

NEW CASTLE CONSERVATION COMMISSION MEETING  
TUESDAY MARCH 1, 2016  
4:00 PM

**Members Present:** Chair Lynn McCarthy, Ron Pascale, Jim Rini, Beth Barnhorst, Nancy Gulley, Planning Board Representative Darcy Horgan, Brian Mack

**Members Not Present:** Curt Gillespie, Bill Marshall, Rebecca Audet

**Others Present:** Theresa Walker, John Chagnon (Ambit Engineering), Tracy Degnan

Chair McCarthy called the March 1, 2016 meeting of the New Castle Conservation Commission to order at 4:12 pm.

1. Approve February 2016 minutes

*Nancy Gulley MOVED to approve the minutes as written; this was SECONDED by Beth Barnhorst and APPROVED unanimously.*

2. Work Session/Applications:

**a. Review and Recommendation – 33 Wabach Street, Tax Map 18, Lot 72. Owners: Douglas J. Palardy & Daniel E. Innis**

Reconfigure decking on existing structure; add a second story and balcony to the garage, improvements and buffer enhancement to treat stormwater runoff.

Chair McCarthy noted that the members held a site walk of the property with John Chagnon of Ambit Engineering.

Mr. Chagnon distributed plans for the property to the members for their review. He said they are submitting a Minimum Impact Expedited Application because the property has been developed and they are only requesting changes to the property. Mr. Chagnon displayed architectural drawings of the property and pointed out the garage, the dormer addition and the balcony (which is above grade). He noted that the balcony does not hang over the water.

Mr. Rini asked what the decking will be constructed of and Mr. Chagnon said it will most likely be slated planks.

Mr. Chagnon showed two other views of the property for the members to review, noting that the stairways are located inside the garage to the second floor.

Mr. Pascale asked where the water will flow from the roof and Mr. Chagnon pointed out on the drawing where the water will flow and noted that it may have more force than previously. He suggested that issue be looked at and discussed with the owners.

Mr. Chagnon displayed photos edited to show the property as proposed. He also displayed the existing side view and the proposed side view. Mr. Chagnon also displayed elevation views (from the river) of the proposed changes to the property. He noted there is a planting plan for the rain garden but not the buffer plantings (behind the garage and porch).

Chair McCarthy asked if the brick driveways are included in the lot coverage calculation.

Mr. Chagnon said the impervious calculation includes the main structure, deck, garage, brick walk and the drive.

Chair McCarthy noted that the building is being expanded into the 50 foot buffer and that the proposal is increasing impervious surface by 3%.

Mr. Chagnon suggested doing some mitigation on the property to offset the 3% increase.

Darcy Horgan said the Commission is asking for the lot to be improved while these changes are being proposed. She said it is good to remove the one deck and add another deck that is friendlier; but it is also be helpful to improve the lot by adding plantings and a rain garden.

Beth Barnhorst said the proposed deck will extend further and will be closer to the high water mark. She suggested shortening the width of the deck to make it less of a concern.

Mr. Chagnon reported that relief has been applied for from the Zoning Board of Adjustment. He said that the house is 7.7 feet from the resource line and the deck will be 5.6 feet from the resource line. He said the proposed deck is 290 square feet and the one being removed (on the side) is 128 square feet (the proposed deck will be approximately 9 feet by 32 feet).

Jim Rini said he has no problem with the balcony on the garage and feels the impact is negligent. He noted that the dormer and the change of roof line will concentrate a lot of rain in two very narrow and specific regions.

Ms. Barnhorst noted that there will now be two roof lines; the elevated roof and the dormer roof line.

Mr. Chagnon suggested catching the roof runoff in the valleys and running a perforated pipe into the buffer area to disperse the water.

Chair McCarthy asked the members how they feel about increasing the impervious area. She said she would like the percentage to remain the same and suggested decreasing the size of the deck. Chair McCarthy said the Commission is discouraging any increase in impervious surface.

Mr. Chagnon suggested keeping the percentage of lot coverage the same by removing the patio area and returning it to what it previously was.

Mr. Rini noted that would not decrease the lot coverage because the patio is built on mostly ledge which is also impervious.

Ms. Barnhorst suggested reducing the deck by shortening the side deck.

Chair McCarthy said the Commission would like to stay consistent in their message and not build within the 50 or 100 foot setback and by not increasing impervious surface.

Ms. Horgan said this proposal is making a non-conforming structure even more non-conforming.

Ms. Barnhorst said the proposed plan adds impact to the back of the garage and deck.

Mr. Chagnon suggested extending the deck to the corner or a little further to the post; which would increase lot coverage by 40 square feet or 1%.

Chair McCarthy said there will buffer plantings and a rain garden, but she believes it is possible to keep the percentage of lot coverage the same without adversely affecting the proposal.

Mr. Chagnon said it would work best if the Commission made specific recommendation to shorten the deck because of the impervious surface and because it extends too far toward the resource. He suggested extending the deck only four feet beyond the bump out on the structure. He said there is also an access patio that could be removed and thereby reduce the lot coverage further to get it to less than 1% increase.

Jim Rini suggested cutting the deck back to the right post. He agreed that he would like to see the project have a 0% lot coverage increase. Mr. Rini said the Commission could ignore the 27 square feet of the balcony on the garage and not consider that impervious surface because the runoff will be collected and redirected.

Brian Mack said the Commission should stipulate that the decking be slotted.

Mr. Chagnon summarized what he believed the Commission was asking for; the balcony (27 square feet) will not count in the lot coverage for the purposes of the town, the new deck will be decreased by 90 square feet from the original proposal and an additional 45 square feet of impervious coverage will be reduced elsewhere on the plan (not the stone patio which does not decrease the impervious surface).

Conservation Commission will provide comment to the ZBA that they suggest the plan be amended to have the proposed new deck be no greater than 200 square feet (decreasing the area closest to the resource) and reduce the impervious surface elsewhere on the lot by 45 square feet (other than the stone patio) to have no increase in lot coverage from the existing lot coverage calculation, install slotted decking to allow runoff, add perforated piping to disperse roof runoff into buffer plantings and draw up a planting plan for the buffer plantings.

### 3. Unfinished Business

#### a. Revised Ordinance update – Tracy Degnan, RCCD and Theresa Walker

Tracy Degnan said the Planning Board meeting on the 24<sup>th</sup> discussed the proposed ordinance changes. She distributed materials produced by Conni White for the educational component. Chair McCarthy displayed posters that will be displayed in town. Ms. Degnan said she has notes from Conni White and Jim Rini on how to improve the talking points to the residents and the Planning Board members. She said she could use photos of flooding events, talk about the criteria of why the Prime Wetland designation is important and how it helps DES. Ms. Degnan said she reached out to chairs of other Conservation Commissions to discuss how having a wetland in their community designated as a prime wetland has affected them. She said she spoke with Dave Borden who is supportive and will attend the workshops. Ms. Degnan suggested that the Conservation Commission members have a talking point they feel is important. She said that Ms. White suggested tying the Lavenger Creek area into the importance of that area and how it could potentially bisect the island. Ms. Degnan said that Ms. White suggested a social media campaign to assist the dispersing of information regarding the revised ordinances. She said she will work with Theresa Walker to create a more user friendly presentation.

Theresa Walker said there are two narratives (two grants) that they are trying to merge. She said that Julie Labranche's presentation last week was to provide the information to the Planning Board as a

foundation. She said they are trying to tell two stories and how they support each other. Ms. Walker suggested that Dave Blanden speak at the meeting about tales of what he has seen over the years and how they have had to respond to floods and other natural issues especially since the second workshop discusses residents preparing for natural disasters.

Ms. Degnan said that Dave Borden brought the new commissioner of DOT to show him the roads in the area (New Castle, Rye, etc.).

Nancy Gulley noted that there is still water on Route 1B in certain sections.

Ms. Walker said that she would work with Ms. Degnan on a storyline for the public workshops.

Ms. Degnan would like to have a group view the draft presentation before the Public Hearing meeting on March 21<sup>st</sup>.

Ms. Horgan said she anticipates a very large audience on March 21<sup>st</sup>. She said the board will vote after hearing public comment on whether or not the articles will be placed on the warrant or decide to have a second public hearing (only if there is a substantial difference in the language). She said the presentation at the meeting on the 21<sup>st</sup> should address what the impacts will be to residents when the buffer is increased and answer the question why the Commission is recommending increasing the buffers.

Ron Pascale asked what the benefit to land owners would be.

Ms. Barnhorst said it will help with the community rating system for flood insurance and that will be a benefit to the home owner.

The members, Ms. Walker and Ms. Degnan will meet on Wednesday March 16<sup>th</sup>, 5 pm in the Macomber Room to listen to the draft presentation for the March 21<sup>st</sup> meeting and provide comment

Ms. Horgan reminded the members that the Public Hearing will be on Monday March 21<sup>st</sup>, 6 pm in the Macomber Room.

Chair McCarthy said it will be helpful to be able to provide a clear presentation to the property owners in town as to why the Commission is proposing this and what will happen if this is not done.

Mr. Pascale said the residents are concerned about their ability to use their property and if there will be a decrease in the value of their property. He suggested addressing these two points.

Ms. Horgan said the residents need to know that the increase in buffers still allows people to perform work through the conditional use permit process. She said the board will work with home owners to make the proposal a win/win and work with the residents on things that can be done to improve the project. Ms. Horgan said the proposed changes will increase property values. She noted that the more we do as a community to protect our water the more it enhances everyone's property value. Ms. Horgan said the Town wants to ensure good planning and good projects.

Ms. Horgan asked if proposing work within the buffer of a Prime Wetland require a review by the Corps of Engineers.

Ms. Walker and Ms. Degnan will research this, but they did not believe that to be the case.

Ms. Walker noted that if a project is within 100 feet of the Prime Wetland DES needs to show impacts on particular functions and values for that wetland. She said the members need to make clear to the residents what the Lavenger Creek functions and values are. She also suggested having maps available for abutters to view at Town Hall to see how the buffer changes would affect them.

4. New Business

The members briefly discussed the replanting of the rain garden behind the library.

Ms. Degnan asked Chair McCarthy to sign the application for invasive spraying (Rodeo) on behalf of the Commission. The members agreed to have the Chair sign the application as the land owner.

5. Announcements – No discussion at this meeting.

6. New Member – No discussion at this meeting.

7. Adjourn

*Jim Rini MOVED to adjourn the March 1, 2016 meeting of the New Castle Conservation Commission at 6:00 pm; this was SECONDED by Nancy Gulley and APPROVED unanimously.*

Respectfully submitted by,

Susan Lucius, Secretary to the New Castle Conservation Commission