

**TOWN OF BEDFORD
CONSERVATION COMMISSION MINUTES
NOVEMBER 24, 2020**

A meeting of the Bedford Conservation Commission was held on Tuesday, November 24, 2020 via the Zoom meeting platform.

Present: Maggie Wachs, (Chair), Bill Carter (Vice Chair & Town Council), Stephen Clough (PB Rep), Stephanie Jones, Bob McPherson, Patricia Grogan, Dave Chiappetta, Karin Elmer (Planner I) and Rebecca Hebert (Planning Director).

Absent: Beth Evarts (alternate), Denise Ricciardi (Town Council Alternate), Greg Schain (alternate).

7:00 PM Call to Order

Ms. Wachs called the Bedford Conservation Commission meeting to order at 7:00 PM. Members of the Commission introduced themselves via roll call and all indicated they were alone in the room during this online meeting.

Ms. Elmer read a statement:

- *Due to the Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the Conservation Commission is authorized to meet electronically.*
- *This meeting is being conducted using the Zoom platform. All members of the Board have the ability to communicate with each other during the meeting, and the public has access to listen and participate by dialing 929-205-6099 and entering the Meeting ID # 935-4594-4975 and the meeting Password 937669. Instructions regarding remote access to the meeting have been published in advance and are available on the Conservation Commission agenda, which is posted on the Town website.*
- *There is no physical location for the meeting, which is permissible pursuant to the Governor's Emergency Order. Town of Bedford is providing public access to the Zoom meeting by telephone, and the meeting will also be broadcast live on BCTV's Channel 22.*
- *Members of the public may email staff at planning@bedfordnh.org to ask questions during the meeting or notify us of technical issues. If you have joined the meeting using Zoom, you may also ask questions when the Chair opens the hearing for public comment through your phone connection.*
- *All votes will be taken as a roll call vote.*
- *If there are technological issues during the meeting, the Chair will recess the meeting and we will try to correct the problem. If the issue continues, the application will be postponed, and the meeting will be adjourned.*

Ms. Elmer read the agenda for the evening's meeting.

Ms. Wachs read the Conservation Commission Mission Statement.

Ms. Wachs read the Conservation Commission's mission statement.

The mission of the Bedford New Hampshire Conservation Commission is to protect, to preserve, and conserve the town's natural resources and open space land for the common good. This includes stewardship and management of conservation land, protecting wetlands and vernal pools, and the planning and acquisition of land for conservation purposes.

The Commission works with landowners to administer state and town wetlands regulations and advises other town boards such as the planning board and zoning board of adjustment on environmental impacts and alternative considerations regarding development projects. The Conservation Commission promotes conservation activities and communicates with the citizens of Bedford on important environmental issues.

Our motto is Keeping Bedford beautiful.

Approval of Minutes:

- October 27, 2020 Conservation Commission Minutes

Motion by Ms. Jones to approve the minutes of October 27, 2020 as written. Seconded by Mr. Carter. Roll call vote:

Maggie Wachs: Aye
Bill Carter: Aye
Stephen Clough: Aye
Stephanie Jones: Aye
Bob McPherson: Aye
Patricia Grogan: Aye
Dave Chiappetta: Abstain

- October 27, 2020 Non-Public Minutes

Motion by Mr. Carter to approve the non-public minutes of October 27, 2020 as written. Seconded by Mr. MacPherson. Roll call vote:

Maggie Wachs: Aye
Bill Carter: Aye
Stephen Clough: Aye
Stephanie Jones: Aye
Bob McPherson: Aye
Patricia Grogan: Aye
Dave Chiappetta: Abstain

**Motion by Ms. Grogan to unseal the non-public minutes of October 27, 2020.
Seconded by Ms. Jones. Roll call vote:**

Maggie Wachs: Aye
Bill Carter: Aye
Stephen Clough: Aye
Stephanie Jones: Aye
Bob McPherson: Aye
Patricia Grogan: Aye
Dave Chiappetta: Abstain

New Business:

Brian & Michelle Bresnahan – Review of a variance request to construct a 26 ft. x 26 ft. garage 11.1 feet from the edge of a wetland where 50 feet is required at 93 Blanford Place. Lot 29-11-19.

Ms. Wachs asked Brian to introduce yourself and anyone here who is presenting on your behalf.

I'm Brian Bresnahan. I'm the owner at 93 Blanford Place. I am alone in my office here. I did hire Earl Sandford of Sandford Survey to do a plot plan for the wetland delineation. He's on the call with me as well. I can give the functional overview of the project and I think Earl can speak to the technical details of the delineation if that's okay.

Mr. Bresnahan stated the main request is to build a detached two-car garage, common size 26 ft. by 26 ft. We have four vehicles, four drivers in the house now as of a few months ago. We have two kids, they both drive. I'm a commuter. I commute to Massachusetts for work, except for now in the time of COVID, but I have two vehicles myself and just cannot store the vehicles properly in the small two-car garage we have right now.

We have two lawnmowers, they're outside all the time. Kayaks are in the backyard. We've had continuous problems with vehicles just rusting to pieces. My truck many bodywork last year, this year, the steel tires have rotted out, won't pass inspection. Rear-end of one of our pilot's rotted out. I think the garage would be good for that reason.

We also have a secondary reason. It's not the primary reason but my wife's dad is 82. He is going to eventually move out of his apartment and probably move in here. We're not 100% sure of that. If he does that, we can extend my current office into the current attic of the current garage, making my office in there and then putting all this stuff that's in the attic in the garage, in the new garage. Again, that's not the primary goal right now but that's something that's probably going to happen in a couple of years.

I started this garage mission in 2017. I got a permit in 2018. This is basically what the garage would look like. Off the side of the driveway. This is what was permitted in 2018. This is the easiest site to build on. It makes the most sense. When we submitted the permit, there's a culvert on the right, you can see here. Obviously, I was aware of that. When I talked to the builder, he submitted the permit application. I had him call the town and talk to the billing department to make sure that they knew there was a culvert here, there's a culvert on the neighbor's property draining water down through here in the springtime. There's a wetland area over here on the left.

They gave the permit, even though they looked at the culverts on their map, they said they're fully aware of it. They gave the permit, so we started the construction. This picture is current, it's not from the construction time. Unfortunately, during that time period, September, October, November of 2018, I don't know if you recall, but it just rained non-stop. What is normally springtime runoff was actually flowing water at the time when the billing department came over here to inspect the foundation setup. They said you have to check the wetland setback and gave me a tag to say check it.

Since then, that was December 4th of 2018. It was getting cold so we just said well just stop the project for now. In 2019, the builder never got back to me. I looked at my old emails even by July, August, wasn't responding to me anymore. I think he just moved on, unfortunately. That's after I spent a third of the total costs on a deposit for the project. By the time end of 2019 ended, I decided not to pursue it any further. Then I got tired of all the snow again last winter. I restarted the project in the springtime and then COVID hit, kind of slowed everything down. I went through and came up with a different site. I'll show that now.

I hired Earl to come over and look at the property. Another site with possible less impact is here at the end of the driveway. You could see my little cinderblock shack I'd like to get rid of in the backyard. There are kayaks out and the lawnmowers are in there. Anyway, this site is also a possibility. It seems like it has less impact because we'll be cutting into the existing driveway and a little bit of lawn.

The problem with it is it's much tighter. A couple of shots here, that's the side that's facing the wetland. This is a westerly view, showing where we've cut into the lawn, and this one shows the wellhead constraint. This site is very tight. There's a wellhead here. I called the well service company. Their derrick truck needs about nine feet to get access to the wellhead. I've left nine feet exactly for them to get in there if need be.

We can't really push the garage any further to the left. If we pushed it to the right, looking at it from the driveway side, we would end up closer to the wetland area, which we don't want to do either. Those are the pictures of the sites. I think I covered them all. There are two alternatives and they have pros and cons. I think now if we want to show the plot plan that Earl did, we could get into some of the technical details.

What Earl and I call site "A" was the original site of the garage. Then site "B" is at the end of the driveway here. Earl, do you want to speak to what you found examining the property and your delineation work?

Mr. Sandford stated as you can see from the graphic, you have the 15-inch culvert coming across Blanford place. When we came out, we saw that the wetland started right at the end of that. It is unclear whether that is all a natural wetland through there, but it definitely, of course, with the culvert now has concentrated flows. Basically, you can see the line with the triple dots that represent the flag, wherever there's a band on that line, that's where I tied a flag. You can see that option "A" actually is almost 50%. The back of it was actually in the wetland. It was in that grassed area that you saw in the picture that was shown earlier.

If we were to do site "A", it would need a dredge and fill as well as the relief from the setback. I will add that we did look at, can we do anything in front of the house, but you have a septic there that's pretty prohibitive to work around. Then you also have the virgin forested land with very steep slopes going right down on the other side. It's very limited in what you could do on the north side of the house.

I came to the conclusion that site "B" would be the least impacting, it's still pretty close to that marginal wetland. I will say that we're on this one, it shows the 30.9 feet to the property line. I think in the tightest spot it's 11.1 feet to that wetland line in that same area. It is definitely tighter but I think there's something to be said for the fact that we're using part of the paved driveway. We're not cutting any trees, we're staying in the lawn area. We're not impacting, we're not creating any new impacts of natural forested land which is one of the pluses from an environmental perspective from my viewpoint anyway.

Again, we concluded this would be the best location to fit the needs. It is a reasonable location and we did the best that we could to provide as much setback to the wetland as feasible. That's pretty much it. Again, it was all flagged in the field for viewing. I think maybe a couple of those sticks in the other drawing, what represented where the wetland was, but it is currently delineated.

Again, the hard part was knowing what some of these wetlands something that became developed from the culvert concentrating flows into this area. That was not a clear indication, but because it's taken, definitely has the wetland vegetation, we took the high road and said, we're going to call it a wetland.

Mr. Bresnahan stated that over on Rice Lane, there's a culvert that actually drains the water that is trapped by an edge on their side of the road and it gets put into a culvert here and it gets sent under Rice Lane over to this culvert. There's a percentage of the water that comes through it is the runoff from Rice Lane itself.

Mr. Sandford stated that would have flowed North of the house, but it's being collected and funneled into this area with a greater intensity than it had prior to building Blanford place or the road there. Those are, to me, I think the key considerations. I did write the letter to the Commission. I don't know, I think we've hit all those items, but we're glad to field any questions.

Ms. Wachs asked if we know when the previous wetland delineation was done for this property. This one was done in 2018 you said?

Mr. Bresnahan stated yes. I didn't mention that the subdivision plan for this showed no wetlands in this location. That's part of the reason I don't think there was any red flags that went up at the building department because it wasn't shown on any subdivision plan. Granted, it was a subdivision plan from the '70s I believe, so.

It was, well after the wetland rules came into effect. You had to get approval to do anything in wetlands and the wetlands were supposed to be shown on plans at that point but I think it was more of the dry sneaker test. If you could walk through it with dry sneakers, it wasn't a wetland and so it was definitely different and you can walk through it. When I went out there, I could walk through it. It was not wet at that time, but you could see signs were there that it's wet for enough to make it classify as jurisdiction.

Ms. Wachs asked if the culvert that feeds into this ditch that runs along this side of the house. Has that always been in place since the house was built or is that something that was added along the way?

Mr. Sandford stated he believes it's always been there but they didn't measure-- They may have replaced it. It's definitely showing fresh signs of work and the stone was very fresh. I think actually our company did [crosstalk]

Mr. Bresnahan stated it's a new replacement. I watched them do it this year. They did it around July. We moved in in 1997 and one was already there, but Earl, they definitely changed it out. Not only did they change it out, they added about eight feet to the end. I asked them why they're doing that. They said they've learned to make the culverts longer and that preserves the road integrity over time. It's all new.

Ms. Wachs stated it does seem like features of it have changed that direct more water onto the property.

Mr. Bresnahan stated **yes**. When they redid Rice Lane, they curved the right side of the road. If you just look up Rice Lane from this perspective looking up, that curve is to catch the water and lead it into the culvert which then goes back under the road and over here. That's not to say that's the only water, I want to be clear. There is what looks like a wetland area right here in front of my neighbor's house and that pools up water. If it gets high enough, it'll go through as well.

Ms. Wachs asked if the applicant could speak a little bit about some of the mitigation measures that you had included in your report.

Mr. Sandford stated that this **is** my typical sort of best management, I don't know whether it's totally official but a one-inch rainstorm generates what's called the water quality flow or the water quality volume. I think research has shown that treating that first inch of rainstorm is the most critical part of dealing with keeping erosion from happening or from sediments from traveling. Obviously, with catastrophic events, you're going to have issues too. If you're talking about just the constant storm to storm issues, then you're looking to mitigate the one-inch rainstorm.

I took the added impervious area that we're creating with this garage roof, multiplied it by how much would come off that in a one-inch rainstorm, and I made infiltration trenches that would add the capacity of 100%, will absorb 100% of that. The one-inch rainstorm will just bring the ditch, it will fill it up. Now, if you get a 10-year storm or 100-year storm, it's going to overflow but, in the end, it'll still have infiltrated the volume of a one-inch rainstorm and that also mitigates the point flows. It'll kind of bleed out of this. There's quite an embankment down to the wetland so there will have to be special attention.

We're looking for that to be developed as good a turf as possible, as quick as possible so in the catastrophic storms, it will hold up as well. Obviously, during construction, you're going to be dependent on your silt barriers, which will be employed as well. Yes, I think you look at the calculation of the trenches are designed for 42% void ratio, which means if it was an open trench, you'd have 100%, but when you throw a stone in, you only have 42% of the trenches. It has voids that can hold the water. That's just the calculation. We required 37 cubic feet and we're providing 40.8 to be a little conservative.

Mr. Carter stated that having gone through this over the last couple of years, doing the same exact thing that this applicant is doing, I see similarities. I believe the trenching that you're doing is going to be proper, I would probably expect to put a pipe in there in that trench to help with the water draining through the one and a half-inch pipe and getting out to the wetlands quicker as what we did in mine. I would be a little bit more comfortable and probably be easier for the homeowner, where he has a concern with the wellhead and other things, is to bring it garage down to a 24 by 24.

Other than that, I see similarities and what he needs to do is probably do site "B" is probably the proper place to put it, but I would suggest a 24 by 24. That would give him more space between the wellhead and two feet further away from the wetlands. Thank you.

Mr. Bresnahan stated yes. Regarding the dimensions, I've already shrunk the size. The garage originally was 32 by 28. I did work to shrink it down to the 26 by 26. The problem is the truck, my pickup truck, which doesn't fit in the existing garage. It needs a 10-foot door. Two times 10 on the front is 20 plus two, two and two for the sides and the middle, that's 26. I think I can squeeze a foot off of the depth though. I could probably squeeze six inches off the width, probably a foot off the depth.

Mr. Carter stated that's fine. I know today's vehicles are larger, especially the larger trucks. That's understandable. Actually, dimension-wise, when it comes to building a 24 by 24 versus a 26 by 26 is, it's nominal, I guess but it's an extra two feet all the way around. It's understandable that you have a large pickup truck that needs to go in there. Will the access to the upstairs be inside or outside?

Mr. Bresnahan stated inside and this brings up a good point. Site B due to the width constraint, the stairs are in the back, but on-site A, the stairs could be on the side, which actually takes three feet off the back and makes it wider here, not in the wetland area. That's one advantage of A over B.

Ms. Elmer stated that Site A would require a dredge and fill permit so that would actually be more harmful to the wetland than just a setback issue.

Mr. Carter stated that's why B is probably the best option. I know when I tried to put it that close to a drainage sewer which goes behind my garage, I ran into water about three feet down so I couldn't put a full foundation in. I don't know if you've dug down that deep to see if you want to hit water before you can get down that full basement.

Mr. Bresnahan stated that fortunately or not fortunate, the entire property is built on fill. We never get water in the basement of the house. It's like, probably a five-foot drop in elevation from here down to here. I'm thinking we should be good because we'll never get down to the level of this area when we dig the foundation.

Mr. Carter stated I'm fine with it. I would just suggest maybe a pipe inside the rock to give that water a little bit more quickly to get into the wetlands versus soaking into the ground and causing some erosion possibly.

Mr. Sandford stated we are designing for infiltration and typically, when we put a pipe, we kind of turn it. We have either what we can do is put a cap on it with just a one-inch hole or something that will-- The point is to let it soak in as much as possible but it's a well-taken point that you don't want it just sitting in water for a long time, that'll soften and weaken up the soil surrounding soils. I think the alternative would be a pipe, we put a cap on it and drill just a small orifice that says okay, we'll bleed it off but it's not going to be off the roof into the stone and directly into the wetland. We want to slow it down.

I understand the point too, that you don't want to end up with just a saturated soil that becomes less stable and more subject to erosion. I think as Brian has pointed out that this is five feet higher, so it is quite a bit different than a site which is almost at the same level as the wetland. That is pretty well-drained soil so I'm not too concerned but I hear what you're saying and we could go whatever direction the board or the commission recommended on that.

Mr. MacPherson stated, just so I'm unclear. How far on to the grass are you proposing to go?

Mr. Carter stated it's a little over half the depth of the grass. 2,613, it's probably 14 feet more or less.

Ms. Wachs stated that I don't have any further questions. Just I'm going to open it up to the board one last time to see if anyone else has any questions or comments? If not, if anyone in the public does?

Mr. Clough stated that based on my experience, I would contend that much of the wetland there is there because there's a five-foot grade because it was built on fill. For example, if you have a railroad berm, wherever there's a railroad, there's always wetlands on either side just because of the berm. I would be leaning more toward that this wetland was induced because of the original construction of the house.

I would be leaning more toward grandfathering him in with the original dimensions because we're moving from, a, which is clearly an "impact" to be which is really no

impact. I don't see in my view one foot here or there is going to make a big difference as far as any adverse effect. I don't even see an adverse effect really. My vote would be to just approve the plan as is I think.

Mr. Clough stated without having him shrink the garage because he was originally approved for a garage. Really, we're just moving it over to B. I think approving the plan as is with the garage in the B location with the dimensions he's asking for is fair.

Mr. Carter stated I don't think that can be grandfathered because there was no structure ever built there if I'm not mistaken. Correct?

Mr. Bresnahan stated I have the permit. I called Wayne, it's still valid. It will expire soon but they said they could extend it.

Mr. Carter stated to clarify, I am fine with the 26 by 26. That's not a problem. I understand he has a building permit for the other size but I have no issues with the 26 by 26. I just made a suggestion about 24 by 24 but I'm fine with the 26 by 26.

[Ms. Hebert stated he needs to get wetlands permitting for location A and a variance for the wetlands fill. There's not a grandfathering of the permit.

Mr. Bresnahan stated that everybody on the call is very knowledgeable about the procedures here. We picked A for a couple of reasons that architecturally but also at site B when you're on the patio. Now you have a big visual obstruction, you're literally looking at the side of the garage. I can deal with that but that's the big drawback at Site B. Procedurally if I attempt to go with A, I would have to do a dredge and fill permit theoretically. I think and I understood I'm looking for input on if I even attempted that, I would be back to the same spot is where I am because I think the dredge and fill would ask, is there an alternative site on the property? Does the dredge and fill asked the same question?

Ms. Hebert state that you would have a hard time getting permitted for that.

Mr. Carter stated he was just going to add I know it's not grandfathered. To clarify, when the lot was created, you didn't have the 50-foot setback. I don't know how much that matters but the fact that the original plan showed no wetland, even if it did show it, this would have been conforming what he's proposing. We're dealing with what's the current rules and we're not bucking that but just for informational purposes. This all predates the 50-foot setback.

Mr. Carter stated the building, in the original subdivision, it just had to meet the side setbacks, rear, and front. You had a huge building envelope. Now we realize that number one, they probably missed the wetland that was there so that's a problem. Even more so than that, during those first decade or two, you were constrained from altering the wetland but you were not constrained from building closer up to the wetland.

When that came in, the house was already there. It has a certain amount of hardship placed upon it but it wasn't like they could design. They came in and they had this building envelope to work with and they blew it by not planning. They didn't have the tools. They didn't have the information that developed after the house was built that

they have now. I don't know if that really matters. I think everything's going in a good direction. I don't want to belabor things.

Ms. Wachs stated it's definitely something that I take into account when I'm looking at plans like this and thinking about where my vote would go, whether to recommend the variance be approved. I think certainly the building plans and the constraint of the buildable area that's available that does make a big difference because I can see both things. Our basic purview is protect the weapons but we can consider things like how was it formed? How long has it been there? What quality of the wetland is it? We don't have, as far as I know, any kind of reporting.

I didn't see anything in the materials that had done a review of the wetland but I also don't see a need here to call for a review of any sort. There's that aspect of it but also the fact that as a homeowner, you want to add these things to your house. I can definitely as a fellow homeowner, feel that pain of needing to do something that maybe doesn't quite fit the puzzle piece

Mr. Carter stated he was looking at the plans. I see one of the diagrams showing a proposed stone wall. What was that for?

Mr. Bresnahan stated I had a builder come over and he looked at this site and he said, "You'd be right but there's a drop off right here." It's pretty significant pitch. It's like a 45-degree pitch. Due to the way this whole property was built, the fill just drops right off here. In order to get flat area even for this drainage ditch, a stone wall could be put here, shaped stone wall and that would decrease this grade.

Mr. Carter asked Ms. Hebert if there is an issue with building a stone wall within that area.

Ms. Hebert stated only if it's taller than six feet, then it is considered a structure. I don't know what the height of the wall.

Mr. Bresnahan stated four feet.

Ms. Hebert stated that four feet is not considered a structure so it is fine.

Mr. Bresnahan stated its four feet. It would be along the edge of the wetland which Earl has marked. It would not be in the wetland, it would be on the edge.

Ms. Hebert stated you just want to be careful to install erosion control on the edge of the wetland and make sure that you have enough space to build the wall without impacting the wetland itself.

Mr. Bresnahan stated yes. I looked at that a bit. I'm no expert, but there's orange retaining fence that everybody uses. I think that there's also a roll that should be put on the ground. Is that what you guys are expecting?

Ms. Hebert stated its called silt fence and it traps the dirt as it runs off, or you can use what's called a silt sock. It is stuffed with the materials that do the same thing.

Mr. Carter stated more and more we're using bio berms, which is a mixture of wood chips and earth that is nicer because it can stay and just go into the ground. The socks can as well for the silt side. That's all part of this design is to have those protections in place. How far away is that wall going to be from the foundation of the garage?

Mr. Bresnahan stated it's probably about 9 feet to 10 feet. It's set back 11 feet, so it's a little less than that. It'd be right here. It'll be about 10 feet, I would say. It would be 10 feet to 17 so it'd be on this here. For two reasons. One, to get this drainage ditch, not on a side of the slope. Also, just so it's easier to mow. Right now, this is a 45-degree pitch hill. It's really difficult to mow that. They would just take some of the angle off the mowing. It's not mandatory, but I love all the opinions on it.

Mr. Carter stated I'd be more to cut that distance between the edge of wetland and the garage with that wall. Keep it at that 4 feet that gives you a little bit less of a pitch on the side there to do your drainage. I wouldn't think you'd be putting grass on the side there. I think you would probably just put a little bit of ground covering on that side anyways, that might help you with a little bit of the water.

I see you're doing dormers on both sides. I know you say it's 26 by 26. Does the water come down quicker now that you have two pinch points as you put in the dormers on each side to try to catch all that water coming off the roof? Coming off a straight 26 by 26 is a little bit different than coming off because now you have your two dormer roofs plus the 26 by 26.

Mr. Bresnahan stated I know what you're saying. I build my own gutters so I understand the water flow. The dormer type that's actually in the pictures is not the actual one I'm going to use. I'm going to use shed dormers, not your traditional peek dormer.

Mr. Bresnahan asked Mr. Carter about his suggestion to put the stone wall closer to the garage or along the edge of the wetland?

Mr. Carter stated no. Closer to the garage. You're saying 9 to 10 feet. I'm saying cut that in half and gives you 5 feet of being able to do what you need to do on the side of that garage and still allow a little bit of a slope. Actually, once you put the wall up, there won't much of a slope anyways once you put your wall up. That's just going to allow a little bit more natural look on that side of the garage going towards the wetlands. That's all.

Mr. Bresnahan: I'm with you there. For the water flow coming off the garage, I don't like to let it drip naturally because it does splash back on the side of the garage. I was going to use the gutter. The gutter would flow to the forward part of the irrigation ditch or the infiltration trench and then flow in here at the beginning. Is that okay?

Mr. Sandford stated that from an engineering standpoint, having a stone trench, it doesn't discriminate much on how the water gets into it because it's not going to erode, it could have the point charge of a gutter as long as I would enlarge the stone area a little bit where that outlet is. It has its own way of just mitigating as it fills up the trench without blowing out the soil if it's done correctly.

Mr. Carter stated, the trench from the other side, how are you bringing that all the way to the back? You're bring that through the backside of the garage to meet down at that bottom corner?

Mr. Sandford stated the intent was the soil look good enough for infiltration, so we were actually going for the 100% infiltration, and then let it sheet flow if it gets above that. There again, I take your point. If for some reason rather, some of that fill turns out to be a bit nasty, that's just going to not let the water infiltrate, then we want to have a safety net.

Mr. Carter stated it's just more for the protection because anytime I hear someone letting the sheet flow through the backyard switch with downhill then you get this-- We've had some pretty heavy rains lately. Some of the water comes down relatively quick and next thing you know if the ground is not solid, now you have more erosion going on heading down towards that piece stone play area or whatever that area down the bottom of that hill is. I'm just trying to make sure that we get that water towards the wetlands more than going down in someone's backyard. That's all I have. Thank you.

Ms. Wachs asked if we have any comments that came in from anyone from the public.

Ms. Elmer stated we don't have anyone logged on to the meeting from the public. I also have not received any emails.

Motion made by Ms. Wachs that we recommend approval of the variance for this garage shown as Plan B of the documents that we've seen today, including the mitigation, the irrigation trenches along the side would be nice if they were extended, made wider. I believe that's what the recommendation was to accommodate for the water coming off the roof. Seconded by Mr. MacPherson. Roll call vote:

Maggie Wachs: Aye

Bill Carter: Aye

Stephen Clough: Aye

Stephanie Jones: Aye

Bob McPherson: Aye

Patricia Grogan: Aye

Dave Chiappetta: Abstain

Motion Approved

Mr. Sandford thanked the Commission.

Mr. Bresnahan thanked the Commission.

Ms. Wachs thanked Mr. Bresnahan for coming to speak with us and for the thoroughness of the thought that you put into your plan. I appreciate that too.

Old Business:

Ms. Elmer stated as of yesterday, the Pulpit Rock Grant is closed. It was a race to the finish. We get all the documents up to Concord yesterday. They've actually already processed our reimbursement and it's already been delivered to us. If you'll bear with me for one minute, I can give you some statistics. Great shout out to James Drake for filing this application many years ago. He did a great job in that we were able to receive the grant application. When James did the application, I think we all had very grand ideas in our head. The original grant awarded was \$42,500. After we completed all the work we wanted to, we actually only spent \$22,900. We are going to be receiving a check reimbursement for, \$22,470.

It is now then put to bed. I also want to give a big shout out to Jim O'Neill. Some of you that have been on the board a long time may remember Jim was a former Conservation Commission member, former chair of the Conservation Commission. He helped us a lot trying to get these plans finalized to make sure everything was in the correct format for the state and the federal government in order for us to meet those grant requirements. I want to give him a big shout out too.

Ms. Hebert commented that Karin can't overstate how much work it was to get the grant closed out working with the federal funding. There were a lot of t's to cross and i's to dot as you close out the process. She worked many hours with the state to get everything in proper form so we could get the reimbursement so it is a great milestone. The grant did put a further restriction on the Pulpit conservation land, which will add to the layers of protection for that property.

Ms. Wachs stated excellent. Thank you, Karin.

Ms. Elmer stated it was my pleasure. Please don't make me do it again for a little while, give me a little break.

Ms. Wachs stated that I haven't written a grant in 20 years, so I don't know if anybody else wants to volunteer to that.

Ms. Elmer asked for a few months off before the next one.

Ms. Elmer stated there's no update on previously approved review permits or plans because you didn't review any last month because it was the workshop so there's nothing new to report there.

Ms. Wachs moved to enter a non-public session at 8:03pm per RSA 91-A:3, II(d) for consideration of the acquisition, sale, or lease of real or personal property which we've discussed in public would likely benefit a party or parties whose interests are adverse to those of the general community. Seconded by Mr. Carter. Roll call vote:

Maggie Wachs: Aye

Bill Carter: Aye

Stephen Clough: Aye

Stephanie Jones: Aye

Bob McPherson: Aye

Patricia Grogan: Aye

Dave Chiappetta: Abstain

The Commission came back into public session at 8:26pm.

**Motion by Mr. Carter to seal the non-public minutes. Second by Ms. Grogan.
Roll call vote:**

Maggie Wachs: Aye
Bill Carter: Aye
Stephen Clough: Aye
Stephanie Jones: Aye
Bob McPherson: Aye
Patricia Grogan: Aye
Dave Chiappetta: Abstain

**Motion by Mr. Carter to adjourn at 8:27pm. Second by Ms. Grogan. Roll call
vote:**

Maggie Wachs: Aye
Bill Carter: Aye
Stephen Clough: Aye
Stephanie Jones: Aye
Bob McPherson: Aye
Patricia Grogan: Aye
Dave Chiappetta: Abstain

Meeting adjourned at 8:27pm.