

**APPROVED**

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**MINTUES OF THE NEW CASTLE CONSERVATION COMMISSION**  
**Tuesday, October 3<sup>rd</sup>, 2017 – 5:00 p.m.**

**Members Present:** Lynn McCarthy, Chair, Conni White, Vice-Chair, Rebecca Audet, Beth Barnhorst, Ron Pascale, Brandon Tanguay

**Members Absent:** Darcy Horgan, Bill Marshall, Jim Rini

**Others Present:** Steve Riker, Ambit Engineering, Laura Ludes

**1. Approve Minutes.**

Ms. McCarthy called the meeting to order 5:05 p.m. and asked attendees to sign in. Ms. White made a motion to approve the August minutes as written. Ms. Audet seconded. Motion carried unanimously.

**2. Work Session / Applications.**

Ms. McCarthy introduced Steve Riker from Ambit Engineering. A site walk of Helen Maldini's property at 19 Lavenger's Lane (Tax Map 4/Lot 16) was conducted with Mr. Riker and architect Anne Whitney. Mr. Riker presented a site permit plan to the Conservation Commission. The plan included hard landscaping and the addition of concrete and asphalt located within the 100 foot setback. Most of the proposed landscaping would be outside the 100ft setback. Mr. Riker noted that not all of the asphalt belongs to the Maldini lot, but the owner would eventually like to purchase land on the adjacent property to expand the lawn area.

The hard landscaping plans include reconfiguring the entrance so that it is square to the house, adding a stone stairway and a small retaining wall, and creating more standard risers that are nine inches in height. Additionally, the gravel on the northeast side of the house would be removed and replaced with seed to become a lawn. There would be a gravel drip edge, typically two feet wide, for the roof above. The front of the garage would have a four foot addition to provide more garage space, as the garage is currently 18 by 18 feet, below the standard size of 24 by 24 feet.

In the rear of the property, a proposed cantilever deck would extend five feet off the house on the third floor. The deck would be supported by brackets so that no supports would touch the ground. In the back, the existing stepping stones would be reconfigured to provide access to the deck. A portion of the existing deck would be removed to add a screened-in porch. The wooden walkway that currently provides access to the water would be expanded from 30 inches to 48 inches wide. This walkway would be extended to provide easier, safer access to the water. Planting areas are proposed to be added along both sides of the walkway.

Mr. Riker noted that the current property owner wants to provide a zero increase or a decrease in impervious areas, which Ms. McCarthy highlighted as being critical. While post construction has not yet been done, Mr. Riker believes this can be achievable.

Mr. Riker mentioned concerns that had been raised during the site walk about the screened-in porch in the back and how it would handle storm water. He believes that the storm water can be redirected and controlled, since the area will be 8 feet by 12 feet, which is relatively small.

The Commission members provided feedback on the plans laid out by Mr. Riker. Ms. Barnhorst was concerned that, apart from the stairway, everything proposed would be within the 100 foot setback. By expanding the garage, this would be adding a four foot impervious surface with an overhang. Furthermore, the deck and porch on the second and third stories would only have a drip edge to contain any storm water coming from the structures above, and Ms. Barnhorst expressed concern that the only place for water to go would be into the neighbor's yard or Lavenger's Creek given the way that the land slopes with the ledge. Ms. Barnhorst is against adding structures this close to the water, especially given that vegetation has already been removed on the side of the house where the roof would slope, which could increase the amount of erosion going down into Lavenger's Creek.

Mr. Pascale suggested using granite steps as landings to build up where the erosion is, which Ms. Barnhorst agreed with, noting that these landings could help divert water on the steeper parts of the slope. Mr. Pascale proposed creating a rain garden as well, and Ms. Barnhorst felt that its maintenance should be required and enforced as a part of the Conservation Commission's decision. Ms. McCarthy asked Mr. Riker to further discuss these ideas with the property owner.

Ms. Barnhorst felt that the porch should not have a deck above it, as it is already a non-conforming structure, and she voiced concern that a two foot drip edge would not be sufficient, but suggested adding gutters to compensate. She agreed with Mr. Riker's guidelines that drip trenches be no less than 18 inches deep with three to five inches of crushed stone, and be perforated with PVC pipe underneath. Ms. McCarthy felt that the drip edge was fine as it is, and commented that decks are already considered impervious. She suggested diverting water and removing a portion of the deck to mitigate the issue of storm water. Mr. Riker added that by putting in more gutters, the storm water flow would become more concentrated, whereas right now the water is naturally dripping fairly evenly. He noted that the flow rate of the water can change but the actual volume of water would not change with the proposed additions to the property.

Ms. White could not be at the site walk, but felt that it would be best to add more native plants and potentially hire a landscape architect to create a planting plan of the bank alongside Lavenger's Creek. Ms. White stated that while she did not have a problem with any of the proposed plans, she would like to see more planting on the bank, which Mr. Riker said he would communicate to the property owner. Ms. McCarthy agreed with Ms. White regarding the landscaping plan, especially if the deck will be removed, as she does not want turf in its place.

Mr. Tanguay felt that if the proposed screened-in porch gets approved, it is critical to know what will be going in the newly opened space. He would like to see a detailed plan for the area above

the retaining wall, and noted that the slope in this area is quite steep, going from 24 feet down to 14 feet.

In summary, Mr. Riker noted to 1) confirm the construction of the gravel drip edge, 2) check that the deck removal area will not be lawned and will have storm water management plants there, 3) get a detailed planting plan, including a rain garden plan, and 4) explore walkway alternatives, to eliminate impervious surfaces.

Ms. Ludes was present to distribute her hardscaping and planting plan for her property at 30 Beach Hill Road (Tax Map 10/Lot 35) for Commission review. Last year, the far left section of her house jutted into the setback, but this portion has since been moved forward. The entire house was surrounded by a concrete pad, which has also been removed. Ms. Ludes noted that these changes have resulted in a 65 square foot reduction in the wetlands setback. She is proposing the addition of a patio on the east side of the house, which would result in a net additional impervious area of 21 square feet in the wetlands setback.

Ms. White expressed concern that last year, at a site walk with Ms. Horgan, Ms. Ludes said that she would not be adding structures to the side of her house, yet her current proposal is to put a patio there. Ms. White cited a case in 2010 involving a property owner on Ritson Street, who was denied by the Conservation Commission any type of patio within the 50 foot wetlands setback. By allowing Ms. Ludes to build an impervious structure within the 50ft buffer, others may be encouraged to do the same. Commission members expressed concern over other properties in New Castle that have recent development within the 50 foot buffer without having come before the Commission for approval. The Commission wants to fairly and consistently enforce a common standard that no new, hard surfaces be allowed within the 50. Ms. Barnhorst added that these regulations should be monitored by the Town Building Inspector, who has the authority to bring in the Department of Environmental Services (DES) should there be violations. She also suggested looking into ordinances at Squam Lake or Portsmouth as potential models for the Town of New Castle.

Ms. White motioned to not approve any flagstone patio on the east side below the sliding French doors at the Ludes residence. In place of the planned patio, Ms. Ludes has the option of grass or an eight inch deep pervious gravel drip trench up to the same size of the proposed flagstone patio. Ms. White motioned to approve the patio within the 50 foot buffer on the southeast side of the house with the condition that the buffer garden to Bull Toad Pond be enhanced with two to three layers of plants for better storm water absorption. Mr. Tanguay seconded the motion. The motion carried unanimously.

Lastly, Ms. McCarthy distributed a tree grid drawing for the property at 97 Wentworth Road.

### **3. New Business.**

None.

**4. Announcements.**

None.

**5. Adjourn.**

Ms. Barnhorst moved to adjourn the meeting. Mr. Pascale seconded. The motion carried, unanimously, and the meeting adjourned at 6:58 p.m.

Respectfully Submitted,

Meghan Rumph  
(Temporary Secretary)