

Conservation Committee
October 10, 2002

Members:

James Finn - Chairman (Excused)
Dianna Fallon - Vice-Chairman
Pamela Skinner - Secretary
Gerry Capron - Member
Cherie Howell - Member
Lisa Linowes - Member
Tom Seniow - Member (Excused)
Bernie Rouillard - Alternate (Excused)
Terri Lucas - Alternate
Rick Adams - Alternate

Alternate Appointment

The Vice-Chairman appointed Mr. Adams to replace Mr. Seniow and Mrs. Lucas to replace Mr. Finn for this meeting.

Lamplighter Village - Seavey Road

Presenter - Maurice Caruso, A&M Builders

Mr. Caruso explained that he went through the approval process for the dam and the Dam Bureau is requiring a jute mat in the area for erosion purposes. Mr. Randall Shuey of Gove Environmental Services explained that a jute mat is a kind of a netting-like fabric with ¼" grid on it. Its' purpose is to protect the bare soil so that it does not get detached and acts as a temporary anchoring for the slope till the grass gets to a sufficient height to protect the soil. An entirely new dam will be built. Mr. Shuey explained to the Commission that the Dam Bureau did a lot of engineering tests and this is the design that the Dam Bureau is requiring. Whether or not this project ever gets built the state is still going to require that this dam be built. This is a private dam and the owner is required to maintain it. Mr. Adams asked where does the building of the dam fit into the construction sequence. Will blasting be done first? Mr. Caruso showed the Members an area on the map that needs to be blasted and graded so that vehicles can have access. Mr. Adams asked is the blasting going to be happening first and then you will stabilize the dam. If this is an unstable structure, which is already leaking, and you're blasting near it, where does it fit into the sequence? Mr. David Clark of ML & Sons, who will be the site work contractor for this project, said it would depend on if we could have all approvals and supplies before frost. It is a matter of timing and the weather. Mr. Adams said that a good thing to review would be the engineering analysis to see if in fact this dam that is leaking right now and built on organic material can withstand the blasting and the trucks that will be hauling the blasting materials out. Mr. Shuey said that if the tests showed that this dam was going to go down tomorrow the Dam Bureau would have already required emergency repairs to be done. Mr. Sylvestri said that engineers and experts have been hired including CLD. Blasting can be done 3-feet away from a building without any damage being done to a building. It all depends on the size of the charges etc. Mr. Caruso said Miller Engineering provided an analysis report certifying the stability of the area. Mr. Gary Springs of DES is a shoreland protection outreach coordinator and is reviewing this project. Part of the reason the permit is being amended is because of the way the restabilization has to be done to the dam; it is an expanded wetlands impact. It can be a condition of the amended permit that the project engineer monitors the dam after each instance of blasting. Mrs. Howell said that the Commission would like something in writing to the effect that the engineer has taken a look at the dam and can assure the present condition can sustain the traffic and blasting and that there will be other checks & balances in place such as engineering oversight and monitoring. The Developer wants to leave this meeting with a recommendation letter. Mrs. Linowes said this is not a Conservation Commission condition it was a

Planning Board condition that we get the state to certify the causeway can handle the construction; this is not coming directly from the Conservation Commission but we have a vested interest in making sure everything is in tact. I can have the planning staff come back and restate that was a requirement. The Planning Board during its review process stated that they were going to look for a letter from the state stating that they certified the causeway and the condition it will be in when running construction vehicles. Mr. Springs said he would require risk assessment regarding vehicle access and proximity of blasting regarding stability of the dam. Mrs. Linowes said when this project went through the Planning Board process it was stated that all blasting was done and no additional blasting was required. Mr. Caruso stated for the record that he never said that all the blasting was done on this site. Mr. Springs said a certain amount of replanting will take place and that a condition can be put in that the Conservation Commission will provide a guide of where and what will be planted. Mr. Capron motioned to approve based on the conditions that are going to be put into Mr. Springs DES report. Mr. Capron withdrew his motion.

There was a lengthy discussion about the existing road crossing. There is no need to widen the road that was put in the 1980's. Mrs. Linowes advised that the Planning Board has jurisdiction over the wetland buffer. If you cross the wetland buffer for any reason you need a special permit from the Planning Board. If the wetland is larger than one acre it is subject to a 100-foot setback. Mr. Springs said that according to his findings this is a legal crossing. This woods road will be used to access the wells. Mr. Shuey said that at the time the crossing was put in it was not considered a jurisdictional area therefore it is a legal crossing. Mrs. Linowes said that if the wells were on the south side of the wetland there was going to have to be some means of getting to those wells. There was no designation of a road on the plans shown to the Planning Board. Mr. Sylvestri said that the plan shown does have an existing road. Mrs. Fallon suggested that Mr. Sylvestri return to the Planning Office and check with Mr. Turner to be sure that everything is legal.

A letter of recommendation will be sent to the DES and will include the following conditions:

- DES will require a risk assessment to be completed and reviewed by DES prior to construction or blasting in the vicinity of the existing causeway.
- DES will review construction vehicle access plans to this site and insure wetlands and existing causeway safety and stability.
- Seavey Pond and the existing causeway will be monitored during the blasting and construction phase to insure current water levels, water quality and dam stability are maintained.
- Conservation Commission will work with the developer to relocate or replace wetland plants in other areas suitable for continued growth. The Commission understands that limited vegetation can be maintained along the sides of the dam and within fifteen feet of the toe of the dam. It is the Commission intent to help replace vegetation lost due to the dam.
- Conservation Commission will work with the developer to identify trees within the development that can be maintained. In particular the Commission would like to review and mark trees along the road leading from Route 28 and up to the development.
- DES will review dam maintenance guidelines and insure that the future land/dam owners understand how to maintain the dam and that maintenance is their responsibility. The Conservation Commission recommends that any provisions pertaining to dam maintenance be added to the covenants of the future Condominium Association.

Minutes

Mr. Capron motioned to accept the September 26, 2002 minutes as written. Mrs. Howell seconded the motion. Passed unanimously.

Other Business

Mrs. Howell motioned to reimburse Mrs. Fallon \$128.35 for supplies purchased for the Apple Fest. Mr. Adams seconded the motion. Passed unanimously.

Mr. Adams motioned to reimburse Mrs. Fallon, Mrs. Linowes and Mrs. Lucas \$30.00 each for the November 2, 2002 NHACC meeting. Mr. Capron seconded the motion. Passed unanimously.

The Members discussed the possibility of a bond. Mrs. Howell motioned to pursue a \$4,000,000.00 bond. Mr. Capron seconded the motion. Passed unanimously.

The Members discussed a Gage Lands warrant. A draft of a letter to the Board of Selectman regarding Gage Lands will be E-Mailed to all Members.

Mrs. Fallon advised the Members that Dr. Yukl is interest in the Remainder Trust. Mrs. Howell will talk with Mr. Sullivan regarding the trust for Dr. Yukl.

Mr. Capron motioned to adjourn at 11:00 PM. Mrs. Howell seconded the motion. Passed unanimously.

The next meeting of the Conservation Commission is scheduled for October 24, 2002 at 7:30 PM at the Planning & Development office.

These minutes are in draft form and are respectfully submitted for approval.

