

Rochester Conservation Commission

Minutes of November 18, 2020

(These minutes were approved on January 27, 2021)

Members Present:

Mike Dionne Mark Jennings Meredith Lineweber
Dan Nickerson Kevin Sullivan

Members Absent:

Barbara Soley Sheila Lulek

Staff: Seth Creighton, Chief Planner

Mr. Dionne convened the meeting at 6:37 pm.

1. Minutes: the meeting minutes of October 28, 2020 were reviewed. Mr. Jennings suggested some changes. Mr. Dionne motioned to accept the minutes with revisions and Ms. Lineweber seconded. The motion passed unanimously by a roll call vote.

2. Conservation Overlay District: Zaremba Program Development, LLC, 480 Gonic Road
Chris Nadeau, PE of Nobis Engineering, Cindy Balcius of Stoneyridge Environmental, and Philip Hastings attorney c/o Cleveland, Waters, and Bass, and Matt Casey, developer, were digitally present.

Mr. Nadeau presented the plan to construct a 9,100 square foot retail building with related parking and other site improvements. As proposed, there will be 3,000 sq. ft. of wetland and 19,000 sq. ft. wetland buffer disturbance. He said that this is the lesser impacting layout when compared to a previous layout. Mr. Creighton noted that the Conservation Commission had not seen a previous layout. Mr. Nadeau and Ms. Balcius said that NH DES Wetlands had reviewed a more impacting alternative, but preferred this less impactation option; Ms. Balcius said that per the new State Wetland rules this design is permissible and NH DES has already informally indicated such.

Mr. Dionne asked about drainage. Mr. Nadeau explained the drainage. Mr. Dionne said he would like to see roof drains used. Mr. Creighton asked about catchbasin sump depths.

Mr. Jennings asked about snow storage. Mr. Nickerson noted that the proposed snow storage will melt and the runoff will be unfiltered and untreated. Mr. Nickerson said he could not see how this will work as designed and foresees issues with the abutters. Mr. Creighton mentioned that the reality of the design is that snow will be pushed off all edges of pavement and thus directly into the non-impacted wetlands immediately adjacent to the proposed store and parkinglot. Mr. Creighton added that the area on the plan called out for snow storage will block sight distance and is 50% off the subject parcel.

Mr. Creighton said he had questions about conflicting information in the Wetlands Functions and Values Report. He asked if the soils are sandy soils or poorly drained soils, because the report says both. Cindy Balcius, Wetland Scientist said the soils are sandy but poorly drained due to the high-water table. Mr. Creighton said the report states vernal pools are not likely, yet the report later says

vernal pools are likely and should be field verified in 2021. Ms. Balcus said there are no vernal pools in the front of the site but there may be one at the rear outside of the development area.

Mr. Creighton asked how much the wetland's flood alteration function would be impacted, and how that loss of stormwater storage (from proposed wetland filling) would affect this proposal. Ms. Balcus said the wetlands that will be filled didn't do much of anything and as such flood control wouldn't be affected.

Mr. Dionne said that he really doesn't know what to do with this proposal because it is a lot of wetland impact and buffer impact for a project for such a small project. Ms. Balcus said that this was discussed with NH DES Wetlands and they are inclined to approve. Mr. Creighton asked if there was a DES approval, Ms. Balcus said no. Mr. Creighton said that this is the greatest amount of proposed wetland and wetland buffer impact the Conservation Commission has had to consider for a project of this size, and he too isn't comfortable with it. He also stated that the design isn't yet fully engineered, so it's impossible for the Conservation Commission to know if they support the stormwater treatment/drainage design.

Mr. Creighton said the Commission can vote to approve or deny, or other alternatives. The Commission discussed conducting a site walk with the Zoning Board of Adjustment on either November 28th or December 5th.

Mr. Sullivan stated he's not comfortable making a decision tonight and motioned to withhold taking action on the Conditional Use Permit until a site walk can be held and a discussion with the Conservation Commission members be held. Mr. Jennings seconded. Ms. Lineweber cautioned that a site walk in the midst of a spike of Covid cases may not be the best idea. There was discussion about social distancing and being outside. Ms. Lineweber said she likely would not attend a site walk. The motion passed unanimously by a roll call vote.

3. NH DES Wetland/Shoreland Applications: None.

4. Discussion:

Mr. Jennings told the Commission he visited Highfield Commons. Mr. Jennings questioned the amount of exposed un-stabilized area. He also said the emergency access road to Hussey Hill Road isn't at the grades/location that he recalled it from the Technical Review Group meetings. Mr. Creighton agreed with Mr. Jennings about the exposed areas and lack of proper erosion control management, and said that the City is actively investigating this. Mr. Creighton said that he would mention the emergency access road concerns to DPW.

5. Notice of Intent to Cut Wood or Timber / Intent to Excavate: None.

6. New Business: None.

7. Reports:

- a) Technical Review Group
- b) Planning Board

Mr. Creighton provided an update on which projects involving wetland/wetland buffer impacts were being reviewed. He said Waste Management (WM) has an application in to construct the

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Rochester Materials Recovery Facility, and that this was an area previously presented to the Conservation Commission members that attended a tour of WM; there are not wetland or wetland buffer impacts proposed.

8. Old Business: Mr. Creighton gave an update on the status of purchasing 104 Crowhill Rd.

9. Non-Public Session pursuant to RSA 91-A:3 II (d): Discussion of acquisition of real property and/or recent site walks LACE Sheets. The Commission chose not to enter a Non-public meeting.

10. Adjournment: Ms. Lineweber motioned to adjourn at 7:47 pm, and Mr. Jennings seconded. The motion carried unanimously by a roll call vote.

Respectfully submitted,

Seth Creighton, AICP
Chief Planner