

FINAL

**CONSERVATION COMMISSION
REGULAR MEETING MINUTES**

Remote Via Microsoft Teams

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December 8, 2022

6:30 PM

MEMBERS PRESENT: Sarah Riley (Chair), Bruce James (Vice Chair) (remote), Erling Heistad, Ernst Oidtmann, Susan Almy, Donald Lacey, Chris Johnson, Sean Dittrich (Alt.) (remote); Barbara Hirai (Alt.)

MEMBERS ABSENT:

STAFF PRESENT: Mark Goodwin (GIS Coordinator)

1. CALL TO ORDER – Chair Riley called the meeting to order at 6:35 PM.

4. STUDY ITEMS

A. Zoning Amendments – Review of proposed amendments to the Zoning Ordinance and Zoning Map – *The Commission took up this item at this time.*

Tim Corwin, Senior Planner and Zoning Administrator, asked if the Commission has any questions or comments regarding the proposed Zoning amendments at this time. There will be a public hearing for these amendments by the City Council in January.

In response to a question from Ms. Almy, Mr. Corwin explained that the intention of the amendments to Section 610 is to expand opportunities to allow for accessory dwelling units in areas of the City where they are not currently permitted. This amendment would allow for accessory dwelling units (ADUs) for owner-occupied two-family dwellings.

Chair Riley expressed concern that Section 503.2.A3, regarding common open space for manufactured housing, seems to propose an amendment that wetlands and steep slopes can now be considered as part of this open space. Mr. Corwin stated that the intention of this is to allow for replication of the existing manufactured home parks. The three existing parks are out of compliance, and it would be very difficult to bring them into compliance, so the intention is to amend the regulations and make them more realistic with what is actually on the ground. The proposal will not impact these resource areas but allow them to be protected in the open space area.

Mr. Heistad stated that this appears to be a way to add density without improving the quality of life for those living in these areas.

Chair Riley noted that this is likely not in the Commission's purview, as long as the resource areas will still be protected. Mr. Goodwin agreed that this may be more of a planning item.

Ms. Hirai stated she does not want wetlands to be counted toward open space, as if it could be used for recreation. This would be a disservice to residents and wetlands. Mr. Corwin noted that he could explore additional language that would disallow facilities for recreation and/or playgrounds in wetland or steep slope open space areas. Mr. Goodwin agreed with that suggestion.

Chair Riley asked the Commission to comment on the proposed amendment to accessory structures in Rural Lands 3 (RL3). Mr. Corwin explained that the intention is to allow homeowners to place structures, such as sheds without as much of a burdensome process. RL3 is the most restrictive zone to preserve agricultural land and control development. This will require approval from the voters.

***Mr. Heistad MOVED to recommend that, in Section 503.2. A3, the stricken sentence section, ‘...exclusive of wetlands and slopes 25% or more...’ be retained.
Seconded by Mr. Lacey.***

**** The Vote on the MOTION was approved by roll call: Sarah Riley – aye; Bruce James – aye; Erling Heistad - aye, Ernst Oidtmann - aye, Susan Almy - aye, Donald Lacey - aye, and Chris Johnson - aye, (7-0-0).***

3. PERMIT REVIEW – The Commission took up this item at this time.

A. The Timken Company c/o Timken Aerospace, 336 Mechanic Street, Tax Map 104, Lot 2 - Review and Comment on NHDES Wetland Standard Dredge and Fill Application (Minor Impact) to repair stormwater erosion observed at the outfall of the Timken Aerospace facility. The proposed work would involve 4,580 square feet of temporary impacts to wetlands to facilitate construction of an open drainage channel that can effectively convert stormwater from the outfall to the wetland in a non-erosive manner. CC2022-03

Ryan Clay, Sanborn Head, stated that the facility has a main building that measures approximately 190,000 s.f., with a paved parking area that surrounds the building. Stormwater runoff from the building and from the parking lot drains to a series of underground catch basins, which convey the storm water to a single discharge point, also known as an outfall. There are currently no stormwater detention systems on site. Over the years, some erosion was noticed at the outfall.

In response to a question from Chair Riley, Mr. Clay stated that Timken does regular inspections of their outfall, which is how this issue was determined. Chair Riley asked if the Stormwater Pollution Prevention Plan requires mitigation of the stormwater on site. Mr. Clay stated that he does not believe reduction in volume of stormwater is included as part of the permit.

Bill McCloy, Normandeau Associates, stated that the majority of the area where impacts are proposed is an emergent wetland. The primary functions of this wetland are for flood flow alteration, and sediment retention. The erosion has led to sediment deposition in the lower part of the wetland.

Mr. Clay stated that the root cause of the erosion issue is stormwater flowing from the large impervious area of the site, without much armoring. This has created a large erosion channel. The least impactful option to fix this issue seems to be to reshape the erosion gully and armor it. An apron to capture the stormwater and turn it into sheet flow is also proposed. The armoring is a turf-reinforced mat material. This can withstand the velocity of stormwater expected and will not break down. Maintenance can be performed on this material with hand tools into the future.

In response to a question from Ms. Hirai, Mr. Clay explained that a wetland seed mix from Vermont will be placed under the turf material. Mr. McCloy explained that the Natural Heritage Bureau reviewed the mix to be acceptable.

Ms. Almy stated that soils in Vermont are quite different from New Hampshire. She asked if any pollutants are running from this site into the Mascoma River. Mr. McCloy stated that the existing wetland is currently functioning well to trap sediment and coarser material. This project will help to prevent future sedimentation and spread the runoff.

Aaron Mills, Timken Aerospace, stated that the water is sampled quarterly. There have been zero findings of any industrial waste in the water to date.

Chair Riley stated that this appears to be a band aid for the amount of discharge on this site. She asked if there are plans to mitigate the velocity and volume entering the wetlands. Mr. Mills stated that there has not yet been a way discussed to better deal with the outfall. There have been discussions regarding alterations to the parking lot to make it more pervious, but there is no plan at this time.

Mr. Oidtmann asked if the damaged wetland will be restored. Mr. Clay explained that, per a DES recommendation, sediment from the wetland will be raked out using hand tools by the contractor. The area will then be seeded.

In response to a question from Mr. Oidtmann, Mr. McCloy stated that there are no changes proposed to a nearby culvert, as it is not on Timken's land. The hope is that restoring the eroded gully will stop the erosion and allow for better water quality entering the Mascoma.

Mr. Oidtmann asked about a large storm event. Mr. Clay stated that the turf material can withstand very high velocities. There is no guarantee that a storm as large of a hurricane would not create some amount of damage.

Mr. Heistad asked if there is any area on site that would be suitable for a settlement pond. Mr. Clay noted that the elevation of this site makes this difficult. The stormwater from the parking lot is in a subsurface drainage system. A holding basin would also need to be underground. There are limits to how much stormwater can be stored underground. A detention basin could be placed

at the outlet of the culvert, within the wetland, but this would create more of an impact and change the nature of the wetland.

In response to a question from Chair Riley, Mr. McCloy stated that DES mentioned appropriately sized checks in the restored channel to possibly slow the water. Mr. Clay stated that the apron, as proposed, will likely do the same thing as the check dams. Mr. Heistad stated that this should be reconsidered.

Mr. Heistad encouraged that any additional parking lots ought to have subsurface storage and drainage.

In response to a question from Ms. Almy, Mr. Clay stated that there is a note on the plan for the contractor to use low ground pressure equipment to protect the wetland. Access to the work site will not be along the community rail trail.

Chair Riley asked about a permit or plan to require a reduction of runoff from the parking lot and structure. She suggested that the applicant check with the EPA regarding additional stormwater measures to reduce runoff. The 2022 New England Stormwater Center Retrofit Manual suggests many possible strategies, some of which are to break up the pavement. She also suggested the applicant consult with the UNH Stormwater regarding their innovative solutions.

Mr. Oidtmann suggested another drain system from the parking lot. Mr. Clay stated that an additional outfall would be looked at as a large change to the facility, as this could create another wetland elsewhere. He stated that this would seem like a last resort. The proposal is looked at as improving the situation on site.

Chair Riley stated that, in terms of minimization and impacts on this wetland, a primary item would be to slow down the stormwater, potentially by interrupting the impervious surface. Mr. Clay stated that he has never seen this area inundated with water. He believes this is more of a sediment issue, as it is being pushed into the wetland from the downgradient area. Chair Riley stated that it is more about reducing any pollutants entering the waterway from the site.

Mr. Goodwin asked that the presenters pass along to Timken and DES what they have heard from the Commission.

Mr. James stated that this involves a point source, where the water is being directed to one place and the volumes and quality can be measured and controlled. A change in the system could lead to nonpoint sources, with a potential loss of control. He would not suggest DES to review changing the parking lot design at this time. He believes it is better to correct the erosion issue at this time.

Mr. Goodwin noted that this is not a site plan review, and the Commission's role is regarding the wetland impact only. The comments could be used as a vehicle to mention that a different design might be more desired.

Mr. Lacey MOVED to recommend approval to DES for this proposed plan with the proviso that the Commission strongly encourages future review of all stormwater management on this site, as there appears to be opportunities to enhance it .
Seconded by Mr. Heistad.

*** The Vote on the MOTION was approved by roll call: Sarah Riley – aye; Bruce James – aye; Erling Heistad - aye, Ernst Oidtmann - aye, Susan Almy - aye, Donald Lacey - aye, and Chris Johnson - aye, (7-0-0).**

The Commission took a five-minute break.

2. APPROVAL OF MINUTES: October 13, 2022

Mr. Oidtmann MOVED to approve the October 13, 2022 minutes, as amended.
Seconded by Mr. Johnson.

- Page 4, Line 17 – add “and Ms. Riley...”
- Page 2, Line 3 – change “included on” to “included in”

*** The Vote on the MOTION was approved by roll call: Sarah Riley – aye; Bruce James – aye; Erling Heistad - aye, Ernst Oidtmann - abstain, Susan Almy - aye, Donald Lacey - aye, and Chris Johnson - aye, (6-0-1).**

3. PERMIT REVIEW – This item was previously addressed.

A. The Timken Company c/o Timken Aerospace, 336 Mechanic Street, Tax Map 104, Lot 2 - Review and Comment on NHDES Wetland Standard Dredge and Fill Application (Minor Impact) to repair stormwater erosion observed at the outfall of the Timken Aerospace facility. The proposed work would involve 4,580 square feet of temporary impacts to wetlands to facilitate construction of an open drainage channel that can effectively convert stormwater from the outfall to the wetland in a non-erosive manner. CC2022-03

4. STUDY ITEMS

A. Zoning Amendments – Review of proposed amendments to the Zoning Ordinance and Zoning Map – This item was previously addressed.

B. Master Plan Chapter Update

The Commission reviewed the draft updates. Chair Riley asked that all references to ‘citizen’ throughout the Master Plan be changed to ‘resident.’

Regarding the Natural Resources chapter, the Commission discussed where to include discussion of the problem of excessive night lighting. There could be an action item regarding lighting and single-family homes.

Mr. Heistad MOVED to extend the meeting for 15 minutes.

Seconded by Mr. Lacey.

*** The Vote on the MOTION was approved by roll call: Sarah Riley – aye; Bruce James – aye; Erling Heistad - aye, Ernst Oidtmann - aye, Susan Almy - aye, Donald Lacey - aye, and Chris Johnson - aye, (7-0-0).**

C. Discussion re: Potential disposition of City-owned parcels for housing

The Commission discussed a list of 18 potential properties. Chair Riley stated that she believes there are six properties that should be considered for conservation implications including, Lots 131-17, 109-39, 14-23, 26-27, and 77-107.

Ms. Hirai MOVED to extend the meeting for 15 minutes.

Seconded by Mr. Lacey.

*** The Vote on the MOTION was approved by roll call: Sarah Riley – aye; Bruce James – aye; Erling Heistad - aye, Ernst Oidtmann - aye, Susan Almy - aye, Donald Lacey - aye, and Chris Johnson - aye, (7-0-0).**

Mr. Goodwin recommended that the Commissioners come back to the next meeting with a list of potential properties to consider for implications.

5. COMMITTEE REPORTS – These items were not addressed at this time.

A. Reports from other committees:

--Conservation Lands Monitors (Various Members)

--Lebanon Biodiversity Group (D. Lacey)

--Workshops & Educational Opportunities (Various Members)

6. OTHER BUSINESS – None at this time

7. FUTURE AGENDA ITEMS – None at this time

8. OPEN TO THE PUBLIC– None at this time

9. ADJOURNMENT:

The meeting was adjourned at 9:40 PM.

Respectfully submitted,
Kristan Patenaude

Recording Secretary