

**City of Laconia**  
**Conservation Commission**  
Wednesday, November 20, 2019 - 6:00 PM  
City Hall in the Armand A. Bolduc City Council Chamber  
Approved 11/22/2019

11/20/2019 - Minutes

1. CALL TO ORDER

Chair Dean Anson called the meeting to order at 6:02pm.

2. ROLL CALL

Members Present: Dean Anson, Deb Williams, Lisa Morin (until 6:35pm), Mike Foote (arrived 6:10pm), Marnie Schulz, and Richard Christopher.

Absent: Wes Bates

Planning Staff: Ashley Ruprecht

Guests: Ed Crawford and Russel Rucker representing the CUP application for 129 Channel Lane, and Richie Homs, representing the CUP application for Woodvale Avenue.

The commission saluted the flag.

3. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

Chair D. Anson passed over reviewing the meeting minutes and first addressed the CUP applications.

3.I. Acceptance Of Minutes From November 6

R. Christopher asked about the application that was discussed at the last meeting for 40 Carriage Ln. The commission provides an overview of what was discussed.

D. Williams motioned to accept the meeting minutes from November 6, 2019. M. Foote seconded. All voted in favor.

4. NEW BUSINESS

4.I. PL2019-0138 Wetland CUP 129 Channel Lane

R. Rucker introduced himself and E. Crawford, and provided an overview of the project. The project proposes to demolish an existing long-term watercraft storage at 129 Channel Lane that is approximately 16,000 sq. ft. and replace it with a new 22,800 sq. ft. watercraft storage building. There will be regrading on the site and rerouting the existing driveway around the new building, which will push the driveway into the wetland buffer.

There is 300 sq. ft. of new pavement is proposed within the wetland buffer, over where the existing driveway is. There will be minor regrading in the area and it will be stabilized with loam and seed. E. Crawford explains that greenspace will be increased on the property from what is currently there.

Chair D. Anson asked how many sq. ft. wetlands will be impacted. R. Rucker said that there will be under 1,000 sq. ft. of temporary impact to the wetland buffer to pave the driveway and do minor regrading. Chair D. Anson asked what the timing would be. R. Rucker said it would most likely be done

in the spring, after the building is built.

There is discussion about where stormwater drains on the property. The commission reviewed the photos of the site that were provided in the application. R. Christopher asked about the height of the building. The building is zoned for 60ft but will only be 45 ft, fitting 4 boat racks stacked high, and will fit 160 boats.

Chair D. Anson asked what erosion controls would be used. R. Rucker said straw wattles or silt fence would be used downgradient to prevent erosion. E. Crawford said he usually goes one step further and uses silt soxx. Chair D. Anson said they prefer silt soxx.

There is discussion about boat cleaning. This will only be a storage facility. There is a separate washing station located at the waterfront that drains into a sump pump to be treated by the wastewater treatment facility. There is no requirement that boats must be cleaned before storage.

D. Williams asked how they would complete final stabilization for the property. R. Rucker said they plan to plant grass since plantings could be a hazard because it is a working yard.

D. Williams asked where snow storage is. E. Crawford said it will be pushed to either side of the hill and there will not be a large snowpile. There is discussion about the new roof and drainage. R. Rucker describes the new drainage pond being made since the area does not have well draining soils.

Chair D. Anson recommends that they specify silt soxx on the plans. R. Rucker said he will make that change.

D. Williams motions to accept the plan as it is with the addition of silt soxx. M. Schulz seconds. All voted in favor.

#### 4.II. PL2019-0135 Wetland CUP Woodvale Dr. Lot 5

R. Homsy and B. Iske are present for the application. R. Homsy provides an overview of the project proposal. R. Homsy explains that he purchased the lot next to the previous lot and has combined the two into one lot. Mr. Homsy explains the status of work for the previous CUP to put the retaining wall in. Mr. Homsy explains that the new CUP application meets green space requirements and that the building is smaller than what is allowed. Mr. Homsy is proposing to also put in a driveway on the left side of the lot to connect to the building.

There is discussion about R. Homsy's previous CUP application and what was said when it came before the commission. Chair D. Anson said that meeting minutes would be pulled.

R. Homsy explains that there was no wetlands buffer when the lot was created in 1971. He says that now that there is a 50ft wetlands buffer the lot is non-buildable. He thinks that the lots are preexisting nonconforming use. R. Homsy said the wetland where the proposed driveway is has been dry since before he purchased the property. R. Homsy said he would not use heavy equipment or remove trees, and would use erosion controls to install the gravel driveway.

There is discussion about how R. Homsy would pull a trailer and vehicles into the building off of the street.

R. Homsy explains that with the 50ft wetland buffer there is only 700 sq. ft. of buildable land on the right lot. R. Homsy explains he will continue to use the existing driveway. R. Homsy explains his plans for the building and that it will be used for storage.

R. Homsy said that in his discussions with Rob Mora that the wetland may be a perennial wetland. A. Ruprecht said that she also spoke with Rob and thought it may potentially be a vernal pool if it is seasonally wet. R. Homsy said that he does not know if it is a vernal pool or not.

R. Homs said he is leaving a 15ft buffer between his neighbor and the driveway, and that the neighbors are in support of his proposal.

R. Christopher said he could support the proposal if it didn't include the proposed driveway and only used the existing driveway.

There is discussion about the boat widths and the width of the proposed garage doors. A. Ruprecht asked for clarification of the mapping and buffers that are shown. R. Homs clarified the wetland buffers that are shown on the mapping.

Chair D. Anson explains his personal experience of how the change in the wetland buffer rules impacted work on his previous property, as well as a recent application the commission had reviewed.

Chair D. Anson recommends that a legend is added to R. Homs's site plan. R. Homs said that there is room to modify the building location from what is proposed and that he is open to suggestions. A. Ruprecht clarified that Conservation Commission is here to provide recommendations to the Planning Board on the application. A. Ruprecht said she would add the recommendation for R. Homs to add a legend to his site plan to the memo that will be provided to the Planning Board.

Chair D. Anson said that the setback for a vernal pool is 100ft setback. A. Ruprecht noted that TRC had recommended that Conservation Commission provides input on drainage since the driveway goes through the wetland. M. Foote said he cannot recommend support for the application.

Chair D. Anson stated that at the previous CUP application meeting the commission said they would not support the idea of building a driveway on the right hand lot. R. Homs said he does not recall it that way. Chair D. Anson said that he will look at the minutes.

Chair D. Anson asked if R. Homs plans to put living space above the garage in the future. R. Homs said there is no sewer or water so that is not the plan.

R. Christopher suggests that a suitable proposal may be to narrow the building and use the existing driveway. R. Homs said he calculated how much space he needs based on his and B. Iske's assets.

M. Schulz makes a motion not to support the application. R. Christopher and M. Foote add that they do not support the proposal to put a 20ft crushed stone driveway through the wetland and that there is an alternative to the driveway and width of the building. Chair D. Anson said he will be asking the Planning Department to look into the zoning requirements and make sure setbacks are met. R. Homs said that the building is smaller than what is allowed by Code. M. Schulz added that minutes should be pulled from that last CUP application that R. Homs came before the Conservation Commission. Chair D. Anson requested that R. Homs types up the wording on the CUP Application proposal description since the handwriting is difficult to read. R. Homs said he would do so.

M. Foote seconded. All voted in favor.

## 5. NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES APPLICATIONS

### 5.I. 46 Woodvale Wetlands Permit Application

The application was discussed at a later time- See Staff Report section.

## 6. OLD BUSINESS

### 6.I. Perley Pond Update

The commission reviews the deed for the property and potential for returning the land to the previous owners. M. Schulz said she was in support of returning the land to the Perley family.

There is discussion about how the recent trimming of the tree helped it. Chair D. Anson said he thinks it made it look better and helped extend its life.

D. Williams said the deed says if we do not maintain the land than it would revert ownership back to the previous owners. R. Christopher said the City is maintaining the property.

Chair D. Anson said that if a property owner has a wetland on their property that the City does not model the kind of behavior or activities that the City expects of them, such as cutting vegetation down to the water's edge at the Perley property. Chair D. Anson said we need to keep this in mind when applicants make requests to do similar activities.

The commission discusses maintaining the property and landscaping it versus leaving it natural. There has not been any recent comment from the Perley family on the recent work, or regarding maintenance of the property.

#### 6.II. Tributary & Paugus Bay Water Quality Sampling

There are no updates at this time.

#### 6.III. State School Property Update

A. Ruprecht said the next meeting is on December 3.

R. Christopher said he saw something in the paper to use a few of the buildings in the near future. Chair D. Anson said that Genuine Local has submitted a proposal to use one or two of the buildings for agricultural use.

#### 6.IV. Pickerel Pond Property Update

Chair D. Anson said he looked at the property with Wes Anderson from DPW. Wes wanted to know if there were contaminants in the paint or roof. Chair D. Anson went back to the site and took samples of the paint on the building and had mixed results. Results did come back positive for lead, but Chair D. Anson suggests additional testing is done to confirm.

Chair D. Anson said the EPA's regulations say that under certain conditions the lead can be disposed of as construction waste, depending on how much is in the paint. A. Ruprecht asked if you need to be certified to handle it still since DPW doesn't have staff certified to handle that material. Chair D. Anson said if it's a low enough concentration than it's not hazardous and anyone can handle it. There is discussion about getting quotes to test the buildings and demolish them. A. Ruprecht said she would work with Procurement to get quotes.

#### 6.V. Cyanobacteria

Chair D. Anson said it's cold enough now that it will not be an issue.

### 7. LIAISON AND SUBCOMMITTEE REPORTS

#### 7.I. Milfoil Management

A. Ruprecht explained a map for proposed 2020 milfoil treatment and added that DES will ultimately decide what areas to treat. Quotes were received for work next year for DASH and herbicide treatment.

### 8. OTHER BUSINESS

There is discussion about going to 1 meeting in December. The commission decides to meet on December 11, rather than December 4 and December 18, as originally scheduled. A. Ruprecht will send out an email to all members to inform them of the change.

M. Foote mentioned he is doing another forestry cut and will be near the old Weirs dump property that is

City owned. M. Foote said if the City wanted to have cutting done it would need to go through a bid process, and the City would need a forester. Chair D. Anson suggested talking with Scott Myers. The cost of the cutting is paid for since they sell the wood and habit is made with some of the tree limbs. R. Christopher expressed concern about leaving too many limbs and increasing the chance of a forest fire.

#### 8.I. 2020 Event Opportunities

A. Ruprecht pulled a list of 2020 environmental holidays for the commission to review. Chair D. Anson suggested celebrating National Honey Bee Day by planting pollinator flowers in a plot in the community garden. M. Schulz said someone may donate a hive. D. Williams suggests celebrating World Water Day in March. R. Christopher talked about how the commission used to attend large events in Laconia. A. Ruprecht said she will work to pull a list of events in Laconia.

A. Ruprecht will email the list to commission members and ask for each member to pick a holiday they think would be a good idea to celebrate with an event for each quarter (4 events total).

#### 9. STAFF REPORT

A. Ruprecht provided a brief overview of some of the new NHDES wetlands rules that will be rolled out December 15. A. Ruprecht asked Chair D. Anson if he is keeping his comments that were previously provided on Mr. Homsis's NHDES application or if he has any additional comments. Chair D. Anson reconfirmed his comments that he previously provided. A. Ruprecht describes the difference between expedited and standard review time and that if the commission signs the application in support, the commission waives the right to intervene. A. Ruprecht said she would let Mr. Homsis know to update his site plan on his NHDES application since he has made changes from the one that is provided.

#### 10. ADJOURNMENT

D. Williams motioned to adjourn the meeting. M. Foote seconds. All votes in favor.

The meeting adjourned at 8:02pm