

Pembroke Conservation Commission

Minutes

October 14, 2019

Attendance: Ammy Heiser (Chair), Carol Bertsimas (Vice-Chair), Ayn Whytemare (Sec), Brent Edmunds (PB rep). Public: Sandy Crystal PB in Town of Bow and DES Wetlands Bureau. Absent: David Baril, Wendy Weisiger, Mike Crockwell.

1. Call to Order @ 7:06pm

2. Discussion about Changes to Wetland Regulations Sandy joined us having recently helped update the wetland regulations in Bow NH.

a. <https://bownh.gov/DocumentCenter/View/87/Zoning-Ordinance---Articles-1---14-Revised-2016-PDF>

b. Particular attention was paid to buffer setbacks, vernal pools, and soil disturbance. She noted that in the Master Plan (Pembroke) there is a lot of support for wetlands and water quality. Size of setbacks and what you can do in the setbacks are key issues. Better to have a 50 ft setback with very little disturbance rather than a larger setback with many exceptions for use. Bow has 50' setback for wetlands, 75' for surface water, and 50' for vernal pools (should be 100'). Vernal Pools are particularly valuable for filtering water and allowing multiple species to survive. Need to keep stormwater effluent out of buffers, wetlands, vernal pools and surface waters. Enforcement: Depend on neighbors reporting infringements, it has also come to Code Enforcement. Conditional Use Permits *should* include wetland impacts based on the square footage of the wetlands. That way the fee helps to cover the staff cost of reviewing the impact. Helps as a disincentive for developing in and around wetlands. Some towns have wetlands reviewed regularly with professional soil and wetlands scientists. Language may be included in the town code to allow for this. Wetlands need as much independent review as Engineering currently has. Any changes need to be gradual and explained well as we go. Current improvements should include more specific language about allowed uses and prohibited uses (no vehicles either driving or storing, no storage or dumping of any manmade material, are a few examples). Within the ordinance the specific NH State documents should be referenced directly. Of note, the state has updated its numbers on major precipitation events to prepare for. Make sure language includes both wetlands *and* surface water whenever either is mentioned. Management with timber cuts falls under State enforcement, whereas residential activity is dictated by the Town. Referencing High Value/Prime Wetlands should be mapped and can require additional protections without going through State (although Zoning/Planning Board needs to be involved and need to hold a public hearing). In Bow town planning reviews septic permits against known wetlands before it goes to DES. Bow has an application checklist for a wetland conditional use permit, we may be able to use that to improve our regulations. Army Corps of Engineers use a Highway Methodology Workbook Supplement for wetland guidelines. (P. 88 in Bow regulations refers to it)
<https://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/HighwaySupplement6Apr2015.pdf>

3. Planning Board Applications

a. **Minor Site Plan at 8-14 Renard Ave.** Apartment building in Suncook. Want to put Solar Array as a ground mount on the site. It is a large system (100kW) which is the biggest concern. No comment from us as it does not seem to pertain to Conservation lands or wetlands.

b. **Conceptual Plan located at 225-229 Beacon Hill** Three apartments building with a total of 101 units to go on the end of Beacon Hill Road. It abuts both Beacon Hill and Bragfield Conservation Parcels. Will require town sewer and water and is opposed by at least some of the

neighborhood's residents. Ayn moves that we oppose it because of the potential for abuse of Conservation Land and existing wetlands, vernal pools, surface waters and Third Range Road. This high density development is out of character with the rural R-3 district in addition to adding possibly hundreds more cars onto the Fourth and Range Road area. Ammy seconds. Brent is reserving comment at this time.

- c. **Conceptual Plan located for San-Ken Homes** Reapplied for this property as a cluster concept design with 56 units. It does not have town water or sewer which would concentrate water impacts. Overall wetland impacts reduced, but cluster plan only works if they merge with other lot across Flagg/Robinson Road. Resulting Open Space to be deeded to town as Conservation Land. Question as to whether wetland buffers count as part of the Open Space set aside. Also wetland setbacks for lots in question in terms of septic systems. Does not address amount of traffic on the road. Will still need independent wetland scientist and hydrologist. Our previous opposition holds without the Range Road opening issue. Instead, we do not believe their logic of merging lots on either side of Flagg/Robinson is in the town's best interest.

- 4. **Review and Approve Minutes ~ September 9th** Ammy moved we accept as written, Carol seconded. All in favor.

5. DES Letters and Applications

6. Conservation Lands

- a. **Heiser Stetson**, Ammy and Brian started baseline (Polygon from Hell)
- b. **Center Hill** Waiting until leaves fall.
- c. **Pembroke Pines** Not done yet
- d. **Monitoring Update** Have not heard of any.
- e. **White Sands gate** in the works to be erected November of 2019

7. Land Acquisitions

- a. **Sixth Range Rd, Lot 260-42** Tabled

8. Other Business

- a. **NHACC Annual Meeting** Meeting at PA in November.
- b. **Tire Month** Ongoing
- c. **Other**

9. Mail and Correspondences Various

10. Adjournment 9:40pm

NEXT MEETING ON NOVEMBER 11TH