

FINAL

**LEBANON CONSERVATION COMMISSION
REGULAR MEETING MINUTES
20 West Park St., Lebanon, NH
3rd Floor-Room 386
Thursday, March 12, 2020
7:00 PM**

MEMBERS PRESENT: Ernst Oidtmann (Chair), Sarah Riley (Vice Chair), Donald Lacey, Erling Heistad, Christopher Johnson, Bruce James, Darla Bruno (Alt.), Suellen Balestra (Alt.), Barbara Hirai (Alt.)

MEMBERS ABSENT: Susan Almy

STAFF PRESENT: Mark Goodwin (GIS Coordinator)

1. CALL TO ORDER – Chair Oidtmann called the meeting to order at 7:02 PM.

- Chair Oidtmann appointed Ms. Darla Bruno as a regular Commission member for tonight's meeting in the absence of Ms. Susan Almy.

2. APPROVAL OF MINUTES: February 6th, 2020 minutes will be reviewed at the next meeting

3. PERMIT REVIEW: Dartmouth College Trustees (Property Owner), Michaels Student Living, LLC. (Applicant):

Review and comment on NHDES Wetland Expedited Review (minimum impact, expedited review). The proposed project includes 432 sq. ft. of permanent impact, and 1,345 sq. ft. of temporary impact (**1,777 sq. ft. total**) to accommodate a driveway as well as perimeter grading. **CC#2020-02**

Mr. David Fenstermacher, Civil Engineer and Sherrie Trefry, Environmental Scientist from VHB came before the Conservation Commission representing Michaels Student Living, LLC. with their assessment of the 401 Mt. Support Road property that is the subject of an expedited review for a permit to build a new multi-family complex with associated parking, utility improvements, landscaping, and pedestrian/vehicular access. Mr. Fenstermacher explains that even though it is a large site they are only concentrating on 18 acres with open area. Dartmouth and the builder have been very sensitive to the wetlands in the back of the property as well as the wildlife corridor on the southern portion of the project. The group has worked diligently to limit the environmental impact as much as possible by putting the buildings in an open area and decreasing the amount of parking from the initial concept down to 582 parking spaces.

Ms. Trefry explained that this is a minimal, expedited wetland impact permit review. There was a delineated study done in 2018 and then VHB went and did a field study before the designs for the buildings were done. There was already a high value wetland system there as designated by the city with a 100 ft. buffer. It was originally designated as two separate wetlands because of an existing trail that bifurcates the wetland but over time the trail has degraded a little bit and there is hydrologic connectivity across the trail now so VHB classified it as one wetland system. Even though the system is hydrologically connected the systems are significantly different and so VHB felt that the emergent wetland system and the value of that system compared to the adjacent forested system was medium to low

value. There had been a residence on the property with other out buildings. There was not much information about the property when it was a residence, but where the existing driveway was is where the proposed new driveway will be. This will take advantage of the existing land disturbance. There is no evidence of vernal pools in the area. The already existing wildlife corridor was a big driver in the layout of the design, to maximize open space and minimize the impact on the wetlands. The development has a few slight impacts to wetlands regarding the access to the development.

There will be 356 square feet of permanent impact and 248 square feet of temporary impact when building the access road. There will be 1,097 square feet of temporary impact and 75 square feet of permanent impact with the installation of the retaining wall. The retaining wall is being used to minimize impacts to wetlands from grading.

Mr. Fenstermacher explained the road design will have 3 main parking fields with a 24 ft. spine road that leads to the back-parking area. This was done to eliminate traffic through the main parking areas and for emergency and fire department access to the back of the buildings. There will also be a perimeter loop around the development.

The development will also have a raised curb all around the entire site. When soil testing was done it came back with very little infiltration so that limited the different storm water designs that could be used. The decision was made to use a Storm Trap system. These are large concrete vaults placed underground which will hold a large volume of water. They have a baffle system inside so as it fills up the water goes over the top and into a sand filter that the water then drains through. This way any water coming over the baffle will be treated before it goes any further. This system will also have access places so that the cisterns can be inspected, and the sand can be replaced in the filter.

Mr. Bruce James asked if Mr. Fenstermacher had any knowledge of how the water was now flowing through the site? Does it infiltrate the ground, or does it flow vertically and then horizontally? Mr. Fenstermacher said that testing showed it went about 20 inches down into the ground throughout the site. Mr. James asked where did the water flow from the cisterns in the ground? He was concerned with the quantity of the water flow. Mr. Fenstermacher explained that the cisterns are completely enclosed so the water will go into another pipe system and then will naturally discharge to the low points matching the existing drainage patterns.

Mr. Donald Lacey commented that he believed that the Conservation Commission had approved a similar water runoff system on another project in the past.

Ms. Trefry continued with the presentation explaining that VHB ran a check with the Natural Heritage Bureau through the State of New Hampshire and found no known occurrences of threatened or endangered species. They followed up with a check through the federal database and received a hit for the Northern Long Eared Bat habitat which includes the whole East Coast. They have gone through the necessary steps to get a certification letter and are in compliance with the Northern Long-Eared Bat protocol. There are Red Fox, Coyotes, Bear and Deer that travel through the wildlife corridor on the property. There is also a trail system already on the property that will be maintained and a few parking spots up near the trail head will be for public use if people would like to hike that trail system.

Ms. Trefry ended her presentation by asking the Conservation Commission to sign off on the permit application waiving any opportunity to comment on the application which would then qualify the project

for a minimum 30-day review. Mr. Fenstermacher explained that the project was for student housing so they are tracking the permitting process closely in order to meet the deadline of August 2022 so students can move in for that school year.

Chair Oidtmann went around the table and asked each member to make their comments and concerns known about the project.

Mr. Lacey had concern for a mature American Elm tree. He believes it will be coming down for this project to move forward. If there was a way to keep the tree that would be appreciated. He would also like to know where access to the trail system is located.

Mr. James was worried about the water quality and especially about the fertilizers that may be used in the landscaping and flower beds. He was concerned about that runoff containing chemicals.

Ms. Barbara Hirai had concerns about lighting issues around the perimeter of the site and its impact on the wildlife. She also wondered about what kind of fencing, if any, would be used around the site and may negatively affect the wildlife. Mr. Fenstermacher said there would be no fencing except around the dumpsters.

Ms. Darla Bruno was also concerned about the pesticide usage and hoped that the company will try to use organic means to fertilize with.

Mr. Erling Heistad had concerns about the storm water flow and any flooding potential that may exist with the project.

Vice Chair Sarah Riley was concerned with the significant clearing of the forest on the western side of the development near the wetland edge. She wanted to know if developers were cutting it too close to the wetlands. She also wanted to know more about the delineated study. She wanted to know when it was done, what were the conditions when it was done, and how many cores were done? Ms. Trefry replied that she had the report and will send it to the Commission the next day. Ms. Trefry said they extended the wetland delineation than was originally cited. They did about 20 borings of their own while they were out there as well. Extensive testing was done of the hydrology and ground water monitoring.

Vice Chair Riley wanted the 100 ft. buffer explained to the Conservation Commission. Mr. Mark Goodwin explained that the City of Lebanon has created a regulatory buffer of 100 feet around certain wetlands based on functions of value of the wetland.

Mr. Christopher Johnson wanted to know how many parking spaces were planned and how many people were expected to live in the buildings. Mr. Fenstermacher answered 582 parking spaces and 638 beds. Mr. Johnson wanted to know if they could have a smaller parking lot.

Mr. Daniel Justynski, Director of Real Estate at Dartmouth, spoke about the developers on other projects in the area getting together and talking about ways that the mass transit system could be used to get students around town, to school and to do things like grocery shopping and such without having to have a vehicle. Mr. Heistad mentioned that the Bicycle and Pedestrian Committee was very interested in bike storage at new places being built. Mr. Fenstermacher said there would be storage for bikes inside the

building. Mr. Justynski also added that there would be a building where people could bring bicycles to work on or perform maintenance on them.

Ms. Balestra said the project sounded fine to her. She was just concerned with the extra traffic being created and also had concerns with the wildlife corridor.

Chair Oidtmann wanted to know exactly who was going to live at the facility? Mr. Justynski said it would be for the graduate students who were coming in and not married. The students would basically have roommates. Chair Oidtmann was also concerned about the parking spots. Mr. Fenstermacher said the spaces will trigger another review with the planning board on the parking spaces. Chair Oidtmann wanted to know why they didn't build a parking garage in the corner of the development and he also wanted to know about snow removal and what plans they have for that. Mr. Fenstermacher said they were looking into that with the company and reiterated that they were working with companies to add more ways for people to get to where they needed to go without necessarily having to drive.

Ms. Bruno asked about mosquitoes around the facility and what would be done to control them. She hoped that natural means would be used.

Mr. Lacey asked if there were any invasive plants on the site? Ms. Trefry said yes there definitely were. She is sure it will be removed or buried during the project.

Mr. Goodwin recommended to the Commission that they could put all their concerns in a memo and send it to the Planning Board. Chair Oidtmann will write up the memo to provide to the Planning Board. He will include in the memo the Commission's concerns about the American Elm tree, lighting on the site that may affect wildlife in a negative way, the possible use of solar panels, lessening the use of pesticides and salt on the grounds, limiting the number of parking spaces on the property, preserving the major wildlife corridor, and coordinating with the other neighboring developments.

Vice Chair Riley would like to see the wetlands report that VHB cited in their presentation. Mr. Fenstermacher said he will email the report to Mr. Goodwin the next day.

Chair Oidtmann called a poll vote to see if the Commission would approve the expedited permit. Five (5) members voted for the permit to go forward and two (2) voted against it. Chair Oidtmann will sign off on the permit paperwork that Mr. Goodwin has for him.

4. STUDY ITEMS:

A. UPDATE ON THE 2020 PROPOSED CONSERVATION COMMISSION PROJECTS:

Ms. Hirai explained what she had done since the last meeting to find out about starting a stewardship program for the trails in Lebanon. She had a couple of meetings with Ron Bailey, the Town's Conservation Ranger. She also spoke to Barbara McIlroy about Hanover's biodiversity program. Ms. Hirai suggested possibly making a list of all the trails and updating the map and putting it on the website. There people could go online and adopt a trail if they wanted to. Mr. Bailey loved the idea and was willing to take people out and show them how to clear trails and be a mentor for that program. He was also interested in volunteers and wanted to know how they might recruit them. Ms. McIlroy is primarily interested in biodiversity. She is very interested in towns being able to get more doe permits to manage the deer population. Hanover has a very good outreach web page that Ms. McIlroy gave permission to

link to. Ms. Hirai's last idea was to have a table at the Farmer's Market that may help the Commission to develop a volunteer list.

Mr. Goodwin spoke about what he believed to be the 3 main projects that the Conservation Commission has focused on: trail stewardship, basic education through the Conservation Commission's website, and working a large land conservation project. Of the 3 projects the land conservation project would take the most time and effort to be made by the members of the Commission. The Commission would need to investigate funding sources and investigate paperwork that needs to be done to apply for a grant. A Commission member would need to make a commitment to do some research and get paperwork started to try to obtain a grant to buy some land. Chair Ernst said he was willing to investigate the application process for the ARM Fund.

It was brought up that the meeting was running over the 9:30 PM end time. All were in favor of extending the meeting for 5 minutes

B. SCHEDULED MEETING TIME REVIEW:

Discussion was had to change the Conservation Commission meeting to 6:30pm. Mr. Goodwin will check to see if that can be done. If there are no problems, then the next meeting agenda will reflect the new meeting time of 6:30PM.

5. ADJOURNMENT:

Vice Chair Riley MOVED to adjourn the meeting at 9:40 PM.

Seconded by Mr. Erling.

** The Vote on the MOTION passed (7-0).*

The meeting was adjourned at 9:40 PM.

Respectfully submitted,
Barbara R. Higgins
Recording Secretary