July 2013. Mr. Chagnon pointed to a large wetland area in the front of the property that drained to a culvert under Gosport Road and an upland area of 5 or 6 acres. The grade rose significantly as it went toward the water, and there was a ledge with a 10-foot drop-off. Two freshwater wetlands were on the site, one in the front and the other on the northeast side of the property that was not in the original delineation done in 1988, which may have been the result of activity that took place next door and shed water onto the lot. The drawing also showed the highest observable tide line along the creek and the associated buffers as well as the trees from the house site to the edge of the creek.

Mr. Chagnon stated that an application had been submitted to the Department of Environmental Services (DES) showing the design features. They proposed a driveway that would traverse and would have retaining walls for the grade. It was sloped to drain to the north, with a catch basin at the low point that drained back from the garage and would direct the storm water into a proposed rain garden. A retaining wall was also on the south side to minimize impact to the trees. The grades would be raised to site the house out of the flood zone and make the driveway workable, and retaining walls would be added on the west side and the front on the edge of the wetlands. They had to meet the requirement that 25% of the undisturbed area between the 50-foot and 150-foot setbacks remain undisturbed, so as part of the permitting process, two areas would remain unaltered. Also in the plan were the impacted areas that got permitted from DES, which were 925 square feet of impact for the driveway crossing and 2,750 square feet of impact for the construction within the tidal buffer zone. The tidal buffer zone looped around the south side of the building.

The plan identified nine trees that would be cut to construct the house and the grading around it. The development would impact 13.5% lot coverage and meet all DES standards. The landscaping plan supported the maintenance of buffers and vegetation on the site and showed the details for the rain garden and new tree plantings. Additional plantings along the driveway and south of the retaining wall would enhance the buffers. The property would be connected to city sewer with no septic system. The application included a narrative with the history of approvals.

Vice-Chair Blanchard stated that there were some unresolved legal issues and controversy about the Tucker's Cove subdivision history, as prepared by Attorney Loughlin, and she asked him for an update. Attorney Loughlin stated that the vesting issue arose the previous summer and he would explain the vesting concept. He distributed a document outlining the subdivision and talked about the history of the development. The subdivision plan was approved in 1996 and went before the Planning Board in 1996 and money was put up to secure improvements, construction of the roads and underground utilities. That timing was important because the plan was recorded and they were vested to changes beyond that. After the subdivision process

started, the City passed a wetlands buffer ordinance of 75 feet. They felt that the State Statute provided that they were vested because it stated that subdivisions approved by the Planning Board and properly recorded shall be exempt from all subsequent changes to the zoning ordinances. They made the compromise of agreeing that there would be a 25-foot buffer on some lots and no buffer on other lots because it would have made them undevelopable. They received Conditional Use Permits from the Planning Board for the lots with the 25-foot buffer. The protective covenant was then signed in 1998 and created three types of lots, one with Conditional Use Permits, one required to honor the 25-foot buffer, and one that did not have wetlands over 20,000 square feet. Until five years before, the wetlands buffer wasn't triggered unless it was 20,000 square feet. The applicant's lot was sold to the Crocketts, and the wetland being 12,000 square feet in size did not meet the triggering requirement for the 75-foot buffer.

Attorney Loughlin showed two attachments. Attachment 5 was a blow-up of the plan showing the wetlands on Lots 15 and 45. Attachment 6 showed Lots 15 and 45, which were not more than 25,000 square feet of wetland and did not trigger a wetland. Because there was no buffer on those two lots, they were vested. The Statute read that all lots not subjected to wetlands in excess of a ½ acre and not within the 25 square foot buffer would be granted a full building permit. Therefore, Lot 45 had wetlands which could not be violated, but since the area of wetlands was less than a ½ acre, the 'no buffer rule' applied. The reason for vesting was if someone spent a lot of money on development, he or she should be able to finish the subdivision and sell the lot. The Crocketts bought the lot thinking they could sell it when they retired, and vesting was protection by the State Statute and subsequent regulations should and did not apply.

Attorney Loughlin mentioned Item 9 from Mr. Richard Millette's impacts letter that listed the lots impacted by wetlands greater than a ½ acre, and Lot 15 was not on that list. Vice-Chair Blanchard noted that Mr. Millette's letter alluded to other requirements such as the State Wetlands 100-foot buffer zone and the State's Comprehensive Shoreline Protection Act. Since the property was on Sagamore Creek, she asked if the requirements applied. Attorney Loughlin stated that the 100-foot tidal buffer was a different issue that they were not vested from.

Ms. Saunders asked what the additional wetland square footage was on the property compared to 1996. Mr. Chagnon stated that it was 1,466 square feet, so the 12,982 square feet of wetland based on the current mapping was larger than the previous wetland.

Chairman Miller asked what was meant by Lot 15 not being on the list. Attorney Loughlin stated that it was not a lot subject to a 25-foot buffer zone and was a buildable lot with no freshwater buffer restrictions. Ms. Stone asked if it was because the subdivision plan divided up the large wetlands that were greater than 20,000 square feet. Attorney Loughlin didn't know.

Mr. Chagnon discussed the City Ordinance regulations regarding two items in the application, the freshwater wetland impact of 125 square feet and the impact to the 100-foot buffer from Sagamore Creek of 2,750 square feet. Attorney Loughlin stated that they needed a Conditional Use Permit for the crossing. The most favorable place with the least impact on wetlands would be locating the house between the two wetlands and encroaching into the tidal buffer by 2,000 square feet. The 100-foot tidal buffer predated the freshwater buffer, and that was the reason it was not exempt. Mr. Britz confirmed that he meant the City had jurisdiction over the 100-foot

tidal buffer and the direct wetland impacts, and he asked why the Board of Adjustment had not done anything about it. Attorney Loughlin stated that the driveway impact was permitted as part of the subdivision. Mr. Britz said it was not listed. Attorney Loughlin replied that it was shown on the State approval but not the City approval. There was no wetland ordinance in effect when the Planning Board reviewed the subdivision in the mid-90s.

Ms. Saunders stated that legally, the application should not be before the Commission in terms of determining whether the applicant was vested in the freshwater Conditional Use Permit. She asked if he meant that they did not have to apply for it. Attorney Loughlin stated that they did have to apply for it because the inland wetland buffer was not exempt.

Chairman Miller stated that the Commission did not review legal matters and he would not be comfortable making a decision without legal advice because he felt he wasn't qualified to fully understand the information in the packet. He also felt that it was not fair to the applicant. The Commission's purview was environmental impacts. The applicant wanted a Conditional User Permit for the driveway going through the wetland, but Chairman Miller didn't want his input to impact legalities. Mr. Britz suggested postponing the application to the next meeting to allow time for the Commission to receive some advice from the Legal Department.

Chairman Miller felt that it was a matter for the Planning Board. Mr. Britz told him that the Commission had to weigh whether or not the project was in the buffer or postpone it to the next meeting and invite the City Attorney. Chairman Miller thought if they viewed it as the driveway impacting the wetland, then the applicant could go to the Planning Board regardless of whether the Commission approved or denied the application. Attorney Loughlin stated that if the vesting did not apply, they would have to return for a Conditional User Permit for the wetlands crossing. Chairman Miller clarified that they would vote on the wetland impacts with the driveway and the shoreline buffer and the buffer in the two areas that were undisturbed. Mr. Britz asked whether they would turn back the clock to the time the property was vested. Attorney Loughlin stated that the tidal buffer was in effect in 1997 and predated events. They were vested in the inland wetlands, and the tidal buffer had not been discussed at that time.

For purposes of discussion, Vice-Chair Blanchard moved to postpone the application to the April meeting pending formal communication from the City's Legal Department with regard to the vesting issue and others so that the Commission could move forward in evaluating the project on its merits. The motion was seconded by Ms. Tanner.

Ms. Tanner stated that she did not feel comfortable with the application because she did not think that crossing the wetland for a driveway was a good idea. If a legal situation negated it, she needed to hear it from the City Attorney.

Chairman Miller asked Mr. Britz if it was realistic to have a legal opinion from the City by the April meeting. If the Commission voted, the applicant would go to the Planning Board, which he felt would facilitate legal input. Mr. Britz said the applicant was before them for the tidal setback. Vice-Chair Blanchard stated that the property's history clearly showed that it was a challenging conversation for the City, the developers and the owner, and she thought it would be a good thing to bring it up formally to the Legal Department for resolution. It would force them

to address it and clarify how the owners would move forward. Ms. Saunders stated that the parcel of land had changed since 1996 due to the additional wetland and could affect the vesting issue, so the applicant would have to come before the Commission again anyway.

Chairman Miller asked for a final motion.

Vice-Chair Blanchard moved to postpone the application to the April 9, 2014 meeting so that the City's attorney could be consulted on the proposal. The motion was seconded by Ms. Tanner.

The motion passed by a unanimous (5-0) vote.

Attorney Loughlin stated that he would draft a letter to Attorney Sullivan outlining the issues and would send a copy to the Commission.

F. Off Brackett Road
Ann Coffey and Janice Stanley, owners
Francis Sullivan, applicant
Assessor Map 206, Lot 17

Attorney Bernard Pelech, Mr. Steve Riker of Sandpiper Environmental, and the applicant, Mr. Fran Sullivan were present to speak to the application.

Attorney Pelech told the Commission that the lot had serious constraints. The map he distributed showed the wetland area, the 100-foot buffer, and the buildable areas. To build a home, they would have to put a driveway through some existing trees and vegetation, so he had told Mr. Sullivan that anything he could do to reduce the house's footprint would reduce the impervious surface. Mr. Sullivan came up with a plan that substantially reduced the house's footprint to 34' x 53', and in doing so, moved the house further away from the wetland. The \$286,000 lot had been in the family for many years, throughout which taxes had been paid on it as a buildable lot. Without relief from the Commission and the Planning Board, it would end up as an unbuildable lot. A small freshwater wetland in the front of the lot allowed mitigation opportunities to enhance and plant around the wetland. Mr. Britz's memo stated that they were proposing to build a house completely within the wetland buffer. They could take steps to reduce the impacts and keep the existing treeline. There was no other realistic alternative outside the buffer, otherwise they would have to build a long driveway through the buffer and disturb the vegetation. There would be no adverse impact to the surrounding properties.

Mr. Riker stated that the plan had not basically changed since their January work session except for the house being downsized and the driveway being converted to pervious. A natural berm existed between the two wetlands. A stone drip edge was proposed to go around the house. Another option was to have gutters and downspouts to direct storm water, but it would be directed to the buffer, so the drip edge made more sense. In summary, they were asking the Board to approve the least impacting alternative, one of which was 2,480 square feet of impact to the buffer, and the other alternative of 4,020 square feet of impact. Chairman Miller clarified that the difference of 4,080 square feet would be the driveway through the buffer with the house outside. Mr. Riker stated that it would include most of the driveway and the front yard.

Ms. Saunders asked what the proposed square footage was to offset the impact. Mr. Riker replied that there were options of where they could plant and they needed feedback. Ms. Saunders asked that they provide the square footage to show how hard they would work to offset the buffer impact. Mr. Riker agreed. Chairman Miller reminded the applicant that it was not a work session and the Commission would vote on the application. Mr. Riker stated that he was aware of that, but they were willing to make some changes and return.

Chairman Miller asked whether the gradient was enough on the drip edge. Mr. Riker told him that a drip edge would not require a gradient. Chairman Miller noted that it infiltrated into the ground and asked if they would make pools next to the house or whether it would drain away from the house. His preference was not to disturb the trees because they would deal with a lot of the water. There was further discussion of where the enhancements would be placed.

Chairman Miller said he had received a letter from an abutter who had concerns about how the project might impact flow problems on South Street, located north of the lot. All the properties flowed down into the lot. Mr. Riker stated that the wetland would stay as it was with the culverts, and they would not take water from one watershed to another. They further discussed drainage from the lots on South Street and its effect on other houses.

Ms. Stone asked if the house had a basement and was told that it did. She noted that they were only 2 feet above the water table. Attorney Pelech stated that it was a full basement and they could excavate. Ms. Stone said that they should expect a high water table because the house was next to the wetland. Chairman Miller thought the drip edge would work as long as the water was cleared away from the house. He liked the driveway and preferred that they stay out of the vegetation and thought plantings along the edge would help suck up the water. Mr. Britz suggested a rain garden in the front yard. Chairman Miller thought the applicant might gain some capacity under the pervious driveway by digging deeper in the gravel.

Chairman Miller asked if anyone from the public wanted to speak.

Ms. Karen Carpenter stated that she was an abutter who had come to see what was proposed because she had water issues.

Mr. Jack Blalock stated that he lived directly across the street from the applicant and was very familiar with the wetland. Of the two options, he thought that the house further on the front of the lot would be preferable. He was concerned about mitigating the runoff and thought anything would help. The area to the right of the proposed house was very wet. He said they had a full dry basement, but everything around it was wet.

Ms. Tanner suggested that the house not have a basement but be built on piers instead, allowing everything to drain.

Ms. Carpenter stated that she had issues with not just rainwater that flowed toward Bracket Road but also with the drainage from Bracket Road that went across the backyard of all their properties

and headed in the direction of the proposed house. To prevent the water from flowing through their house, they had to do an elaborate series of drains in elevations behind the house. Hearing no other discussion, Chairman Miller asked for a motion. Ms. Stone moved to recommend the approval of the Conditional Use Permit for discussion. The motion was seconded by Ms. Tanner.

Ms. Tanner stated that she appreciated that the applicant had come before the Board for suggestions but it was not enough for them to vote on it due to all the changes being suggested, like the rain garden and the drainage. Moving the house from the previous location was an improvement, but there were too many issues and not enough details to approve the application.

Ms. Saunders agreed with Ms. Tanner and asked the applicant to improve the design and add more detail. The water was a big concern and she needed to see another plan. Attorney Pelech stated that they would postpone to the following month so that they could add more details, make a smaller footprint, and discuss whether or not to have a basement.

There was no further discussion. Vice-Chair Blanchard moved to postpone the application to the April 9, 2014 meeting so that additional plans could be submitted and reviewed. The motion was seconded by Ms. Tanner.

The motion passed by a unanimous (5-0) vote.

V. OTHER BUSINESS

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

VI. ADJOURNMENT

At 6:15 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Joann Breault
Acting Conservation Commission Recording Secretary

These minutes were approved at the Conservation Commission meeting on August 13, 2014.