

**Town of Bristol
Conservation Commission
February 4, 2015
Meeting Minutes**

Call to order: 7:03 PM

Members Present: Janet Cote, Sandra Heaney, and Richard Batchelder.

Minutes Review and Approval: Sandra Heaney moved to approve the January 7, 2015 minutes as written, seconded Richard Batchelder. The motion was approved.

Correspondence Review: Info Requests, Wetlands Permits, Planning Board, Zoning Board, etc.

The Commission received a copy of a letter dated January 19, 2015 from the NH Wetlands Bureau. This is regarding the DeVost Marina and the sand mitigation study regarding the impact of jetties. DeVost Marina is complying with the DES request and is asking for a three month extension.

The Planning Board will continue the Zaremba hearing on February 11, 2015.

The Zoning Board received special exemption request regarding an application from Walumat Road. This was not a new application. The Commission did receive a wetlands permit and knew about the demolition but were not notified of the special exemption request to Zoning. Mrs. Cote will send a letter to the Bristol Land Use office requesting notification on any activity on the shoreland and buffers.

New Business:

Scott Holman of Zaremba Program Development presented updated information to the Commission. Mr. Holman informed the Commission that three different building scenarios have been considered in order to get the proposed building out of the wetlands buffer. In one scenario the building was moved forward but the building was still 715 sq. ft. within the buffer. Another scenario was to move the setback over 1 foot and the parking spaces were decreased from 19 to 18. A waiver would be needed from the Planning Board for this. The other scenario would be to move the building two feet forward, although it would still be 560 sq. ft. within the wetland buffer. The propane tanks can be above ground and out of the wetlands buffer. This is the best that can be done. Mrs. Cote asked if the propane tanks are still within the 15 ft. setback. Mr. Holman replied that this is correct and that this is an issue with the above ground tanks and not with the underground tanks. Mr. Holman can work with the supplier on a different tank. Mr. Holman asked the Commission if they felt better about the project if it did not include the Storm Tech system, as there were long term maintenance concerns regarding this. Mrs. Cote replied that the 50' Wetland Buffer setback is still the main issue and the Commission is still concerned with the runoff that goes into the system. Mrs. Cote commented that it needs to be confirmed one way or the other that the drainage issue is corrected and

improved in order to protect the buffer. Mr. Holman commented that there is a new smaller store prototype in metro areas. Any site improvements are a good thing. Mrs. Cote asked for information on the permeable pavement and if there was feedback from DES on this. Erin Lambert replied that Zaremba has responded to all questions and clarifications from DES. Mrs. Cote commented that there is still the concern about the runoff that is directed into the filtration system. The back corner of the site is in the wetlands buffer and the Commission is concerned about the integrity of the slope and if erosion will occur with the runoff. Mr. Holman replied that there is a gutter system that leads to the filtration system. The building will be constructed from the inside with everything built on the building pad working out. From a structural standpoint the slope would not be an issue. Ms. Lambert commented that a retaining wall will help mitigate this issue too. Mr. Holman commented that the fill in that area consists of a small amount of debris with a lot of sands. Mrs. Cote informed Mr. Holman that the Commission will wait for the hydrologist and soil scientist reports from the Planning Board. She reiterated that the Commission remains steadfast on the wetlands buffer and that no recommendation will be given if the building is still within the buffer. The Commission thanked Mr. Holman and Ms. Lambert for coming in to discuss the ongoing concerns.

The Commission discussed the information that was presented. Mr. Batchelder commented that Zaremba has worked hard to improve the site but the building is still in the buffer. Ms. Heaney commented that the Commission should not drop its standards due to Zaremba's hardships. Ms. Heaney commented that the soil scientists report will confirm the stability of the slope. Mrs. Cote informed that Commission that in a letter to DES, Zaremba answered questions DES has including the storm water drainage, impacts regarding the buffer, the proposed site plan including changes that were made to pull the building out of the buffer, and the impervious area. The letter stated that flags were located by surveyors. This is still in the hearing process with DES. Ms. Heaney reported on some findings and recommendations from the hydrologist, Dr. Ballestero. It is recommended that the storm water filtration system have a long term maintenance program in place. The permeable pavement is a better choice but this also needs to be maintained. The test borings were done at 8 to 12 feet, but it is recommend that borings be done at 10 to 15 feet. The report just said "fill" but this needs to be clarified. It is highly recommended that more work be done on this. The report stated that the building should absolutely not be in the wetlands buffer. Clay Dingman from the Planning Board commented that the hydrologist also had concerns about the fill in the area and that anything could be buried there that could leech into the area. There is also a concern for potential sink holes. Ms. Heaney commented that more analysis and deeper borings need to be completed.

Ms. Heaney gave an overview of the NLRA presentation she attended. She reported that Boyd Smith from NLRA stated how important the wetland buffers are and that there should not be any buildings in the buffer.

Mrs. Cote stated that after the soil report is looked at a letter will be sent from the Commission to DES following the Planning Board meeting on February 11th. Included in the letter will be continuing concerns regarding the back corner slope, runoff issues, the propane tanks, and the filtration system. Mrs. Cote will contact EPA about any possible site problems such as Brownsfield records.

Mrs. Cote commented that the Newfound River should at some point be mapped out regarding any mill sites that the EPA says should not be disturbed. This will be valuable information for future building applications that go before the Planning Board. Any potential Brownsfield issues should be located.

Old Business:

Wetlands and Shoreland permit applications and updates:

DES File # 2014-01355- DeVost Yacht Club Condominium Map/Lot 108/51: DES sent a request for more information at the end of November regarding two items that were not addressed. There has not been any correspondence that shows they have responded.

NH DES file# 2014-02929 and NH DES file # 2014-02928 Zaremba Program Development, LLC- 215 Lake Street Map/Lot 112/1: Updates include Planning Board continued Hearing on 2/11/2015 and Intent to Intervene status update to NH DES.

Wetlands Ordinance: Amendment support/promotion discussion. It was decided that handouts for support of the Ordinance will not be needed.

Work Session: Efforts will continue to purge and organize files in the New Year.

Next Meeting Logistics: Next scheduled meeting March 4, 2015

Individual Tasks Assignments:

Adjournment: Ms. Heaney made a motion to adjourn, seconded by Mr. Batchelder. The motion was approved and the meeting adjourned at 8:35 pm.

Respectfully submitted,
Wendy Costigan, Secretary