

**Town of Auburn
Conservation Commission
February 2, 2021**

Members present: Jeff Porter-Chairman. Peg Donovan, Vice Chair. Diana Heaton, Member. Stephanie Hanson & Mark Ampuja, Alternate Members. Minutes recorded by Denise Royce.

Absent: Richard Burnham & Ed Fehrenbach &, Members.

Mr. Porter called the meeting to order at 7:04 p.m. and moved into reading the preamble to everyone present.

MEETING PREAMBLE DURING COVID-19 EMERGENCY

Good Evening, as Chairman of the Conservation Commission, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that any public gathering of people may pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19 and is reinforced by Emergency Order #16 issued by the Governor on March 23rd. In concurring with their determination, I also find that this meeting is imperative to the continued operation of Town government and services, which are vital to public safety and confidence during this emergency.

Governor Sununu issued Emergency Order #12 on March 23rd which provides local government boards the ability to conduct business using technology to hold remote meetings and not provide a public place of meeting but provide for the public's ability to listen to the meeting. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances,

the usual rules of conduct and decorum apply. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote as required by RSA 91-A:2, III (e).

Let's start the meeting by taking a Roll Call attendance. When each member is called please state your name, and also please state whether you are physically attending the meeting or are remotely attending the meeting. If you are remotely in attendance, is there is anyone in the room with you during this meeting, which is required under the Right-to-Know law (RSA 91-A:2, III (c)).

Roll Call was taken with the following Members and Alternates present: Jeff Porter-Chairman. Peg Donovan, Vice Chair. Diana Heaton, Member. Stephanie Hanson & Mark Ampuja, Alternate Members.

Also Present: Bill Parker, Amy Flourney, Bill & Lisa McCarty.

The following members were absent: Richard Burnham & Ed Fehrenbach, Members.

Mr. Porter elevated Ms. Hanson to full voting member for tonight's hearing.

PUBLIC HEARING

**Parker Garden Design
On Behalf of Bill & Lisa McCarty
6 Hook Road, Tax Map 13, Lot 14-1
Zoned Rural
Discuss Wetland Buffer (Hook Brook)**

Mr. Porter began by turning the meeting over to Bill and Lisa McCarty to present. Mrs. McCarty informed the Board members that, Mr. Parker and Ms. Flourney would be presenting tonight on their behalf. Mr. Porter commented that, a lot of the area has already been disturbed and asked them to talk briefly about, how much area that they will be looking to disturb above and beyond what is currently there. Mr. Porter also wanted

to know what mitigating controls they would be putting in place to minimize any impact into the wetland area. Mr. Porter also pointed out that, the grassy area was already within the wetland buffer. Mr. Bill Parker began the presentation by saying that, they fully understand that this property is within the setback and informed the Board members that he was on the Nashua Conservation Commission. Mr. Parker talked about the development being developed prior to there being more stricter regulations being put into place. They also understand that this area of great sensitivity and that is part of the reason they are before this Board tonight to make sure that this is something that they are able to do. A brief discussion ensued with regard to the slope and dry well being put in place to minimize impact to the wetlands. Mr. Porter mentioned a time that the area in question has flooded before and that this was a stream that goes directly into Manchester. Mr. Porter asked if they had spoken with Manchester Water Works. Mr. Parker said they had not spoken with MWW. Mr. Parker did say that, it was a small salt water plunge pool that would be 14 feet by 8 feet which is not a conventional swimming pool and does not use the chemicals that a conventional swimming pool would use. This pool is never drained, it is filled and stays there and is useable year-round and is heated year-round and is basically a glorified hot tub. There is no backwashing with this salt water plunge pool. They would not be increasing the slope or altering the slope they are just basically just cutting into the hillside for the footprint of the pool and surrounding patio area and retaining below the pool with a low retaining wall and another small retaining wall in the uphill side. Mr. Parker talked about the concrete pavers which would be laid on a variety of difference size aggregate approximately 3 feet deep by the time it's all done. So, any water that spills onto these pavers will go directly into the ground and not run into the wetlands. Mr. Parker asked if there were any questions from the Board.

At this time, Mr. Porter wanted to turn the discussion over to the Board members. Ms. Heaton had a question and asked how far into the buffer are they asking to go with the salt water plunge pool. Mr. Parker turned that question over to Ms. Flournoy for an answer as she did all the cad work for them. Ms. Flournoy stated that, in looking at this plan that they would be looking at 40 to 50 feet. Ms. Heaton thanked them for their answer. A brief discussion ensued with regard to the distance and relief they are looking to obtain. Mr. Parker stated that, they are able to shift this salt water plunge pool and patio to make it work if needed but they are still within the 125-foot setback. Mr. Porter asked if they could move it to the west to more align with the existing deck, they would probably get away from having to have an additional variance aside from what is already there for the house the impact to the wetland area will be reduced which would be a little more favorable. Mr. Porter talked about the septic cleanout and shifting it to be inline with the house. Mr. Parker believed that would be very doable.

Ms. Heaton asked what the age of the leach field was on this house. Mr. McCarty stated that it was the original leach field of the house so 1987. Ms. Heaton stated that, the concern that they have had in a number of cases that they have had was putting a pool or a shed, what happens down the road when the leach field needs to be replaced would

putting something like this prevent them from putting the leach field further away from the wetland if necessary or are there other places that they could use. Mr. Parker believed there were other areas possibly closer to Chester Turnpike as opposed to closer to Hook Brook.

Ms. Hanson stated that, she agrees with everyone that if they could move it back to limit the disturbance. The other question she had was, did they know if they had enough groundwater separation for the pervious pavers to drain property. Mr. Parker stated that, they do not know but believes that they do because the house sits so high above the wetlands, but they have not put a shovel in the ground yet but with the grade would be pretty confident that they have. A brief discussion ensued with regard to who would be doing the work. Mr. Parker stated that, they do all their own work.

Mrs. Donovan asked, how often a salt water plunge pool needs to be drained. Mr. Parker stated that, it never needs to be drained unless of failure. Mrs. Donovan asked about doing repairs. Mr. Parker stated that, the repairs that he has experienced installing these pools is a malfunction with the heater or the pump and never with regard to the tank. Mr. Parker added that the tank for the pool was a glorified septic tank that was 14 feet by 8 feet that weighs about 26,000 pounds with 6-inch walls and all steel reinforced which is pretty solid. Mrs. Donovan thanked Mr. Parker for his comments.

Mr. Porter asked Mr. McCarty if he had a whole house generator. Mr. McCarty said they do have one, but it is one that they start up themselves. Mr. Porter stated that, the only reason he was asking was because of the winters and if that pool freezes if they lose power. Mr. McCarty stated that, if they need to look at something in the near future then they will look into it. Ms. Hanson asked if there could be a contingency plan so if the pool ever needed to be pumped that obviously they don't want it to be pumped into the stream. The Board talked about possibly putting in a berm such as ones that they have discussed with other developers. Ms. Hanson also agreed. Mr. Porter stated that what they would be looking to see as a mitigating factor is moving the pool as much as possible to get it out of the area and also to have some sort of containment so that in the event of an overflow or a planned drainage, how best to control that and keep that out of the stream area. There are a few design aspects that we'd like to see employed prior to going into the Zoning Board and would it be possible to have that back in front of them so it may mean that they won't be before the ZBA until March but that the Conservation Commission would like to see that put together and in front of this Board again maybe in March for review. Mr. Parker stated that, that was very possible to do. Mr. Parker added that, these pools are generally installed with about 18 to 20 inches of reveal above finished grade, so the majority of the pool is down to the ground and sometimes they are flush with the ground. Mr. Parker went on to say that, they have not had this discussion with the McCarty's yet as they are still in the early construction stage. Mr. Parker also stated that, they have put in drainage systems beneath the pool regardless of how much reveal is above grade so they could design some sort of simple drainage system beneath

all the aggregate. Mr. Parker explained that, the pool itself sits on an inch to an inch in a half of stone and they could add perforated piping that goes to another dry well system. Mr. Parker gave a brief discussion of what they could do. Mr. Porter mentioned a berm area in the event of an overflow to try to minimize any flow to the wetland area. Mr. Parker mentioned a rain garden area down below the pool that the McCarty's would leave to naturalize itself. The Board liked the idea but would have to see the design. Mr. Parker explained that, this would involve a little bit more disruption within the buffer, but they are going to be introducing positive species into that area of which is currently lawn area. Ms. Hanson asked to see the design of it and the sizing for it and as long as it was within the lawn area it could work. Ms. Heaton also agreed and stated that, that was what she was hoping to see as well. Mr. Parker added that, they would also be doing best management practices as they reconstruct this area. Ms. Heaton also suggested removing the lawn that abuts the brook in favor of native plantings. Mr. Parker commented that, that was exactly what they were proposing to do and indicated that, the lawn line is deceiving because there is actually quite a bit of growth between the lawn and the brook and there is already a lot of really nice species growing in there. There is winterberry, grey dogwood, viburnum and red twig dogwood. Mr. Parker also explained that, there is also a number of invasive species predominately bittersweet and they are proposing to remove those as they are consuming a couple of nice trees that are on the edge of the lawn. Again, Mr. Parker talked about best management practices with regard to removing invasive species and any plant material that they would introduce into this would be only enhancing what is currently there. Mr. Parker stated that, they understand how to enhance this area and contribute to the eco system that lies there between the McCarty's house and the wetland.

In conclusion, Mr. Porter indicated that, what they would like to see is, an alteration of the plan to cover the items that they were discussing and possibly postponing the ZBA hearing until March and that the Conservation Commission will see them again in March with a final plan and then they will meet with the ZBA in March. With that said, Mr. Porter asked Mr. Parker how that sounded. Mr. Parker said that, that sounded good and asked when the Conservation Commission would be meeting in March. Mr. Porter stated that, the next Conservation Commission is scheduled for March 2nd. Mr. Parker stated that, they would have all that information to the Board and would be communicating with the Board and appreciate the Board's time on this. Mr. Porter also thanked Mr. Parker for his presentation and time and that the discussion was very helpful. With that said, the discussion ended.

Mr. Porter asked Ms. Royce if there were any meeting minutes to approve. Ms. Royce said yes. The minutes of April 7, 2020. Mr. Porter moved on to ask for a motion to accept the minutes of the last meeting held on April 7, 2020. Mrs. Donovan stated that, the last minutes that Ms. Royce sent over were good.

MINUTES

Mrs. Donovan moved to approve the minutes of April 7, 2020 as written. Ms. Heaton seconded the motion. A roll call vote was taken as follows: Mrs. Donovan voted yea, Ms. Heaton voted yea, Ms. Hanson voted yea, Mr. Ampuja voted yea, and, Mr. Porter also voted yea. All were in favor, the motion passed unanimously.

OTHER BUSINESS

Mr. Porter thanked the Board members for calling into tonight's meeting and that he really appreciated it and it was a great discussion. With that said, Mr. Porter asked for a motion to adjourn.

ADJOURN

Mrs. Donovan moved to adjourn the meeting. Mr. Ampuja seconded the motion. A roll call vote was taken as follows: Mrs. Donovan voted yea, Mr. Ampuja voted yea, Ms. Hanson voted yea, Ms. Heaton voted yea and, Mr. Porter voted yea. All were in favor, the motion passed unanimously, and the meeting stood adjourned at 7:52 p.m.

The next Conservation Commission meeting is currently scheduled for Tuesday, March 2nd, 2020 at 7:00 p.m. Currently, all upcoming meetings will be held via remote teleconference unless otherwise noted. The call-in number can be found on each Agenda posted on the town website at auburnnh.us.