



CONSERVATION COMMISSION
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MINUTES OF THE CONSERVATION COMMISSION

Wednesday, August 12, 2015 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chair Chip Hussey, Bill Bilodeau, Laura Byergo, Joe Fredericks, Kevin Lucey

Members Absent:

Chair Hussey opened the Conservation Commission meeting at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Application for a Special Exception: 17 Portsmouth Avenue [Map R21, 21]
Owner/Applicant: Robert Furino
Greenland Zoning Ordinance: Article XVIII, Sectional 18.10.1
The owner/applicant is proposing to replace and expand the existing deck and stairs. The existing deck and house are within the Inland Jurisdictional wetlands and requires a Special Exception be granted prior to any expansion.
2. Application for a Special Exception: 17 Portsmouth Avenue [Map R21, 21]
Owner/Applicant: Robert Furino
Greenland Zoning Ordinance: Article XVIII, Section 18.7.2, Subsection (Chart)
The owner/applicant is proposing to construct a 12'x16' shed within the 75' wetlands setback. The Zoning Ordinance requires structures to be set back 75' from Inland Jurisdictional wetlands when those wetlands are contiguous with surface waters.

Robert Furino addressed Commission members; also present was Deb Furino. When they originally purchased the property, there was not a 75' wetlands setback. They are requesting two Special Exceptions from the ZBA: to replace the existing stairs and landing, and to replace the existing shed.

The proposed deck, which will be expanded, and stairs are the second entry to the house. The actual surface area will be 200 sq. ft. The only exposure to the ground within the setback area will be the footings. There is an existing shed on the property. The new shed will be oriented more to the front of the property, and larger than the current shed. They are working with Reed's Ferry landscapers to put a gravel base with timbers to provide adequate drainage and ventilation.

The existing shed is in poor condition. A larger shed is necessary for storage. The shed will also have a removable steel ramp rather than a stationary footing. Deck footings and stairs will not impact the ground more than what is currently there. Deck posts will be replaced with sonotubes. No additional landscaping will be needed; the only tree to be removed will be a dying weeping willow.

Not being reviewed by the Conservation Commission, but briefly discussed, was the Request for a Variance. The proposed shed will be within the side yard setback. C. Hussey recommended the applicant know how much of the existing shed is in the setback compared to the proposed shed.

The consensus of the Conservation Commission was that they did not see a problem with either proposal.

3. Request for a Variance: 90 Depot Road [Map R13, 8]

Owner: Lynn G. Marsh Trust

Applicant: Michael Marsh

Greenland Zoning Ordinance: Article IV, Section 4.2, Subsection R (b)

The owner and applicant are proposing to subdivide approximately 1.7 acres from the existing 6.6 acre lot without providing any frontage on a Class V or better highway. The Zoning Ordinance requires a lot to have a minimum of 200' of frontage on a Class V or better highway.

Michael Marsh addressed the Conservation Commission, describing his property location. He has approximately 6.5 acres of land with 900' of frontage. M. Marsh is proposing to sell a portion of his land to a neighbor across the railroad tracks who would like to preserve his view. There is an agreement, in principle, for M. Marsh to sell the neighbor approximately 1.8 acres. Because the land will not be contiguous, M. Marsh must do a subdivision of land.

M. Marsh was granted a Variance by the ZBA years ago with the stipulation that the land could not be further developed. The neighbor does understand that he cannot build on the property; the only access would be over the railroad tracks. Responding to a question from J. Fredericks, M. Marsh stated that he would be willing to put an easement on the property noting that there could be no further building. M. Marsh clarified to Commission members that when the property is sold, nothing can be built on the lot.

M. Marsh continued that he has added rip rap along the shore line, and the neighbor plans to do the same to protect the shore. L. Byergo stated that it has been found that rip rap doesn't work. M. Marsh responded that he hasn't lost any trees since they added the rip rap.

The consensus of the Conservation Commission was that an easement be placed on the property so no further building can be done. It was explained to M. Marsh that permanent structures could not be built on the property, but seasonal temporary ones could; there is a 75' wetlands setback and 250' shoreland setback.

4. Review: Proposed Age Restricted Housing Development

- a. Nitrogen Level Study
- b. Plantings

Joe Coronati, Jones and Beach, addressed the Commission. Also present were Michael Green and John O'Neill.

Chair Hussey stated that he had reviewed the landscaping plan with a local nursery. Some plants were shown but not included on the legend; there were no problems with the mixture of species. Responding to a question from J. Fredericks, it was clarified that the first 1,500' of Bramber Valley Road is going to be proposed as a Town road up to the Vernita connection; the landscape plans were not updated for that portion of the road. They will not be removing trees from the Bramber Valley Road section; trees will need to be removed from the Vernita connection.

B. Bilodeau questioned the runoff from the slope on the Vernita connection. J. Coronati responded that they've added catch basins to accommodate the stormwater runoff. He explained how runoff will be diverted to the detention pond, adding that less water will flow to the area beside the flag company. In addition, they will be grinding the road and reclaiming the pavement. The new road will be 22' wide rather than 24'.

Per the Ordinance, any stormwater coming into contact with pavement must be infiltrated back into the ground; almost all will flow into the detention pond. A sand filter will be added, and the grade at the bottom of the pond will be raised. Stormwater will infiltrate through the pond; some of the other ponds will be utilized. There are outlets to the three existing ponds on site; when the water gets to a certain level, it will enter the system. The existing ponds may need some aeration to remain clear; there needs to be a turnover of a specific amount to prevent algae blooms. Maintenance of roads, drainage, plowing, etc., will be responsibility of the association. If the ponds overflow, there will be a system of headwalls and culverts throughout the development that will flow into the pipe system and the detention pond. Overflow from the detention pond will go into the wetland system; decreases offsite are from the two year storm through the 100 year storm.

It was explained that the association will take care of everything, with homeowners owning a limited common area around their home; the land is owned in common. All plantings, including foundation plantings, will be maintained by the association.

L. Byergo asked if the sidewalks could be something more environmentally friendly than asphalt. J. O'Neill explained their system for asphalt, adding it would last for approximately 25 years. The pavement on the road and sidewalks will be owned and maintained by the association. L. Byergo asked them to consider other alternatives to asphalt for the sidewalks. J. Coronati explained they needed to be ADA accessible: smooth and flat. The sidewalks will not be permeable; driveways and the parking lot will be permeable.

Removal of trees was explained to members. The grading plan and returning top soil was also discussed. The driving range area will stay as an amenity for the development. The area that is currently being mowed will be maintained.

L. Byergo voiced concern about their drainage plan working years later, and asked if there was a system in place to watch the drainage for the first few years. J. Coronati explained a landscape company will be managing on-site items; the ponds would be part of their maintenance. The association will ultimately be the "police". J. Fredericks agreed with L. Byergo, and suggested minimum standards should be in place that would mandate maintenance. J. Fredericks strongly suggested that the HOA documents include a standard that would enable the association to assess fees allowing annual maintenance. He stated that the development being a common area was a huge mistake because it eliminates individual responsibility for maintenance of housing units.

Summarizing this portion, L. Byergo suggested they reconsider an alternative for the sidewalks that would be more durable than asphalt. She further suggested that they have a plan to deal with the HOA being responsible vs. the need for keeping the ponds and detention systems clear. Aerating the ponds would be the third point to consider.

There has been a tentative agreement between GZA and Truslow Research. Some of the three bedroom units have been reduced to two bedrooms. In addition, there are both two and three bedroom units that will have nitrate treatment systems.

L. Byergo pointed out Danna Truslow's concerns regarding the closeness of the ponds to the groundwater. M. Green responded that this is covered in the HOA documents. J. O'Neill added that they are using a landscape company that has been certified by the State of New Hampshire.

J. Fredericks stated that he would like to know how the development will impact the aquifer protection district. He continued that this site is a former sand and gravel pit that has been stripped down; the water table is exposed, or nearly exposed; 70 plus units are being built and include septic systems. He would like to talk to the engineer.

M. Green pointed out that an independent engineer was hired on behalf of the Town. Quite a bit of review has been done, including the hydrogeological study (hired by the Town and paid for by them). They have been asked to go above and beyond, and they have. Although he appreciated their questions and frustrations, the project has been thoroughly engineered.

K. Lucey suggested that Chair Hussey, as a member of the Planning Board, request the Town Attorney review the condo documents. L. Byergo agreed with J. Fredericks and would like to know the impacts to groundwater and how they're being addressed. Again, she mentioned her concern about asphalt sidewalks. She was also concerned about the aeration of the ponds.

5. Stormwater Grant

Chair Hussey told members that the Planning Board was awarded the stormwater grant, and reviewed the time line. The Conservation Commission has requested to review the Stormwater Ordinance prior to approval. Chair Hussey added they should be kept in the loop as it advances.

MOTION: *J. Fredericks moved to review the revised Stormwater Ordinance prior to approval. Second – L. Byergo.*

DISCUSSION: J. Fredericks stated that if the Town Engineer and Town Planner are doing the work, the Conservation Commission should see it at the same time as the Planning Board.

MOTION: *J. Fredericks moved to review the revised Stormwater Ordinance prior to approval. Second – L. Byergo; all in favor. MOTION CARRIED*

Chair Hussey stated that the process probably won't start until after the first of the year due to Zoning Ordinance changes.

6. 2016 Budget

Approval of the 2016 budget was continued to the meeting on Wednesday, September 09, 2015.

7. Approval of Minutes: Wednesday, June 08, 2015

MOTION: *J. Fredericks moved to approve the minutes of Wednesday, June 08, 2015. Second – L. Byergo; all in favor. MOTION CARRIED*

8. Other Business

- Trails: Chair Hussey updated members on the trails, which have been done over to Van Etten Drive. There are some issues on Coastal Way: boundary markers are difficult to pinpoint. Brian Sullivan,

UNH, may be able to assist in finding the markers. Further trail construction has been put on hold until all markers have been located. Chair Hussey felt that construction would resume in the fall. L. Byergo stated that there would definitely be a problem with invasive species, and suggested including treatment in the budget. J. Fredericks suggested submitting a warrant article for trail maintenance.

9. Adjournment

MOTION: *B. Bilodeau moved to adjourn at 9:04 p.m. Second – J. Fredericks; all in favor. MOTION CARRIED*

NEXT MEETING

Wednesday, September 09, 2015 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Wednesday, September 09, 2015