

Approved: September 23, 2015

Planning Board Meeting
Town Hall
Wednesday, August 26, 2015

The July 2015 meeting of the New Castle Planning Board was cancelled.

Public Hearing for applicant Elaine Clement, 15 Shaw Circle, Map 10 Lot 11 for a Conditional Use Permit for replacement of a septic tank and leach field within the 75' buffer from a wetland.

Work Session for applicant John McCormack, 41 Piscataqua Street, Map 18 Lot 41 for an additional driveway permit on the left side of the property as you face the property from the street.

Members Present: Darcy Horgan, Lorn Buxton, Margaret Sofio, Tom Hammer

Members Not Present: Kate Murray, Dave McArdle

Others Present: Elaine Clement, Dave McGuckin, John McCormack

Chair Horgan called the meeting to order at 7:00 pm and elevated alternate member Tom Hammer to a voting member for the evening and noted that the voting members for the evening will be Darcy Horgan, Lorn Buxton, Margaret Sofio and Tom Hammer. She welcomed Tom Hammer to his first meeting.

- 1. Public Hearing for applicant Elaine Clement, 15 Shaw Circle, Map 10 Lot 11 for a Conditional Use Permit for replacement of a septic tank and leach field within the 75' buffer from a wetland.**

Chair Horgan opened the Public Hearing at 7:02 pm.

Ms. Clement addressed the members and the public to discuss the proposed system. She submitted a revised plan to Chair Horgan and noted that there were very minor changes to the plan. She also distributed copies of the plan to the members. She explained that in April she began to have issues with her septic tank which was discovered to be blocked by a root ball between the septic tank and the leach field preventing it from draining into the leach field. She said when the root ball was removed (in June) they inspected the leach field to assess its functions with a camera. Ms. Clement said this proved to be very difficult due to additional roots and the clay pipes being imploded. She said they then declared the leach field failed (the septic tank was still functioning). Ms. Clement said she would like to replace both the septic tank and the leach field and that a Singlair Green system was recommended to her. She explained that the system consists of three

chambers which processes the effluent and the water expelled is clarified which makes it possible to have a smaller leach field. Ms. Clement reported that the Conservation Commission was provided a presentation of this system by representatives of the company. She said a new septic tank will be provided and a new leach field will be placed in her front yard. Ms. Clement said the plot plan shows that the backyard abuts the wetlands (her entire lot is within the buffer zone) and this allows her to place the leach field as far from the wetland as possible. She said the original system has the septic tank under the deck in the backyard and the leach field goes in an easterly direction from the tank. Ms. Clement said a portion of the house is on top of the leach field and by creating a new leach field she will be able to relocate it on the south side of the lot. She said the slight change made on the plan was moving the leach field six feet to the west to save her ornamental trees that provide privacy.

Chair Horgan asked if there were any comments from the public. There were no comments from the public and as such Chair Horgan closed the Public Hearing at 7:13 pm.

Chair Horgan said she saw the presentation regarding this system at the Conservation Commission meeting. She said the Conservation Commission approved the plan with a favorable recommendation. Chair Horgan said given the circumstances it is impossible to abide by the 75 feet setback and this is an improvement. She said the presentation was educational and the members felt impressed with the technology of the proposed system. Chair Horgan said the Commission members had no concerns and that she received a notice of decision from the Conservation Commission recommending approval of the proposal with a stipulation that the owners enter into a maintenance plan for the system and do not remove the old septic tank.

Chair Horgan said the maintenance plan system is reassuring because the company takes the responsibility for maintaining a schedule for the system and will educate any new owners on the system and its needs and the requirement to have a maintenance contract for the system.

Margaret Sofio said the Island has seen a few of these systems which seem to be far more progressive than what has been used in the past.

Margaret Sofio MOVED to approve the Conditional Use Permit for replacement of a septic tank and leach field within the 75' buffer from a wetland based on the plans dated August 21, 2015 with the provision that the maintenance contract be honored; this was SECONDED by Lorn Buxton and APPROVED unanimously.

2. Work Session for applicant John McCormack, 41 Piscataqua Street, Map 18 Lot 41 for an additional driveway permit on the left side of the property as you face the property from the street.

John McCormack presented a letter from the co-owner (Kristin McCormack) of the property to Chair Horgan giving John and Wendy McCormack the ability to represent her

on matters regarding this property. He told the members that the properties at 43 and 41 Piscataqua Street share a driveway and they would like to create spaces on the opposite side of 41 Piscataqua Street to have the cars parked further from view.

Chair Horgan noted that this is not a Public Hearing but is a workshop and therefore is not open for public comment.

Chair Horgan said she would like to convey what the board will need to adequately review this application and make a judgment. She said the responsibility of the Planning Board in reviewing driveways is to look at safety, drainage, adequacy and visibility as well as assuring that ingress and egress is safe and orderly. Chair Horgan said this relates to the questions of a) is this driveway safe, b) will it create additional congestion, c) will there be issues of flooding in the area. She said no homeowner is entitled to two driveways but there is no town or state regulation that says a home cannot have two driveways; so it is allowed. She said a homeowner needs to prove the necessity and the reasonableness of the request. Chair Horgan said given the plan presented she would not be able to make a judgment to approve it. She said Mr. McCormack needs to provide a scale drawing with more detail than provided. Chair Horgan said they need to see the existing and the proposed driveway, abutter driveways, the utility pole, and it all needs to be to scale so it can be analyzed. She said the plan should show if there is anything that would affect visibility (such as a fence) and where other streets are in relation to the driveway. Chair Horgan said the members will be discussing the safety and visibility; so visibility lines on the plan would be helpful. Speaking only for herself, she said drainage would need to be addressed as well and that testimony or anecdotal evidence would be acceptable as would photographic evidence. Chair Horgan said safety during the winter season also needs to be addressed (where snow will be stacked) and how fencing between the driveway and the property next to it will be protected and if snow stacking will affect it. She noted the protection of that fence is important and encouraged him to take that into consideration. Additionally, there is an ordinance that stacked parking is not allowed in New Castle for more than 24 hours. She said Piscataqua is one of the most historic streets in Town, and a large part of the Master Plan talks about preserving the historic character of the Town. Chair Horgan noted that this is currently a rental property. The Town would like to prevent someone parking a bus or commercial vehicle in the driveway. Chair Horgan said this cannot be mandated, but it would go a long way and be desirable to have a line in the lease stating that commercial vehicles cannot be parked in the driveway. Before the Public Hearing on this application, she said the PB needs to discuss with Don White, the police and fire chief if they have any concerns. Chair Horgan said they will also need to discuss with Steve Talbot if he has any issues regarding snow removal on the street and ask for guidance on the width of the driveway.

Mr. McCormack said they are planning for a one car width driveway.

Chair Horgan said there is concern about having further impermeable surfaces in Town and having a permeable driveway should be considered.

Mr. McCormack said they plan to put crushed stone down for the driveway.

Chair Horgan said crushed stone is not considered permeable because it compacts.
Chair Horgan said the members should think about holding a site walk of the area.

Lorn Buxton noted that 25 Piscataqua Street has approval to move their driveway to the other side of their property and said there is some concern about plowing that there will be a bunching of driveways in the same area and that snow accumulation could create a sight impact.

Mr. McCormack said they stacked the snow in the front yard last year and plan to do that in the future as well.

Chair Horgan said there is parking in the back and asked how many cars are accommodated there.

Mr. McCormack said two to three cars park there.

Chair Horgan asked how many vehicles the current renters have.

Mr. McCormack said there are two cars.

Chair Horgan asked if the intent is to have those two vehicles on the side and his two vehicles in the back. She said the stacking regulation would not allow the cars to be there for more than 24 hours at a time.

Chair Horgan asked if there are any other issues the members would like the McCormack's to consider. There were none.

Tom Hammer asked about the construction of the driveway and Mr. McCormack said it is their intention to place crushed stone over the grass.

The members decided they would hold a site walk on Monday, September 21st at 2pm.

Chair Horgan ended the work session at 7:46 pm.

3. Approval of June 24, 2015 NCPB minutes

Lorn Buxton MOVED to approve the June 24, 2015 New Castle Planning Board minutes as written; this was SECONDED by Margaret Sofio and APPROVED unanimously.

4. Old Business

a. Update on PREP Grant

Lorn Buxton explained that the town has been approved for a PREP grant which was accepted by the Select Board. He reported that it is a matching grant of \$10,000 with a match of \$10,000. Mr. Buxton said the town's matching portion is \$2500 in cash and

\$7500 of in-kind services. He said the cash will come from the Conservation Trust Fund and the in-kind portion will be hours contributed by the Conservation Commission and the Planning Board, as well as volunteers.

Chair Horgan explained that PREP's goal is to protect the waterways in communities in the area. She said that PREP undertook a study looking at development in the communities and related ordinances in the communities and the impact to the local watershed from increased impervious surfaces. Chair Horgan said that PREP prepared a set of recommendations to communities and offered grants to work on the issues that they found would improve the protection of waterways. She said the Town of New Castle applied and received the grant. Chair Horgan explained that Tracy Degnan from RCCD (who has worked closely with the Conservation Commission for years) described the grant to the Planning Board because the members are part of the in-kind hours for the grant. She asked if the board members would be willing to put in some time and the members agreed to that. Chair Horgan said the recommendations for New Castle were to increase wetland buffers to 100 feet, increase fertilizer setbacks to 100 feet, increase structure setbacks to 100 feet and to complete a natural resources inventory. She said that Ms. Degnan is doing a lot of work on this and the Conservation Commission will do the bulk of the work. She said the Planning Board will need to read and analyze reports and if any ordinance changes are proposed will need to work on the wording of them and hold public hearings on them. Chair Horgan said the Planning Board members will need to keep track of their time (anytime we are involved with anything regarding the grant we need to keep track of our hours and report it on the volunteer time sheet). She distributed a timeline written by Ms. Degnan that denotes tasks that will be completed and the timeline when they will be done. She encouraged the members to read it and consider providing additional volunteer efforts (perhaps regarding communication and education). Chair Horgan said the first thing that will be done is an update on the wetlands; a wetland scientist will update the 2005 wetland map and return with recommendations. She suggested the members view all the wetlands once the study is completed as it would be helpful when reviewing the ordinances.

5. New Business

a. New Zoning Ordinance Books

Chair Horgan instructed members to review the new zoning ordinance books and to make her aware of any typos or other issues so when it is reprinted they are corrected.

The members discussed site walk dates for the 41 Piscataqua Street property. They determined that they would hold the site walk on Monday September 21st at 2 pm.

6. Correspondence

There was no correspondence to discuss at this meeting.

7. Adjourn

Lorn Buxton MOVED to adjourn the August 26, 2015 meeting of the New Castle Planning Board at 8:11 pm; this was SECONDED by Tom Hammer and APPROVED unanimously.

Respectfully submitted by,

Sue Lucius, Secretary to the New Castle Planning Board