

## Hanover Conservation Commission Minutes November 14, 2007

Meeting called to order by chair Judith Reeve at 5:08PM

**Members present:** Judith Reeve, Robin Carpenter, Sandra White, Anne Morris, Ray Hogue, Michael Mayor (scribe)

**Staff:** Vicki Smith

**Select Board:** William Baschnagel

### 1. Current Business:

Polli residence project: Architect not present to answer questions

Issue of pre-meeting messaging reviewed, with the consensus that a dialog must not result in response to distributed messages. Vicki Smith places any e-mails regarding cases into the case file prior to the meeting to make them available to the public. No dialog is admissible without public airing.

As this is not a public "hearing" and the agenda is posted for public awareness, a discussion of the project is appropriate, but compromised by the absence of any project representatives.

McIlroy said that Peter Spear's wetland report could be deemed incomplete as it lacked the referenced attachments.

The chair distributed a hard copy of her comments, and a memo to Vicki from Judith Brotman re Monahan Brook and other details. Elaine Bent raised concerns about Monahan Brook as it feeds Mink Brook directly or indirectly.

Discussion about the drainage swale to the confluence of the culverts under the driveway and under Hanover Center Road resulted in the observation that critical details are either lacking or discrepant (e.g. details showing water course and culvert catchments do not correspond to the State permit's 39' culvert or pipe under the drive). Construction of the raised area to support the house is at risk of erosive damage by heavy run-off while the southwest corner is unstable. Also the drive must dip before intersecting with the road to prevent spilling water and ice onto Hanover Center Road.

Anne Morris questions: New building much heavier than what it replaces, raising an issue of bearing capacity of the soil.

Doug McIlroy says a quick calculation suggests an additional 1,000 sq. ft. of impervious surface results from the project. Drive and parking surfaces are not adequately specified regarding permeability. Additionally lawn chemicals are forbidden throughout the site as it falls completely within the wetland setback.

Sheet G-1 provides minimal construction sequencing that includes total alteration of the lot surface, virtually without exception.

Siting the new well through the bed of the old septic system raises the question of contamination from effluents produced from the old system, despite any casing lining the well shaft.

In sum, the application isn't adequate without attachments to the wetland assessment. The details shown on the plan are unreadable.

Additional run-off is difficult or impossible to assess, some of which will go directly onto Hanover Center Road.

The entire lot's area will be irreversibly altered/destroyed. Lawn does not equal meadow. Monahan Brook's dynamics will be impacted by additional run-off from the site.

Permeable pavement is essential for the driveway and the parking area.

Total land disturbance is not assessable without details not provided.

The well will be drilled through contaminated soils.

No chemicals for fertilization or weed control would be permissible.

A discrepancy (Oct 25<sup>th</sup> wetland letter) confuses things by describing constructing a safe, above ground connection to the culvert from the rear of the house. [D. Water Quality and Quantity] Questions regarding disposition of water collected from the roof garden are unresolved.

The Conservation Commission decided to send the following comments to the ZBA and applicant:

**The application is not complete.**

- a) The attachments referred to in Peter Spear's report have not been submitted and these are essential parts of the wetlands application.
- b) Detailed cross sections of the wetland fill and specifications of any stormwater devices should be a part of this application. The cross section included on Sheet G-1 does not specify depths.
- c) The southwest corner of the "island" being created for the house may need rock reinforcement to prevent erosion during times of high flow.
- d) There is no information about where the roof drain will outlet.
- e) The important intersection of the filled stream channel to the south of the house with the culvert under the driveway and the culvert under the street is not clearly presented. Detailed drawings of how these stormwater devices come together is important because water will fill the depressed

area from two drainage areas (the long run down the side of Hanover Center Road and from the north side of the house as well as from the hillside that surrounds the Polli property to the west and south). That stormwater would then empty into the under-street culvert. Where will stormwater go if the culvert gets plugged or frozen? How is the town culvert and the depressed basin sized?

- f) The Commission is concerned about the true extent of disturbance to the wetland and its buffers. Since the Stantec Consulting Services does not have geotechnical information, a structural design cannot be developed. Without information about what is going to be constructed to accommodate the weight of the proposed structure in the chronically wet soil, it is not possible to know the true extent of the disturbance.

The submission **materials are not consistent**, particularly the description of the drainage in the Site Restructuring Request and the Plan. The applicant proposes to fill the stream bed near the house and pipe the natural flow underground. (Page 5, Paragraph D/Water Quality and Quantity). Because the drainage area is described as small, the area could be re-graded to carry water on the surface down to the culvert by the road in a way that is less disruptive to the natural system and yet still be safe for people. In fact, the SVE Associates, Plan G-1, dated 8/10/07 shows exactly that. The “flowing gradient” has been moved farther from the house into proposed lawn (SVE Associates, Plan L-1, dated 9/28/07). This landscape plan shows a long swale (see contour #97) that will be carrying stormwater into a depressed area by the street. The written presentation and the plans seem at odds.

The **impacts on the wetland and its buffer are great**. The proposed plan when completed (SVE Associates, G-1, dated 8/10/07) lists an increase of 597 square feet of impermeable surfaces and the destruction of 563 square feet of wetlands and wetland buffers. There is no attempt to quantify the increased run-off that will result. In addition, the construction process will of necessity disrupt even more of this site. Statements by the applicants’ wetland scientist, Peter Spear of NRCS, regarding Section 702.6 of the Hanover Zoning Ordinance show that any construction on this constrained lot will, in fact, directly impact not only the wetland but also the entire wetland buffer.

Because the property has not been changed for 60 years, the existing vegetation and ground are stable and function as part of a wet meadow ecosystem. Any new construction will be disruptive. It will be impossible to remove the old building and cesspool, build a new building and septic system, drill a well, and fill a shallow streambed without having excavation equipment not only in the buffer but working directly in the wetland.

Wetland functions and **values are under-estimated**. Peter Spear states in the minimization paragraph that “The ecological value of the present un-mowed grass/weeds and built structures provides no value to the wetland/buffer.” The commission disagrees. The uncut weeds and plants provide a buffer, filter sediment and infiltrate water into the wetland.

Any **minimization of impact** is important on this extremely constrained site. For instance, specification of materials for the driveway and parking/turnaround area were not included in the written presentation to the commission. The commission recommends that the driveway and parking area and any outdoor paths and patios be constructed of permeable paving products as described by UNH Stormwater Center, University of New Hampshire, Durham, NH 03824. Contact: Dr. Robert Roseen. T: 603. 862.4024 F: 603. 862.3957.

The commission has **water quality concerns** and recommends that the applicant be reminded that only slow release fertilizers should be used on the lawns in order to protect water quality and that the depressed basin be designed to include treatment of the water before it reaches Monahan Brook on the other side of Hanover Center Road. There is also a concern about the continued quality of water from the new well which will be drilled in the vicinity of the failed septic system. Contaminants may travel along the casing to the intake.

## 2. Resource Stewardship

Mink Brook Invasive Removal: Vicki Smith noted a work day planned for Dec. 10 (Dec 12 rain date) Permits are in the mail.

Pleasant Street Slope mowing: Done. \$1750 cost for job. \$900 from Conservation Fund plus the balance from operating budget or a withdrawal from the trust fund. Discussion suggests the amount is essentially \$900 x 2. Consensus was to use the trust fund to make the payment.

Vandalism on Mr. Jensen's bench discussed by the chair. Larry Litton has offered to fix the damage to the slats of the bench back. Still at issue is whether to replace the entire back or just the broken slats.

Sustainability Committee is moving through the good efforts of Peter Christie and the Selectboard.

Conservation Easement reviewed by Sandra White described a bridge which offends the terms of the Easement. Bridge has now been braced by cabling to adjacent trees to resist being swept away by flooding of Mink Brook. In addition, yard wastes and slash is being dumped, and boundary markers are being shifted. Trees are being cut (may not be an offense). A bridge elsewhere (not in the easement area) may be permissible through wetlands request. Vicki will write a letter detailing the above to apprise the owners and their neighbors of the issues involved.

Yom Kippur will be accommodated by a change in the Oct 08 meeting to 10/15/08.

## 3. Administrative Business: November minutes by MBM

December minutes by RC

Site visit of 11/13/2007 to the Gile Community project briefly reported to the meeting.

Chair cautions that shoreline protection changes may result in changes to the manner of work called for from the CC.

#### 4. Committee Reports:

##### Open Space:

- 1) Wheelock Mill site still has a foundation for the wheel which is on state land, and yet it should be addressed (Wm. Baschnagel will work with staff to pursue it.)
- 2) Velvet Rocks lower trails will have to be pursued with Earl Simpson. Doug would like to help to deal with the stream crossings. Dec. 5<sup>th</sup> likely date for him.
- 3) The Richardsons are optimistic about the signing of a conservation easement to be held by the Upper Valley Land Trust. Expenses are to be shared 50/50 between the Hanover Conservation Council and Conservation Fund. Other Dogford Road properties are also under consideration by the Council.
- 4) Kari Asmus informed us that land east of the Hanover Center Reservoir is on the market. Could it be acquired and transferred to the Park Service? Would NH water quality program protection to make funds available? Is involvement by Dartmouth College possible?
- 5) Nicole Cormen suggests that there is a possible explosion of development along the Route 120 corridor, both above Webb Plumbing Supply and south of Mink Brook with frontage in the location of the former Wilson Tire. Lebanon may be considering conversion to RLL zoning. Such a change may be a significant threat to any wild lands preservation along that corridor.
- 6) McIlroy submitted a suggestion about incorporating environmental issues in phase 2 of the RPC's Route 120 corridor study. Baschnagel recommended including detailed environmental goals, such as sites to be preserved and their minimum acreage. McIlroy will amend the document accordingly for transmittal to the Planning Board.

##### Trails Committee –

- 1) The Hanover Improvement Society is reluctant to underwrite a third edition of the Hanover Trails Map. The Chamber of Commerce has been suggested to take over the sale of the maps. Since the maps yield about a 30% return on investment, the Conservation Fund might be considered as a source.
- 2.) Objections to clearing on Old Spencer Rd. (see letters, from Peggy Nutt Mitchell and Helen Lacoss) These may reveal a misconception regarding the protections for class VI roads. Nutt-Mitchell worries about vehicular use and is concerned about being able to move freely about the land. The issue now needs a hearing at the Select Board, Dec. 17. Doug has sent a clarifying letter to Julia Griffin but a copy needs to go to the objectors. Work on the roads is necessary, and might better be done with pro-active efforts to inform the abutters. The letters of LaCoss, Nutt-Mitchell and McIlroy should be reviewed by town counsel with regard to interpretation of law.

3) John Taylor is interested in taking over the trail warden work that Ron Bailey was working on, who was paid \$750 a year for the service. Taylor will have to clarify his commitment to work following storm related damage to the trail system. Taylor suggested he would like to be paid by the Upper Valley Trails Alliance to preserve some benefits (Soc Sec, etc.) Wally Elton of the Trails Alliance indicated a willingness to contract for a fixed \$2,000 per annum, including benefits. One departure would be Taylor's effort to organize volunteers (not done by Bailey). Budgeting should be pursued with Jonathan Edwards in his budget cycle.

Wetlands committee (Judith Reeve) produced a draft to bring to the Planning Board. It has based on details suggested by Peter Kulbaki, needing a unified front from the committee.

Rural Committee, Anne Morris: Better map with text is in the offing. Report is forthcoming next week (Nov. 20). Meetings will continue, to follow up on the work product now being refined. On target re schedule and should have a work product for the Planning Board to pursue.

5. Approval of minutes – October 10, 2007: Minutes reviewed, corrected, amended and added to and approved. Unanimous.

6. Other Business: DES new head Tom Burack has offered statements worth sharing. 1) NH has the most forest of any state in the country. 2) Wants better integration of land management with development pressures. 3) Climate change is an essential variable that must be incorporated in planning. 4) Alterations of terrain regulations are close to completion, with infiltration of storm water at the top of the priority list. 5) Legal issues that the shoreline protection act raises create the need to make code changes including building codes, etc. (see web site.) Energy costs are 20-30% of town budget. Street lights, stop lights, window treatments, etc. These issues are being addressed by Hanover Town Administration and the Select Board.

Preliminary planning was reviewed to invite Barbara McIlroy and Nina Banwell with refreshments to the December meeting. (surprise to honor Barbara McIlroy).

Planning Board is reviewing a proposal that may rezone the Chieftain to GR4.

Adjourned at 8:03P

Ray Hogue absent as of 6:45P

Robin Carpenter absent as of 7:00P