

Approved: April 1, 2014

**New Castle Conservation Commission
Meeting Minutes March 2014**

Members Present: Bill Stewart, Lynn McCarthy, Beth Hume, Jim Rini, Brian Mack, Sharon Houston, Bill Marshall

Members Not Present: Curt Gillespie

Attending: John Chagnon, Andy Schulte, Rebecca Audet

Chairman Stewart called the meeting to order at 4:11PM.

Approval of the February minutes was tabled until the April meeting of the Commission.

Work Session/ Review and Recommendations:

**Mr. Stephen Eldrid, 180 Portsmouth Ave., Review and Recommendation Session/Work Session
Represented by John Chagnon, Ambit Engineering**

JOHN CHAGNON: filed paperwork along with plan. Would like to work on what kind of application to submit. Lot has boathouse, going to be classified as undeveloped lot according to DES. Set of architectural plans keeping in style of New Castle. Driveway will be used for Eldrid house. Garage will be facing away from Portsmouth Ave. Site plan existing conditions shows trees. Second sheet shows all construction being done outside the 100' wetland buffer zone. Prior plans had some patio and window wells encroaching on the 100' wetland buffer that have since been pulled back. Given that all construction presently proposed is outside the 100' wetland buffer zone no wetland permit is required. However, the applicant is required to file a shoreland permit with NHDES.

The committee respectfully requested that Mr. Chagnon color his plans in accordance with the Town's application instructions and as requested in a separate email from Chairman Stewart. The 50' buffer should be indicated with a red line, the 100' buffer indicated with a blue line and the 150' woodland buffer indicated with a green line.

The applicant is proposing a path from the house to the boathouse/ waterfront. It was discussed that the path would be natural and six feet or less in width. It was mentioned that if it had some turns in it, that it may help with runoff and erosion.

Mr. Chagnon mentioned that the applicant is planning a finished basement and that given the basement would be finished they would like to run a drain to daylight. Which he said may require some type of permitting. Chairman Stewart asked what the drain would be used for – ground water around the foundation? Roof runoff? Or a combination of both. Mr. Chagnon replied that it would only be for the basement (foundation).

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Ms. Hume asked about gutters. Mr. Chagon replied that that he didn't think they want to have gutters. He anticipated that they would just let the rain come off the roof into some type of drip edge and then filter through the 100' buffer area.

The discussion turned back to the drain. Chairman Stewart asked where it will come out to daylight. Mr. Chagon replied they would probably run it under the path to the water's edge. Chairman Stewart asked if this would concentrate the water and bring it closer to the resource. He stated that we should try to prevent it from going to the resource both for any pollutants it may pick but also for fresh water inundation.

Mr. Chagon elaborated that the pipe will be 4 inches in diameter. That the driveway side elevation is at about 21ft, the 1st floor elevation is about 22ft, and the basement is at about 11ft. He said it might not have to go too far to get daylight. Garage is split from house. Drain should be to 10 feet, so it will have to be in the 100ft. Chairman Stewart asked if it would be close to the 50' buffer line where it reaches daylight. Mr. Chagon replied that it would be close to the 50' buffer, somewhere near the existing boathouse.

Mr. Rini asked if the declination on left side of the property was natural or created. Mr. Chagon replied that it is a natural slope.

Mr. Chagon also stated that the owner is discussing putting a bathroom in boathouse, which might go in the permit and include trenching and piping for the utilities. Mr. Stewart asked if it would be sewer or septic? Mr. Chagon replied that they would tie into the forced sewer main.

Mr. Stewart asked about electric? If there is a bathroom now? You are going to apply for it? Mr. Chagon replied that the owner wants to but had been told by the building inspector that he didn't think he would ever get a permit for it.

Mr. Stewart asked if there would be any digging or impacts within the 100' buffer. Mr. Chagon replied that the house is outside of 100' line, so the only impacts are foundation drain, and walkway. It will either be a permit by notification or minimum impact expedited wetland. Mr. Chagon asked about a site walk.

Chairman Stewart asked if there was an understanding of the Town ordinances regarding vegetation cutting; the owner is required to leave 50% of existing vegetation in a well distributed stand within 150' woodland buffer.

Mr. Chagon replied yes they were aware of the ordinances. The owner would like to have some lawn in 100 behind house on the waterside and did plan to cut some trees beyond what is needed to build the house.

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Mr. Stewart asked what percentage of the existing trees would need to be cut to build the house. Mr. Chagnon replied that it would be pretty substantial; 20-25%. Mr. Stewart also said you will run a grid, make points, and make well-distributed cuts. The ordinances covering vegetation appear in two different sections. Mr. Chagnon replied he is aware of the ordinances and will put together the information.

Ms. McCarthy asked if Mr. Chagnon would bring the grid and information to the site walk. Mr. Chagnon replied that he could as long as we schedule the site walk for the end of the month.

Ms. Humes asked if the trees to be cut could be tied so that the Commission could see which ones they are and the effect on the site. Mr. Chagnon replied that he could do that.

There was discussion regarding tree cutting and referencing updated ordinances related to maintaining trees and vegetation.

Mr. Stewart stated that from conservation standpoint, the issues include; potential utilities in the boathouse, the foundation drain (digging, location and infiltration before it reaches the resource), and the proposed path to the water.

Mr. Rini stated that the owner is probably going to have trouble maintaining a lawn in that area.

Andy Schulte (Main St., New Castle) mentioned that for the perimeter drain at basement to go to daylight it will be awful close to boathouse right? Mr. Chagnon thought it would be about half way to the boat house. Mr. Schulte commented that based on elevations he thought it would be much closer. Mr. Chagnon reviewed the numbers a bit and stated that it would be closer to the boathouse than half way and made an indication on the plan where he thought it might be.

Mr. Schulte asked about digging to put it in. Will you remove a bunch of trees? Will it be changing root systems? Mr. Chagnon replied it will be the same disturbance area for pathway.

Mr. Schulte asked about height restrictions. The height on the plan is 31 ft 10 in. Will they be adding fill to make height restrictions work? Any fill in 100 foot buffer? Mr. Chagnon replied that the aim is to avoid a conditional use permit.

Mr. Stewart noted that the package submitted didn't have a grading plan. Mr. Chagnon replied they have been meeting with building inspector to make changes to height.

Mr. Schulte stated that the height is from top of roof to lowest grade and Mr. Stewart commented that it was the average height on the low side of the house. Mr. Schulte said "we've been here before with the other house on Portsmouth Ave."

Mr. Stewart said that when we talk about fill that remains it is a permanent impact. Do you view fill as a permanent or temporary impact? Mr. Chagnon replied that the change in grade around house is not

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permanent. He considers it temporary. Mr. Stewart stated that grading is important to us and that the distinction between permanent and temporary is significant. We want to know what will remain for fill, and requested that Mr. Chagnon let us know what fill would be used on the site and what will remain there.

Mr. Rini asked how far above grade do you put the first floor for this house? Bottom left hand corner grade of 13.5ft which brings the foundation drain down to right beside boathouse. Mr. Chagnon replied that it is a partial walkout basement. It comes out at 10 and had to walk up to 13, first level at 20ft. 10ft would be floor elevation, footing will be 9.5ft. It just has to be below slab. First floor at level of driveway. Mr. Rini responded which is about 15-18ft, bringing it down to 7ft, which brings the drainage pipe out right by boathouse.

Mr. Schulte said "They're going to be digging up mussels to make that perimeter drain to daylight."

Mr. Stewart summarized that we need to fully understand the foundation drain, where it would be located and what would be involved in putting it in (elevations, fill, digging, etc.). We need to know how much and where fill is being used on the site and the effect that will have on elevations, slope and general conditions. We also need to know if the owner is applying for utilities and service for the boathouse. There also needs to be a cutting plan depicting all the existing vegetation and what will remain and what will be cut.

Mr. Rini stated that the basement drain is going to take roof water, especially without gutters. Ms. Hume added that we need specifics on the path to the water and Mr. Rini followed with and which trees will be lost.

Ms. Hume asked about the surface of the driveway? It was stated that the existing driveway was paved and that the piece going to the new house hadn't been specified.

Discussion related to site walk plans. Scheduled for 9am Wednesday March 26, beginning at 180 Portsmouth Ave, then going to 85/87 Piscataqua St.

Clarissa Christensen, 85/87 Piscataqua Street, plan review session

Mr. Chagnon clarified that the property was two lots and was recently approved to be combined by the planning board into one lot and that the lot had two condo dwellings allowed on it.

Just to clarify Mr. Stewart asked if they have rights to condo 2 houses. Mr. Chagnon showed proposed house in approved condo application. Two structures in back torn down, replaced with one that meets setbacks. Shared driveway will be gravel up to houses (portion just outside the garage will be porous pavement). We've filed for standard dredge and fill. Demolition and renovation of portion of remaining structure is planned. Porous walkway, utilities will be added

Mr. Stewart asked how big is existing structure is and the size of the proposed structure? Mr. Chagnon replied that the existing is 2485; proposed is 3140.

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Mr. Stewart commented that because it's a condo both structures are considered on one piece on the land and thus the houses combine for lot coverage, impervious surface and other related calculations.

Mr. Chagnon stated that yes, the property is owned by all condo owners. One of the things were dealing with is flood zone, which goes through the front structure. To make structure more flood resistant, we will put fill in front to raise structure to 11 or above

A member asked how much fill? Mr. Chagnon replied a foot at the most. Plan C3 shows electrical service upgrade. The new line is shown running up the driveway and leading in to the house near the garage area. However, due to timing of front house, and the fact that the addition may not be built right away the owner would like to change the plan to have the service upgrade come into the existing house. It will come off the pole near the driveway entrance and run underground to the front side of the existing house which has digging impacts inside the 100' buffer. It is expected that they will trench and put in a new line, which is a temporary impact. They also for flood reasons are taking the panel out of basement and putting it on the first floor.

Mr. Stewart clarified that all the electric work will be outside 50, but within the flood zone and within the 100? And the rationale for moving the electric to the first floor is flooding? Mr. Chagnon replied yes.

Mr. Stewart said this plan requires more digging than alternative. Can you update without retrenching? Mr. Chagnon replied that they could not.

Ms. Houston asked if there was an alternative to digging. Mr. Chagnon replied yes, they could use a 4in conduit. Mr. Stewart stated that the impacts are: raise front with fill to get out of flood zone, addition in the 100' buffer and utility service. Are the heat system condensers 18 in above grade? Mr. Chagnon replied that yes they were above 18" to keep them out of the snow.

Mr. Chagnon commented that related to the wetlands application, there is 1000 sq ft of temporary and 2200 sq ft of permanent impact.

Mr. Stewart asked what about maintaining buffer plantings? Currently a stone wall exists in front of house right. There will be only six inches to a foot of fill? Mr. Chagnon replied that the fill is only near the house and will not be placed near the wall.

Ms. McCarthy asked if the new patio pervious? Mr. Chagnon replied yes, and same at Gray residence being build on the back of the lot.

Chairman Stewart was not comfortable moving to a vote with significant changes being made to the plan and because the commission hadn't done a site walk. It may also be helpful for the applicant to go to the planning board for a work session related to the construction. Based on feedback from work session, we would be in a better position to vote on the application. Then the conservation commission would hear it again on the 1st.

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Planning board will look at it as whole, Mr. Stewart will be there to give input. A work session with planning is scheduled for March 26th with a public hearing to follow on April 23rd.

Mr. Stewart made a motion to recommend applicant attend a work session with planning board on March 26 prior to returning to NCCC in order to clarify plans related to construction details. Ms. McCarthy seconded the motion. The motion carried with a unanimous vote.

Membership:

Rebecca Audet introduced as potential new member.

Fertilizer ordinance:

A public hearing was held by the planning board and the warrant article to amend the fertilizer ordinance passed unanimously. The commission discussed getting some supporters to attend the annual meeting and vote for the ordinance change. The commission will talk about how to support that effort as we get a closer to May.

Ms. Hume discussed loosestrife beetles. Permit ready, will cost \$360 for 1,000 adult beetles. We need to decide where to release them. The previous releases seemed to work well, but should be monitored. Can tell by leaf damage

Mr. Stewart asked what are best practices related to release and monitoring. Ms. Hume responded that she could get that information from state guy. Mr. Rini made a motion to approve funding for the purchase of 1,000 adult beetles. Mr. Stewart seconded the motion and it carrier with a unanimous vote.

Additional discussion about Islander Articles, including articles about climate change, composting ensued.

Ms. Hume stated that she'd like to start education related to the importance of growing milkweed to support monarch butterfly populations. Numbers are down even more previously thought, somewhat related to deforestation in Mexico, but also due to use of Roundup on crops, which kills milkweed. The butterflies lay their eggs on milkweed plants. Ms. Hume state that we can get plugs for \$1.90 each. They come in flats of 36, minimum order one flat. There is already one bed started between pitch pine and cemetery.

Ms. Hume remarked that we should get the whole seacoast on board because we are directly in the path of migration. We should go ahead and get a flat or they will sell out. Mr. Rini made a motion to order case of milkweed plugs. Ms. McCarthy seconded it and the motion carried unanimously.

Mr. Stewart asked if someone want to go out and look at culverts? Mr. Mack responded that the only problem is the one behind Heindel's property. Where are all the culverts? Mr. Stewart responded that he will take the culvert piece and speak with Tracy about grant opportunities.

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Mr. Stewart spoke to the budget committee about budget, that's moving forward as presented.

Mr. Rini and Ms. Audet are interested in participating on a committee related to the use of Roundup on town property. They will keep the NCCC updated about the important points and findings from that committee.

Ms. McCarthy announced that there is a conference at UNH April 5th, "Saving Special Spaces." NCCC will pay for those members who want to attend.

Mr. Rini motioned to adjourn; seconded by Ms. McCarthy and the motioned carried unanimously.

Meeting adjourned 6:21pm