

**Town of Northwood
Conservation Commission Minutes
July 15, 2014**

Chairman Steve Roy calls the meeting to order at 7:30 p.m.

Present: Chairman Stephen Roy, Vice Chairman Steven Hampl, James Ryan, Thomas Chase, Board Administrator Linda Smith and Board Secretary Lisa Fellows-Weaver.

Absent: Wini Young, Paul Lussier, Alternate Loren O'Neil, and Alternate Michael Matson.

Mr. Roy makes a motion, second by Mr. Ryan, to postpone the June 1 minutes to the August 5, 2014 meeting. Motion passes unanimously; 4/0.

CONSIDERATION of APPLICATIONS

Permit by Notification

Gary Caron, 86 Shore Dr. Map 122; Lot 24

General discussion is held as the commission reviews the application to permit the replacement of an existing retaining wall.

Mr. Roy notes that the application indicates that the proposed activity will occur in the drawdown time. He states that he is not sure if there is such a time frame for Harvey Lake.

Mr. Roy notes that there are a few typos throughout the documentation. He refers to sheet 3 of 4 and states that Harvey Lake is referred as Danforth Pond, which should be corrected.

Mr. Roy refers to the cross section schematic of the wall and states that each block is labeled the middle block except for the top block. He states that the schematic should show a bottom block and it should be labeled as such.

Mr. Roy states that it is unclear to the commission that Harvey Lake is subject to drawdown. Ms. Smith notes that there is a dam and Mr. Roy adds that he believes that this dam is an earthen dam and is in rough shape. Ms. Smith states that there is not a typical drawdown for Harvey Lake. Mr. Roy states that he is not aware of any organized drawdown of Harvey Lake; and requests further detail be provided as to when the work that is referenced as being done as "in the dry" will occur.

Mr. Roy suggests drafting a letter and forwarding as a PDF via email to NHDES noting the above comments/concerns. **Mr. Roy makes a motion, second by Mr. Hampl, to not sign the application for Gary Caron, 86 Shore Dr., making the application not eligible for 10 day processing and will be processed in 25 days. Motion passes unanimously; 4/0.**

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PUBLIC INPUT

Emma Yates

Emma Yates from Charlotte, North Carolina, is present and hopes to volunteer in order to obtain experience for her degree in conservation. Ms. Yates states that she attends North Carolina State University and returns to Northwood for the summer months at the family residence on North River Lake Rd. She states that her major is animal science with a minor in wildlife sciences. She has three years of experience in small animal veterinary medicine and four months in dairy science. Ms. Yates is interested in any opportunities that may be available to her for next summer from mid-May through August. She will provide a resume and references.

Mr. Ryan states he will provide Ms. Yates' information to the director of Fish and Game. Further discussion is held regarding other contacts, and other opportunities within Northwood and the surrounding communities.

The commission thanks Ms. Yates for attending tonight and offering assistance and looks forward to being in contact throughout the year as projects begin.

OTHER BUSINESS

Ann Scholz, 133 Gulf Rd., Northwood.

Ms. Smith refers to last month when the commission met with Ann Scholz of the Pleasant Lake Protection Association regarding the association's intent to submit an application for a Section 419 grant in order to develop a restoration project. She states that the pre-proposal has been accepted and they are moving forward for funding. Ms. Smith states that Ms. Scholz is looking for a representative from Northwood to be a member on the advisory committee.

Discussion ensues. Mr. Hampl states that he may be interested in being a part of the committee. **Mr. Roy makes a motion, second by Mr. Ryan, to send a letter supporting the Pleasant Lake Advisory to the extent feasible with the existing commissioners or seek a local representative that lives near or on the Northwood side of the lake as an advisory member. Motion passes unanimously; 4/0.**

OTHER

Staff Items

Chandler

Ms. Smith explains that there is a proposal for a subdivision on Gulf Rd. coming before the planning board this month. The plan is reviewed. Ms. Smith states that there is a prime wetland. She states that there is a note on the plan indicating that the wetlands conservation overlay district boundary line has been electronically reproduced from the prime wetland plan that is on file at the town hall. She asks if this is acceptable based on the zoning ordinance, the size of the lot and/or if the commission has any input. She would like the commission to confirm that it does not meet the standard for wetland determination in the zoning ordinance.

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Mr. Roy states that if the applicant wants to use digitized areas it is not consistent with the town's ordinances and there should be an application filed with the zoning board.

Ms. Smith states that the planning board has the authority to grant a waiver from the subdivision regulations and could waive the requirement for the boundary being shown on the plan. She states that if it is shown it should be delineated accurately. Mr. Roy agrees and adds even if it is decided that it is not shown it does not mean that the applicant is not obligated to follow the ordinance limitations for activities within the buffer. Ms. Smith states that for the purpose of subdividing the lot they may not need to show this; however, for the purpose of the zoning ordinance they must be in compliance. She adds that it could be misleading. Mr. Roy states that he prefers to see this delineated (per the zoning ordinance) and he would not support a waiver. He adds that it is his opinion that it should be shown so that it is discoverable on the site plan for whoever acquires the lot and builds; it allows them to stay in conformance or to be informed to be in conformance of the town's ordinances. He states that if it is not shown than how would an owner know to stay out of the buffer.

Further discussion is held regarding the wetlands buffer and the true delineations of the lot. Ms. Smith notes that the area is also noted as very poorly drained soils and should have a 20' buffer shown. Upland soils may be adequate for the development; however, there are steep slopes in the area and again there is no real delineations provided. Mr. Hampl agrees that there should be delineations noted.

Mr. Roy states that the prevalence of wetland or wet soils on the lot, in and of itself, really emphasizes the need for the delineation to be noted and not be waived by the planning board. He adds that the scale at which the digitization is done is not a representative of the size of the site and the delineation should be specific to the site. Ms. Smith states that it is her opinion that the areas proposed for building should show the actual delineations of the overlay districts.

Mr. Roy makes a motion, second by Mr. Hampl, to send a memo to the planning board relative to the Chandler subdivision plan, indicating concerns of the commission as follows:

- **The existence of a prime wetland, and other wet soils on the lot, in and of itself, emphasizes the need for the appropriate delineation to be shown and not be waived by the planning board.**
- **The ability for future owners to be able to know what the limits are;**
- **A potential missing standard wetlands building setback, (20');**
- **Location of all steep slopes to be delineated (not necessarily related to conservation commission); and**

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- **Location of additional site limitations appear to also push structures on the upland portion of the lot towards the wetland area (ordinance related setbacks).**

Motion passes unanimously; 4/0.

Mr. Roy makes a motion, second by Mr. Hampl, for the above memo to be drafted by staff, and reviewed by Mr. Roy and then staff to forward to the planning board. Motion passes unanimously; 4/0.

PENDING/SUMMARY OF ACTION ITEMS TO BE DONE

Follow up: Charlie Moreno - Giles Lot

Ms. Smith states that there is no update as to the Giles cutting and progress.

Johnson Property

Mr. Roy states that there is no update relative to the Johnson property.

Site Walk

Bow Street

Mr. Roy states that members in attendance were Mr. Chase, Mr. Ryan, Mr. Hampl, and himself, along with the property owner. Mr. Roy provides an overview of the property. He explains some areas have been well-cut, clear-cut, and some areas are slash. There are some very steep slopes where it appeared too steep to cut on so there is some standing timber left; however, it is not a substantial amount. Mr. Roy states that the timber is at the lower end for timber values. There is a lot of rocks, and ledge exposure.

Mr. Chase states that there is an interest on the owner's part seeking a buyer for approximately 30 acres.

Mr. Roy states that he took some pictures while on the site walk and will email them to staff and he will provide site walk notes for the next meeting.

Ms. Smith states that she received a phone call from a land owner whose property abuts the parcel of the site walk. The property owner indicated that they are not interested in selling at this time.

ADJOURNMENT

Mr. Chase makes a motion to adjourn. Mr. Ryan seconds. Motion passes unanimously at 8:18 p.m.

Respectfully submitted,

Lisa Fellows Weaver
Board Secretary

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