

February 14, 2024

APPROVED

1 In attendance: Jared Hardner – Chair, Rob Clemens, Mark Bender, Lee Gilman, Christian
2 Littlefield, Rich Hart (alternate), Frank Montesanto

3
4 **Administrative:**

5
6 **1. Chair Comments**

7
8 Jared Hardner opened the meeting at 7:00pm.

9
10 **2. Minutes Approval**

11
12 **Rob Clemens moved to approve the meeting minutes of January 10, 2024, as**
13 **amended. Seconded by Frank Montesanto.**

14 **Vote: 6-0-0; motion approved.**

15
16 **3. Treasurer’s Report**

17
18 Mark Bender presented the monthly financial summary, noting that the ACC’s operating budget
19 is approximately half spent and that the land account has been annotated to show current
20 financial commitments to ongoing property acquisitions (Curran and Clearview).

21
22 **Special Topics & Presentations**

23
24 **• Request for ACC feedback on house construction plan for 86 Chestnut Hill Rd**

25
26 Tom Burns, TF Moran, presented plans for a residence to be built on Lot 11-10, 86 Chestnut Hill
27 Rd. The plans included delineation of wetlands and associated buffers, as well as setback
28 requirements from Chestnut Hill Rd. Tom Burns noted that due to these site constraints, the
29 proposed residence would encroach on the wetland buffer.

30
31 Frank Montesanto noted that more than half of the house is proposed to be in the wetland buffer,
32 and he fails to see how this proposal will not have a negative impact.

33
34 Rob Clemens stated that the proposal is generally not consistent with what the Commission can
35 support due to the ordinances of the Town. The proposed well is located on the edge of the
36 wetlands and the applicant could consider moving this.

37
38 Mark Bender noted that this is a challenging design for the Commission to support.

39
40 Rich Hart noted that the proposed design lies right against the 50’ setback from the road. He
41 suggested moving the house closer to the road and considering a variance, in order to move away
42 from the buffer a bit.

February 14, 2024

APPROVED

44 Rob Clemens stated that he does not believe there is another place on the lot that the house could
45 be placed. The Commission has been on record for trying to minimize all impacts to buffers.

46
47 Mark Bender suggested a house design that could parallel the road in order to reduce the wetland
48 impact. It was noted that the applicant is still considering house designs.

49
50 Christian Littlefield noted that the proposal would lead to, not only permanent wetland buffer
51 impacts, but also large temporary wetland buffer impacts during construction.

52
53 Jared Hardner stated that he believes the Commission's feedback to the Zoning Board will be that
54 it does not condone a plan that would lead to wetland buffer impacts, and that it believes the
55 ordinance should be respected, as written.

56
57 • **CUP review for 12 Lakeview Street (Lot 24-46)**

58
59 Taylor Hennas, Meridian Land Services, explained that the entire property is located within the
60 250' shoreland zone and partially located within the Wetland and Watershed Conservation
61 District. Only the 100' Wetland and Watershed Conservation District buffer is shown on the
62 plan. There are two isolated wetland pockets at the front of the lot, within the 50' buffer; these
63 have 25' buffers but they are not showing on the plan as they are associated with Baboosic Lake.
64 The lot contains a pre-existing single-family home, constructed in 1935. It is currently serviced
65 by a well and cesspool. This proposal intends to raze the existing non-conforming structure and
66 reconstruct a more conforming structure. The proposed structure will be set back further from
67 Baboosic Lake and will not encroach on the grandfathered footprints. The proposed primary
68 structure will be surrounded with proposed drip edges and a legal pretreatment system will be
69 installed. The total permanent disturbance on the parcel is 1,376 s.f. and the proposed temporary
70 disturbance is 3,932 s.f. The disturbance area will be bounded with the double erosion control
71 techniques to remain in place until the area is stabilized, and construction is complete. The
72 proposal will reduce the overall impervious area on the lot from 24.5% to 23.1%. This is due to
73 the removal of the access stairs leading down to the structure. This will also improve the
74 stormwater techniques on the lot, and the subsurface components on the lots, creating an overall
75 net improvement. The proposed disturbance in impervious area was approved under a shoreland
76 impact permit. This product also received full consultation through NH Fish & Game for rare
77 species identified within the vicinity of the project area. These species, descriptions, and best
78 management practices were provided with the plan.

79
80 In response to a question from Lee Gilman, Taylor Hennas stated that there will be some
81 temporary impacts within the 50' waterfront buffer but no trees are proposed to be removed.
82 There is no replanting proposed for ground cover within that buffer.

83
84 In response to a question from Rob Clemens, Taylor Hennas explained that there are no changes
85 proposed to the existing gravel parking area. The leach field will be located in that area. There
86 are no stormwater management techniques proposed for the parking area. Rob Clemens

February 14, 2024

APPROVED

87 expressed concern regarding the steepness of the slope on the site down to the Lake. Any lack of
88 improvements to slopes could be a concern.

89
90 Rob Clemens asked how the cesspool will be abandoned. Taylor Hennas stated that typical
91 protocol is for it to be pumped, filled, and abandoned. The cesspool is not actively in use at this
92 time.

93
94 In response to a question from Rob Clemens, Taylor Hennas explained that there is what appears
95 to be a Town right of way across the front of the property, but use of it is unclear. The proposal
96 is to maintain this.

97
98 Rob Clemens asked how long the Fish & Game rare species permit lasts for. Taylor Hennas
99 stated that she believes this applies while construction is ongoing for the project.

100
101 Rob Clemens stated that sedimentation and erosion protection will be needed for the steep
102 slopes.

103
104 Jared Hardner noted that this project still leads to a nonconforming structure, but there are some
105 improvements proposed to the lot from this plan, such as abandonment of the cesspool and a new
106 septic system. He asked about other material improvements such as reducing nutrient loading or
107 sedimentation to the Lake. This could include enhanced vegetation along the Lake edge or other
108 enhancements along the slope. Taylor Hennas stated that additional vegetation along the Lake
109 can be included on the plan; additional plantings within the access way could also be considered.

110
111 Mark Bender asked that the applicant make sure it is using the most recent MS4 requirements.
112 He asked if the proposal is to change the grade on the north side of the lot to allow for
113 construction access. Taylor Hennas agreed that the proposal is to reduce this to a 20% slope.
114 Mark Bender noted that there will be an impact to changing that slope and access by construction
115 vehicles.

116
117 Lee Gilman suggested construction damage mitigation planning on the lot.

118
119 Jared Hardner asked that the Commission's recommendations to the Planning Board include that
120 there should be a specified check in time with the enforcement officer for this project.

121
122 In response to a question from Will Ludt, 3 School Street, Taylor Hennas explained that a
123 Conditional Use Permit application was submitted to the Planning Board to hopefully be heard
124 on March 6th. This item has not yet gone out for Town board/department comment. Will Ludt
125 asked that photos be taken of the existing structure, along with existing dimensions.

126
127 Taylor Hennas noted that stormwater management techniques are generally proposed to surround
128 the existing impervious area, and she will look into items that could fit into the driveway area.

129
130 **Other Business**

February 14, 2024

APPROVED

- 131
132 • **Amherst School Board presentation on Warrant Article 12 (Wilkins School Project)**
133

134 Tim Theberge, Amherst School Board, presented to the Commission regarding Warrant Article
135 12. The chosen design keeps the proposed building out of the wetland buffer.
136

137 Lee Gilman suggested dealing with the invasive species on the property in order not to spread
138 them during construction.
139

140 There was discussion regarding making the crossing from Wilkins School to the Great Meadow
141 conservation area safer as part of this project.
142

- 143 • **Apple tree replacement at Lindabury Orchard**
144

145 Frank Montesanto stated that some of the older trees in the upper orchard are in poor shape. The
146 suggestion is to try replacing these with a few new trees.
147

148 There was discussion regarding hiring a contractor for orchard management. The Commission
149 agreed to move forward with planting of a few small trees and agreed to further orchard
150 management discussions at a later date.
151

152 Tim Theberge, speaking as a Scout leader, stated that the Scouts are always interested in helping
153 with local projects.
154

- 155 • **Agricultural leases**
156

157 This item was not discussed at this time.
158

159 **Frank Montesanto moved to adjourn at 8:52pm. Seconded by Rob Clemens.**

160 **Vote: 6-0-0; motion approved.**
161

162 **The meeting adjourned at 8:52pm.**
163

164 *Respectfully submitted,*
165 *Kristan Patenaude*
166