

**NEW CASTLE CONSERVATION COMMISSION
MINUTES DECEMBER 6, 2016 4:30 PM**

Present: Lynn McCarthy, Chair, Connie White, Vice Chair, Jim Rini, Ron Pascale, Beth Barnhorst, Darcy Horgan, Brendan Tanguay

Also present: Laura Ludes, Steve Riker, Ambit Engineering.

1. Approve Minutes.

Approval of the November 1, 2016 minutes of the Conservation Commission was deferred until the next meeting.

2. Work Sessions/Applications.

a. 30 Beach Hill Road, Tax Map 10, Lot 35; Applicant Laura Ludes; Project: Remove room on backside of house and add room to front side of house.

Applicant Laura Ludes was present and explained her project to the Commission. She indicated there had been a sitewalk, the previous day and that her changes will make the property more conforming. It will go from the present infringement of 112 sq. ft within the setback to 47. It is a Class B wetland which requires a 50' buffer.

She referred to her drainage plan and answered questions from Connie White regarding the berm, the corner piece and difficulties with the street run off.

Ms. Ludes said they can't fix the street run off, but did explain where the turf would be.

Darcy Horgan asked about the drainage and was advised it slopes to the rain garden. The plantings include ornamental grass. Connie White asked about possibility of deck construction, and the applicant was not certain at this time.

Jim Rini asked if the chimney was within the 50 feet. The chimney is 8 square feet and about one half is in the 50-foot buffer. Ms. Ludes noted they are moving the structure out of the 50-foot buffer.

There being no further questions, Chair McCarthy called for a Motion. Connie White made a Motion to Recommend approval of the submitted building plan by Applicant Laura Ludes of 30 Beach Hill Road, Tax Map 10, Lot 35, to remove the existing structure and rebuild a new structure as per plans dated November 16, 2016 and to add the berm and rain garden per landscape plan dated November 23, 2016. Beth Barnhorst seconded, and the Motion carried.

2. Unfinished Business.

a. Letter from Don Cook regarding the Spellman property fence.

Chair McCarthy stated the Commission had received a letter from Mr. Cook, and a new proposal. There had been a sitewalk but only three members were able to do it. Connie White noted the Commission was clear that the property owners should stay out of the 50 foot area. The new plan does not reflect this.

The property is located at 350 Wentworth Road. The owners had proposed installing a fence surrounding the entire property in order to keep out deer and safeguard their dogs. Mr. Cook stated in his letter, dated November 30, 2016, that in a prior appearance before the Commission he sought opinion and feedback regarding installation of a 6' high black ornamental fence around the perimeter of the 3 acre property which would necessitate installing the fence through the wetlands. After hearing the Commission's preference to not have any of the fence in the wetlands, the owners reconsidered and proposed a plan with a 75' buffer around the wetlands. Mr. Cook explained that first submission was incorrect as it showed the 75' buffer for the State required septic setback. Mr. Cook submitted a new plan that shows the corrected 50' buffer. They are now requesting to install the fence 25' into the buffer as shown on the new plans as a green line. He further explained that the dotted green line is only an approximate location for the fence. The pink line is the 50' foot buffer. Their intent is to straighten it out rather than having a serpentine layout and may move the fence slightly so that they do not cut any additional trees. Mr. Cook asked the Commission to work with them on this compromise. If approved, they need to appear before the Planning Board for a Conditional Use Permit.

The Commission proceeded to discuss the matter. Vice Chair White stated it would be her preference for the fence to stay out of the buffer. Beth Barnhorst remarked that a lot of trees had already been removed, and there is little area for the wildlife to migrate if the fence were installed as proposed. She expressed concern that with the leach field going in the corner everything will slope down toward an abutting lot. She agreed with Vice Chair White that the fence should not be in the wetlands. Her opinion was that the fence should be where the pink line is on the submitted plan. She also suggested that an invisible fence should be considered. Chair McCarthy brought out an aerial photograph of the site which the members reviewed, and made suggestions as to where the fence should be installed. Darcy Horgan noted that the fence is a structure therefore they will need a Conditional Use Permit and be subject to those requirements. Ron Pasquale noted the requirements of obtaining a CUP. Darcy stated that the fence needed to be outside the 50' buffer. She also liked the idea of running a tape and see the natural lay of the property. Maybe some of the fence could curve into the 50' which would be ok with her. Jim Rini suggested a compromise should be discussed.

Beth Barnhorst would like to see a landscape plan for the house structure. After further discussion, Chair McCarthy agreed to contact Mr. Cook and set up another site walk to look at the lay of the land. Vice Chair White suggested a paint line as opposed to a tape. Ms. Horgan favored the tape.

b. Stormwater ordinance update.

Darcy Horgan reported that there had been a prior meeting on this matter with Beth Barnhorst, Jim Rini and Ron Pasquale, resulting in a draft agreement for professional planning purposes between the Rockingham County Planning Commission and the Town of New Castle. This agreement states that the RCPC will be retained by the Town to provide technical assistance to develop stormwater regulations. The Town will contribute matching funds of up to \$1000. (The service is provided by a grant). Chair McCarthy called for a Motion on the proposed agreement. Jim Rini made a Motion to approve expenditure of \$1000 from Conservation Commission budgeted funds for professional planning services from the Rockingham County Planning Commission. Vice Chair White seconded, and the Motion carried.

c. Phragmite removal from Lavenger Creek Update.

Chair McCarthy noted this matter is still pending.

3. New Business: None.

Local resident Mrs. Clough asked about availability of Conservation Commission minutes, and was referred by Darcy Horgan to Pam Cullen, Assistant to the Select Board. She was interested in whether the percentage of pervious and impervious surfaces would be changed or impacted by the new stormwater regulations. Darcy explained that stormwater management dealt with managing runoff on one's own property.

4. Announcements.

Chair McCarthy stated that membership dues need to be paid for the NH Conservation Commissions Association. She made a Motion to authorize the expenditure of \$266 for the dues, which was seconded by Jim Rini. Motion carried.

Chair McCarthy and Commission members welcomed new Alternate Brendan Tanguay and paperwork was signed.

There being no further business to come before the Commission Vice Chair White made a Motion to Adjourn which was seconded by Jim Rini. Motion carried.

Meeting Adjourned at 6:00 PM.

