

Barrington Conservation Commission  
November 7, 2013 7:00 PM  
Barrington Elementary School Annex, Professional Development Center

MEETING MINUTES

**PRESENT:** Pam Failing, Acting Chair  
Fred Bussiere, Selectmen representative  
Anne Melvin  
Marika Wilde, Alternate  
Alison Desmarais, Alternate  
Julia Guimond, Alternate

**ABSENT:** John Wallace, Chair  
Ken Grossman  
Peter Sandin, Alternate  
Glenn Gould, Alternate

**CALL TO ORDER**

Barrington Conservation Commission (BCC) Acting Chair Pam Failing called the meeting of November 7, 2013 to order at 7:00.

**DELEGATION OF VOTING MEMBERS** Acting Chair Pam Failing confirmed the presence of members as above. Julia Guimond joined the group at 7:10.

1) Guests:

a) Robert Churchill, Waterhouse Rd: 9.6 wetland buffer impact  
Mr. Churchill presented plans that show a proposed woodworking building to be constructed in an area of wetland buffer. As shown, the entire building would be in the wetland buffer. Construction would have half the building on slab and half on tubes. His request is that the BCC recommend that the proposed site (closer to the road) has less environmental impact than construction in the back southwest corner of the lot. To access the latter site would require the crossing of wetlands and would impact more surface area than the proposed site. There was discussion about reasonable alternative sites other than that proposed, such as building behind or adjacent to the house. Pam Failing mentioned that she would like to see if the ZBA will allow him to go closer to the road so only half of the proposed building is in the wetland buffer. Mr. Churchill responded that it would not be possible to go closer to

the road as underground utilities are in the way. He also stated that he would not go to the zoning board to request this. Churchill also mentioned that it would be unlikely he could build behind the existing house as underground utilities are required, and he does not believe it would be feasible to do the underground electrical installation for that site. He also mentioned that there is ledge in that area. The CC felt that ledge would not hinder construction and that a request to have utilities put above ground could be made to the PB. Fred Bussiere stated that he would like to see a more complete detailed plan to show all the impact to the wetland, location of existing utilities, as well as proposed mitigation measures. Mr. Churchill responded that the proposed site is downhill from the wetland and that the building would have gutters to allow for proper drainage and direct roof runoff towards the road. It was also mentioned by members of the CC that the proposed building seems large (30x50 including impervious area) for the building envelope. It was agreed that Pam will write a memo to the Planning Board outlining the CC concerns, and pros and cons, with the plan as presented.

Pam later submitted a memo to the planning board which follows:

#### MEMORANDUM

To: Barrington Planning Board

From: Pam Failing, Vice-Chair, Barrington Conservation Commission

Re: Churchill, Waterhouse Road, 9.6 Wetland Buffer Impact Request

Date: November 11, 2013

At our meeting last Thursday, Mr. Churchill presented a request for a 9.6 Buffer Impact waiver to support his proposal to construct a 30'x50' building entirely in a wetland buffer. We would like to share our thoughts on Mr. Churchill's request for this buffer impact waiver.

The applicant came to a previous Conservation Commission (Con Com) meeting for a pre-application discussion. It was felt that a preliminary site visit was in order to be better prepared for formal comments. A few members of the Con Com visited the Churchill property on October 20, 2013 and have contributed to the information provided here.

The map of Mr. Churchill's lot shows other areas within the building envelope where the building would fit. The building area in the SW corner of the lot is of sufficient size; however this location is less preferred as access to this area would create a greater impact to the wetland and its buffer.

Two areas that would avoid or minimize wetland buffer impacts are in the large space behind the house or to the right if the house where the driveway is. These locations may encroach on a wetland buffer; however this impact would be much less than the proposed location and these areas are already cleared (disturbed).

--- In response to our suggestion to build behind the house, the applicant stated that a separate electric service is needed for his equipment and he could not put utilities underground to the back of the house due to bedrock (?) in that area (visually noted). We suggested he ask for a waiver to have those utilities to the back of lot put above ground.

If this structure is allowed near the front of the property, we would prefer to see a lesser wetland impact which can be achieved by moving the proposed location toward the road. A compromise

would be to have half the structure in the buffer and half in the front setback. This property is the last one on the road, therefore a lesser visual impact.

--- Applicant stated that there are underground utilities across the front of parcel which would prohibit going closer to the road. However the location of utilities was not shown on his plan.

Other thoughts to consider for this request/decision:

- Common requests for this waiver have involved allowances for minimized wetland buffer impacts for primary structures, as needed to construct the primary dwelling or driveway access to it. This request is for an auxiliary structure, as large as the residence. Is this unreasonable for a lot with such building constraints?

-Originally applicant indicated this large structure would be used for a wood working hobby and would be built on "sono tubes". Now we understand it will be used for a wood working business and will be built partially on a concrete pad. Unclear as to what is really going to be built.

- The side setbacks, building envelop, and wetland buffer areas where established and shown on parcel maps with information available/known prior to purchase. If it is desired to not have the structure within the building envelope, perhaps the business should be built on a more conforming lot.

- The applicant has already cleared (bulldozed) the area near the front disturbing the wetland buffer, a wetland buffer violation. We often give residents the "benefit of the doubt" on such errors; however this area needs to be restored back to its naturally vegetated state, with or without this approval.

- Plan did not indicate how rain from new impervious area will be handled.

---Applicant stated that roof would have rain gutters directed towards the road. But then how is flow contained on property?

Thank you in advance for consideration of our thoughts/concerns.

#### b) Barry Gier: 9.6 permit for Yellow Dog Barn

Mr. Gier stated that there was a previous recommendation from the BCC (March 7, 2013) for a plan to expand the business to a nighttime kennel with permanent impact on 560 sf of wetland buffer. The plan as previously presented has changed and the applicant is looking for an amendment. The new proposal is to build six overnight kennels with a temporary impact to the buffer of 1132 sf and a permanent impact of 1189 sf. The new plan would require construction of a gravel fire lane for the back three units, a portion of which would impact the wetland buffer. All roof runoff from the kennels would still be handled through infiltration trenches, and there would be a vegetated ditch along the fire lane to intercept lane runoff and direct it toward an infiltration catch basin near the existing parking lot. There were questions regarding the handling of dog waste, and Mr. Gier stated the solid waste is collected and taken off site. Pam reviewed the zoning regulations relating to 9.6 (building in/impacting a wetland buffer) with the group, so that members would become familiar with the guidance provided for considering these waivers. Alison expressed concern with the amount of impervious surface the fire lane would create, as well as the concentration of urine from the kenneled dogs.

**Fred Bussiere made a motion to recommend the 9.6 application be approved for the Yellow Dog project as presented. Anne Melvin seconded the motion, which passed unanimously with a vote of three (3) to zero (0) in favor.**

Pam later submitted a memo to the planning board which follows:

MEMORANDUM

To: Barrington Planning Board  
From: Pam Failing (Vice Chair), Barrington Conservation Commission  
Re: Yellow Dog Barn, Route 4, 9.6 Wetland Buffer Impact  
Date: November 11, 2013

At our meeting last Thursday, Barry Gier of Jones & Beach Engineers presented a request for a waiver for construction in a wetland buffer (9.6) on the property of the Yellow Dog Barn (?). Mr. Gier stated the buffer impact is needed to install an access road that is being requested by our fire department for fire equipment. Since the fire access road is being required, appears to be constructed in the most feasible location, appears to minimize the wetland buffer impact, and includes consideration to mitigate changes in stormwater runoff, we have no objection to this request

- 2) Approval of minutes of Oct 3, Oct 17. Approval was tabled until a future meeting.
- 3) Complaints: none
- 4) Old Business:
  - a) Calef Isinglass property: ~300 acres along Isinglass. LCHIP took a site walk on Oct 25
  - b) Wilde/Johnson easement: ~10 acres near Mallego Brook  
Marika explained that Anna Boudreau from Strafford Rivers Conservancy said that SRC is considering backing out as a secondary holder of the easement because of the Selectmen's position on mandating public access. Anna expressed that public access need not be mandated as Marika is donating the development rights. It also was mentioned that SRC might be unable to complete the easement responsibilities by the end of the year. This would affect Marika's ability to get the tax benefits from the easement donation due this year. The question was asked if a secondary holder is necessary. Fred stated that he believes the Selectmen would be open to reconsidering the mandate for public access. It was decided that Marika needs to attend a Selectmen's meeting to request a change to the public access mandate, and the question of the need for a secondary easement holder needs to be answered. Pam suggested that John weigh in on these questions since he knows the most about easements.

- c) New members update . . . . The BCC welcomed new members Marika Wilde, Alison Desmarais, and Julia Guimond. Marika and Julia will serve as alternates for two year terms, and Alison will serve a three year term as an alternate.
  - d) Treasurer's report - status of Stewardship fund (Pam). Pam stated that she left a message with Peter Royce and Carolyn Berryment and is still waiting to hear back from them for an appointment to review the records.
  - e) BCC by laws (rules of procedure) - (Ken) This will be at a future meeting.
  - f) Addition of Leahy property to SATWaSR: signatures completed, will soon be recorded Fred mentioned that the Selectmen have signed for this.
  - g) Conservation Plan . This is continuing.
  - h) Steering committee for Master Plan: The group is still looking for new members.
- 5) New Business:
- a) Planning Board
    - i) Proposed conservation subdivision, Ramsdell Dr: There is a possibility this will be postponed due to changes needing to be made to the plan.
    - ii) Tropic Star (gas station) revised plans to review. Pam said she read the engineering report from our engineers, Dubois & King and thought it was thorough. Not all members got the review document and Pam said she would forward it to them. Pam suggested groundwater monitoring wells could be installed to detect fuel leaks early, and she had concerns with how the oil/water separator works in times of heavy rain and, since lot is being elevated, the runoff will flow on to the adjacent lots.

Earlier in the meeting, before Mr. Gier left, Pam asked if he would stay to answer a few questions about the gas station plans and he did. Pam Failing asked Mr. Gier about the detention and infiltration trenches. It was noted that the two systems in front of the building are detention trenches with impervious liners and catch basins with separators for oil and water, and the back trench is an infiltration trench with catch basin without oil/water separators. Pam asked why the system in the rear, near the truck filling area, did not have similar protection. Mr. Gier stated that the grading would have the flow go to the front detention trenches so there is no need for the back trench to be a detention trench or have the oil/water separators. Pam asked how the outflow water would be released from the detention basins and the direction of the flow. Mr. Gier responded that the outflow outlets are lower and allow the water to enter the existing drainage system along Rt 125. He also stated that the basins are sized to mitigate peak flow for a 50 year storm, and in a heavy storm the water would enter the basins and leave the site with the existing drainage system. There was discussion about the direction of this drainage once it left the site. Pam also pointed out that snow pile locations are where the plantings will be and asked how the snow piles would affect the plantings in the green space. Mr. Gier acknowledged that some snow

would be pushed to where the plantings are, and stated that new plantings would be put in each spring should that be necessary.

Pam also submitted a memo to the planning board which follows:

#### MEMORANDUM

To: Barrington Planning Board

From: Pam Failing (Vice Chair), Barrington Conservation Commission

Re: Tropic Star (Gas Station) Revised Plan review/comments

Date: November 11, 2013

Last week we received a copy of the engineering review comments from DuBois & King for the Tropic Star project. We have a few concerns with respect to quality/quantity of water to be discharged from the site, which is over one of Barrington's aquifers. Our engineer seemed to have left no stone unturned, however a few questions still linger.

First, the proposed grade is three feet above the existing grade and grade of the adjacent parcels. It is not clear from the drainage plan that runoff (untreated) will be contained on the parcel.

Mr. Gier stated that the detention systems (and infiltration system?) are designed to take the runoff from a 50-year rainfall event (~7" of rain in 24 hours). However, will the catch basin covers be able to accept this flow fast enough to catch it; avoiding system bypass?

It is good to see some catch basins will have oil and water separator units in them. Curious if there is a consideration in the property O&M plan to clean out these units after a certain period of time; to avoid bypass of contaminants to detention system?

It is unclear in the drainage plan whether runoff from the truck filling station, in the back of lot, will flow away from the unprotected catch basin leading to the infiltration trenches. We would not want contaminated runoff getting into the infiltration system.

Appear snow storage locations will be in same areas as the plantings. This may make it tough to keep the green space green and functioning.

Since the proposed gas station is over an aquifer, are we able to be proactive and request groundwater monitoring wells be placed in the vicinity for early leak detection?

And lastly for consideration, appears there is a lot infrastructure shown in the side setbacks, including part of the truck filling station. All of this impact is allowed in our regulations?

- iii) Gerrior revision: [268-1& Additional Lots -GR-13-SUB \(Gerrior Lane Trust\)](#). \$2000 still owed to stewardship fund. This has been deferred to a future meeting of the Planning Board.
- iv) Thunder Road subdivision: not yet before PB. The Planning Board will be looking for a recommendation from the CC that the town takes ownership of the open space.
- v) Bill for NHACC dues: \$310 Pam stated that she checked with John in that the dues did go up and that we do contribute to this every year.



**Anne Melvin made a motion that the BCC pay the annual NHACC membership dues. Fred Bussiere seconded the motion, which passed unanimously with a vote of three (3) to zero (0) in favor.**

Anne, Alison, and Julia attended the NHACC conference on November 2 and said they felt it was very good. Pam requested that they do a brief sharing of conference highlights at our next meeting.

**Fred Bussiere made a motion that Alison Desmarais and Julia Guimond be reimbursed for their attendance at the NHACC conference. Anne Melvin seconded the motion, which passed unanimously with a vote of three (3) to zero (0) in favor.**

- b) Intents to cut: none
- c) Possible to change meeting dates to 2d and 4th Tuesdays? Many people have conflicts with Tuesdays, so the meetings will remain on Thursdays.
- 6) Announcements/correspondence:
  - a) DES: Skipper wetland permit (Bassett Dr.) This has been approved by DES.
  - b) Brochures about Forest Laws for Municipal Officials meetings on Nov 19th.
  - c) NHANRS quarterly meeting, Pam would like to attend the Dec. 5<sup>th</sup> meeting. Some members expressed an interest in a winter botany workshop being offered on December 13<sup>th</sup>.
  - d) Reminder about monitoring LCIP easements
  - e) Booklet: Ten Years of Community Profiles. Pam shared the booklet.
- 7) Easements:
  - a) Easement monitoring: No report
- 8) Committee reports: None
- 9) Next scheduled meeting: Nov 21, 2013

**Fred Bussiere made a motion to adjourn the meeting at 10:10. Anne Melvin seconded the motion, which passed unanimously with a vote of three (3) to zero (0) in favor.**

Respectfully submitted,  
Pat Lenzi

**NOTE: THESE ARE SUMMARY ACTION MINUTES ONLY. A COMPLETE COPY OF THE MEETING AUDIO IS AVAILABLE AT THE LAND USE DEPARTMENT.**