

Town of Newington, NH

CONSERVATION COMMISSION

Joint Meeting Minutes – April 9, 2012

Call to Order: Planning Board Chair, Denis Hebert called the April 9, 2012 meeting at 6:30 PM.

Present: *Conservation Commission Members:* Co-Chair, Justin Richardson; Marge Hislop, Peggy Lamson, Dorene Stern; Jim Weiner
Planning Board Members: Mike Marconi, Vice Chair; Patty Borkland; Bernie Christopher; Jack Pare; Dick Spinney; Alternate Member, Peggy Lamson; Board of Selectman Representatives, Rick Stern and Jack O'Reilly; Jane Kendall, Recorder; and Thomas Morgan, Town Planner

Absent: *Conservation Commission Members:* Co-Chair Jane Hislop; George Fletcher, Nell Ann Hiatt
Planning Board Alternate Member: Cliff Abbott

Public Guests: Jane and Mike Mazeau; Jeff Philbrick

1) Public Hearing & Joint Meeting with the Conservation Commission and Planning Board: Proposal by **Michael & Jane Mazeau** for lot line adjustments and subdivision approval to convert two lots into five lots at 124 Fox Point Road, Tax Map 11, Lots 13 & 14

Mike Mazeau presented his most recent plan prepared by David Hislop, noting that the storm water drainage plan had been presented a couple of weeks ago to the Board. Mazeau said he submitted wetlands permit to DES three weeks ago, and would bring a wetlands scientist to the Conservation Commission meeting scheduled for Thursday, April 12, 2012. Mazeau said a hydrant plan was created and reviewed by the Town fire chief who felt it was adequate. Mazeau said a culvert plan was also submitted and a maintenance easement would be deeded to the Town. Mazeau said he also met with Public Service regarding utilities. Town Planner, Tom Morgan said he had received a letter from the fire chief, but approval had not been finalized, and the Town's civil engineer would review the plan.

Conservation Commission Co-Chair, Justin Richardson said he had received a letter from Dori Wiggins at DES, which said they didn't want to see wetlands crossings. Mr. Mazeau said that letter was written in response to an initial plan when developer Paul Hollis was involved before they learned that the Planning Board wouldn't approve of shared driveways. Richardson said it was confusing because Wiggins' letter said they didn't want to see wetlands crossings, then the shared driveway plan was dropped, and now the new plan has increased wetlands crossings. Planning Board Chair, Denis

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Hebert said Town ordinance doesn't allow shared driveways, but does allow roads, which reduce wetlands impacts. Richardson said it comes down to determining what kind of development the Planning Board will accept. Hebert said it comes down to determining how to limit wetlands impact while being fair to the landowner. Mazeau said they had considered doing more lots or cluster housing, including workforce housing with 12 lots near the pond before discovering they couldn't do a shared driveway. Mazeau said out of 16 acres, the current proposal impacts 1% or 11,000 square feet of wetlands crossings altogether, but it has never been his intention to put as many units as possible on the lots.

Planning Board Chair Hebert opened the discussion to the public.

Board member, Dick Spinney said he saw no depictions of the stream in the back that goes behind Coleman Drive, which floods several crossings during heavy periods of rain. Mike Mazeau said the plan is designed to contain runoff from property lots with culverts. Chair Hebert expressed concern for past problems on properties with damming ponds and streams that would run through adjoining properties. Planning Board Vice-Chair, Mike Marconi said they could put language in the deed that would restrict uses.

Commission member, Jim Weiner asked if the design would add more water to the wetlands, and Mazeau said the driveways would somewhat. Board member, Bernie Christopher said the impact could be reduced with the use of pervious gravel or pavement, and rain gutters feeding into drywells. Justin Richardson said the driveways would need to be built up in order for pervious materials to work, and trucking materials in would be a further impact to the wetlands. Commission member, Nancy Cauvet said they could also limit the size of the houses to reduce impact. Commissioner Peggy Lamson asked if they were proposing each home would have separate wells, and Mr. Mazeau said they would leave that up to individuals.

Co-Chair Richardson said the proposal would come before the Conservation Commission to review the wetlands impacts, but cautioned the Board that once the subdivision lines are drawn, the Town's hands would be tied. Denis Hebert said the Board would consider the Commission's concerns carefully. Justin Richardson said one of the special exceptions criteria for wetlands crossing is that there is no alternate route feasible which has to be proved. But when looking at the original plan as a road instead of a shared driveway, Richardson noted there is a feasible alternative to wetlands crossings. Denis Hebert said they would need to consider if it is beneficial to the Town to put in a new road, which would add more infrastructure, or if there is another reasonable means through the wetlands.

Board member, Patty Borkland said her personal opinion was that they seem to have designed fewer lots than they might have, and she didn't see the driveways as being any worse than a road. Board member, Jack Pare agreed that by the time they installed a road and cul-de-sac, they would have more impervious surface with runoff. But Justin Richardson pointed out that there would be many more feet of driveway compared to a road, which would avoid wetlands crossings even with the curb cuts and cul-de-sacs.

Board of Selectman, Rick Stern said the Town of Newington asks for minimum of \$5,000 bond with excavation permits. Tom Morgan said the Town holds a letter or cash.

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Tom Morgan said the state law says that the Planning Board can make a decision to accept the plan as substantially complete, but that it is not the same as approved.

Mike Marconi made a motion that the plan is substantially complete. Bernie Christopher seconded. Dick Spinney abstained, and all other Planning Board members were in favor.

Mike Marconi moved to have an engineer for the Town review the plans. Patty Borkland seconded and all were in favor.

Commission Co-Chair Richardson asked Planning Board Chair Hebert if the Planning Board would pay the Commission's share of the Minutes, and Hebert agreed.

Adjournment: Co-Chair Justin Richardson motioned to adjourn. Peggy Lamson seconded, and all were in favor. The Conservation Commission meeting adjourned at 7:50 p.m.

Next Conservation

Commission Meeting: Thursday, April 12, 2012

Respectfully

Submitted by: Jane K. Kendall, Recording Secretary