

**TOWN OF WOLFEBORO
CONSERVATION COMMISSION
DREDGE & FILL MEETING
APPROVED MINUTES
November 20, 2020**

Chairman Clark opened the virtual meeting at 10:00 am.

Lenore Clark read the following:

Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order #2020-04, this Board is authorized to meet electronically. In accordance with RSA 91-A: 2, III, the Committee has 3 members joining the meeting remotely, which a public body has the authorization to allow. At this time I would like to take a roll-call vote of ALL members present. For those participating virtually, please indicate your location and if you have any other individuals present in the room with you.

Members Present: Roll call: Lenore Clark – yes (acknowledged there is no one present with her), Chairman, Brian Gifford – yes (acknowledged there is no one present with him), Member, Nancy Byrd – yes (acknowledged there is no one present with her), Alternate.

Votes taken during this meeting will be via roll call vote for ALL members.

In accordance with Emergency Order #12, for members of the public, this is to confirm that we are:

1. Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means through GoToMeeting. All members of the public and Board have the ability to communicate contemporaneously during this meeting through the GoToMeeting platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone #+1 (646) 749-3122 followed by the audio access code 870-687-373, or by video following the directions on the Town of Wolfeboro Website posted on the home page under the Virtual Town Meeting Login Information page.
2. Providing public notice of the necessary information for accessing the meeting; we previously gave notice to the public of how to access the meeting in-person or using GoToMeeting and in, and instructions are provided on the Town of Wolfeboro website at wolfeboronh.us on the Virtual Town Meeting Login Information page.
3. Providing a mechanism for the public to alert the public body during the meeting if there are problems with access; if anybody has a problem accessing the meeting via phone or computer, please immediately call 603-486-2692 OR email Hendrickson.leeann@gmail.com. In the event that the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Members Absent: Dan Coons, Vice-Chairman, Dave Senecal, Selectmen's Representative, Ed Roundy, Art Slocum, Jeff Marchand, Warren Muir, Members, Sarah Silk, Alternate.

Staff Present: Lee Ann Hendrickson, Administrative Secretary.

Others Present: Jim Rines, White Mountain Survey & Engineering, Inc.

Chairman Clark appointed Nancy Byrd, Alternate, to sit in for Ed Roundy, Member.

I. Planning Board Special Use Permit Application

**Beth Baldwin Trust
8 Fern Avenue
Special Use Permit
Tax Map #149-6**

The applicant proposes a new replacement individual septic system and detached garage within the wetlands setback.

Lenore Clark requested clarification about the definition of “lot” vs. “parcel,” the distinction having been made in Mr. Rines’ letter to Town Planner.

Jim Rines, White Mountain Survey & Engineering, Inc., stated the terms are generally used interchangeably, though technically a “parcel” can be part of a “lot,” and explained that current standards and practices of surveyors were not in place prior to about the late 1960’s. He noted lot owners used to be able to carve off a chunk of their land (e.g. to give to a sibling) and that is what is meant by “parcel.” He said that although this property is technically two separate lots, a boundary line adjustment or lot merger cannot happen because another party owns the Fern Avenue, a distinct parcel which bisects the two lots and which is used by other neighbors. The deed/s has/have been amended such that they must always be transferred together and may not be transferred separately. He discussed the rationale behind the proposed location of the Effluent Disposal Area (EDA).

Brian Gifford questioned the location of the current leach field.

Jim Rines said that is unknown, but it is suspected to lie underneath Fern Avenue. He stated the area has a high water table and the existing leach field likely releases treated effluent right into it.

Lenore Clark stated the Commission did not, by and large, take issue with the proposed EDA, and is in favor of such as well as the stormwater control measures that were proposed. She noted the primary concern of the Commission was the relatively large size of the proposed garage. She stated the Commission noted the existence of a shed and questioned whether a second story could be added, if the applicant is seeking more storage.

Jim Rines stated the owner wants to store a boat on the premises, and had originally sought a smaller garage until it was pointed out by a family member that she could expand the proposed garage to store a boat.

Lenore Clark acknowledged that a garage is desirable, though whether it is “essential” is up for debate. She noted the Commission is an advisory board to the Planning Board and NHDES and is charged with seeking the least environmentally impacting alternative, which the current proposed garage does not represent. She stated she had heard anecdotes of several trees being removed from the property, which raised the question of whether a Shoreland permit was being sought.

Referencing the Shoreland permit, Jim Rines replied yes, and noted that such also requires the approval by the Planning Board first. He stated has no knowledge of any trees being removed, but stated if this has been done and the site does not meet the requirements of Shoreland rules, there will be consequences. He stated that as long as the owner stays within the correct amount of “points” regulated by NHDES, they are allowed to grind stumps in place in the shoreland area however, if they wish to remove the stumps, they will have to apply for a DES Wetlands permit.

Referencing the Beth Baldwin Trust Special Use Permit application, Tax Map #149-6, the Wolfeboro Conservation Commission believes that the size of the proposed garage is excessive and a smaller garage, which was originally desired by the property owner, would have less impact to the wetlands buffer. The Commission supports the proposed changes to the effluent disposal system and the implementation of new stormwater controls.

It was moved by Brian Gifford and seconded by Nancy Byrd to adjourn the November 20, 2020 Conservation Commission Dredge & Fill meeting. Roll call vote: Lenore Clark - yes, Brian Gifford - yes, Nancy Byrd – yes. The motion passed (3-0).

There being no further business before the Commission, the meeting adjourned at 10:35 am.

Respectfully Submitted,
Lee Ann Hendrickson
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