



## City of Rochester Conservation Commission Meeting Minutes

**Wednesday February 28, 2024**

Rochester Police Department (2<sup>nd</sup> Floor)  
23 Wakefield Street, Rochester, NH

(These minutes were approved on March 27, 2024)

### Attendance

Presence	Commission Member	Notes	Members of the Public
Present	Mike Dionne, <i>Chair</i>	excused	Those offering comment are listed in the meeting minutes.
Absent	Kevin Sullivan, <i>Vice Chair</i>		
Present	Mark Jennings		
Present	Merry Lineweber		
Present	Dan Nickerson		
Present	Dylan Dowe		
Present	Dennis Raymond		
Present	Renée McIsaac, <i>Planner I</i>		

### 1) Call to Order:

Mike Dionne called the meeting to order at 6:30 pm.

Chair made a motion to move the meeting minute review to follow the scheduled presentations. There were no objections.

### 2) NHDES Application:

Marketplace Blvd Stream Crossing; Tax Map 216 Lot 9; NHDES Application 2024-00005  
Presentation by Hoyle, Tanner & Associates, Inc.

Aaron Lachance introduced himself, Kim Peace and Heidi Marshall as the consulting representatives from Hoyle, Tanner & Associates, Inc. He explained that they are working on behalf of the City, as the City will own the roadway leading into the private development.

An application to NHDES has been submitted for a proposed construction of a 20ft wide by 90ft long bridge to cross the existing stream. As part of this construction, the proposal includes realigning the stream.

Aaron Lachance explained that the previous design (proposed by a different consultant) had a shorter span with a different configuration. It was determined that this proposal did not allow for the natural curve of the stream, would have had an increase in the side slopes, and did not provide enough height between the span and stream.

Kim Peace stated that the wetlands were re-delineated last year, and this found the stream had shifted since the previous delineation.

Aaron Lachance pointed out that the new design provided a large hydraulic opening.

Mark Jennings asked if this used a live (open) bottom.

Aaron Lachance confirmed that it would have a simulated stream bottom.

Mike Dionne asked if the grade of stream was about 4% in for the area of crossing.

Aaron Lachance confirmed that it was approximately 4% and that the changes to the stream still maintained the overall profile of the stream.

Mike Dionne asked if the grade controls were wood.

Aaron Lachance confirmed that it would use wood.

Mark Jennings asked for the approximate cost of the bridge.

Aaron Lachance indicated he was not sure of the exact figure but that it was over a million dollars.

Kim Peace stated the project design provides a more naturalized environment with plantings that mimic the existing habitat. She also pointed out that the State's rules governing this type of application updated since the previous submittal and this necessitated changes to the proposal.

Mark Jennings asked if any offsetting mitigation would be required for the project.

Kim Peace stated they have proposed that the project is self-mitigating, however this is still being negotiated with NHDES.

Mike Dionne stated that Streamworks (the company that designed the stream realignment) is a good company to work with, and Fish & Game frequently works with them, as well as NHDOT.

Mike Dionne stated he was able to meet with project representatives after the last Commission meeting. While he was satisfied with their proposal, he wanted this information to be shared with the other members of the Commission.

Kim Peace stated confidence in the quality and environmental sensitivity of the design, such as the incorporation of core logs and cross plantings that mimic the existing habitat.

Mike Dionne asked if the surrounding banks would continue to serve as wildlife habitat.

Kim Peace stated that yes, the surrounding landscape would continue to provide habitat for wildlife.

Dennis Raymond asked if the span of the bridge allowed for wildlife passage.

Kim Peace stated yes, it provides for wildlife passage.

Mike Dionne asked if the outstanding request for more information from the State would result in any substantial changes.

Aaron Lachance responded there would not be substantial changes from what was presented to the Commission.

The Commission members had no other questions or concerns.

**3) Conservation Overlay District:**

All Purpose Storage; Tax Map 114 Lot 8

Proposed wetland buffer impacts for construction of commercial storage units.

Brandon Richards of Fieldstone Land Consultants introduced himself as the representative for the proposal by All Purpose Storage. He explained the project proposes to construct two contractor bay buildings and associated parking. He stated the applicant is seeking a Conditional Use Permit for wetland buffer encroachments.

Mark Jennings asked if the project (which requires a Shoreland Permit) had been presented to NHDES yet.

Brandon Richards responded it had not yet been presented to NHDES.

Brandon Richards pointed out that the proposed rain garden and the fire truck turn around are within the 50' wetland buffer.

Mike Dionne asked if the turn around would be constructed with asphalt.

Brandon Richards responded yes; asphalt is proposed for the turn around.

Brandon Richards stated the site is a capped landfill, and this limits the ability to infiltrate stormwater on the site. The proposed construction would result in approximately 3,000 sqft of wetland buffer disturbance.

Mark Jennings stated he believed that NHDES did not permit snow storage within the shoreland protection buffer.

Brandon Richards stated he is still exploring alternative snow storage areas on the site. He indicated they are willing to use Green Snow Pro salt applicators.

Mark Jennings wondered what types of contractors might use the facilities and the potential environmental impacts from their activities.

Brandon Richards indicated the proposed units would be rented for contractor use and they did not have a list of anticipated lessees.

Renée McIsaac asked if there would be an onsite manager.

Brandon Richards stated there would not be an onsite manager for the facility. They would establish rental agreements that restrict certain types of activities, but these have not been crafted yet.

Mark Jennings asked if the buildings would require the installation of piers and how that might impact the landfill cap.

Brandon Richards stated he was not sure if piers would be needed for the site.

Mark Jennings asked if there would be any changes to the site entrance.

Brandon Richards indicated no changes were planned for the entrance.

Mike Dionne stated he was not in favor of snow storage located in the wetland buffer.

Dennis Raymond stated concerns that even though a rain garden was proposed to capture new impervious runoff, the proposed project would also be eliminating some of the naturalized areas that are currently providing stormwater treatment.

Mark Jennings made a motion that with the proposed extent of use for the site and proximity to sensitive landscapes, that the Conservation Commission does not support the Conditional Use Permit application. Merry Lineweber seconded the motion.

The motion passed with Mark Jennings, Dan Nickerson, Merry Lineweber and Dylan Dowe voting in favor, and Mike Dionne voting against.

**4) New Business:**

a. Conceptual Review – Yankee Electric - 150 Pickering Road; Tax Map 141 Lot 27

Mike Scala from the City of Rochester's Economic Development Department introduced himself and the proposed project. He indicated that the City has been in discussion with Yankee Electric about developing the Brickyard site.

Ron Brown introduced himself as the owner of Yankee Electric. He was joined by Clint Gendreau of Pine Brook Construction. Ron explained that his company is currently based in Rochester and has been working with Mike Scala to find a location to expand his business in Rochester.

Clint Gendreau explained that the current conceptual plan uses the layout that was previously proposed for the site by Catholic Charities. They are still developing the concept for the project but envision a portion of the site would be for Yankee Electric operations and additional areas would be developed as contractor storage rental units. He stated that any site development needed to take into account the existing sewer easement and the monitoring wells on the site.

Mike Dionne asked if the development was projected to occur in phases.

Clint Gendreau responded that likely the Yankee Electric operations would initially move to the site and then additional construction would occur in phases.

Mike Scala stated that the Rochester City Council has been supportive of the Yankee Electric proposal for this parcel.

Mike Dionne wondered about the quality of the wetlands on the site.

Mike Scala stated that a wetland delineation was conducted but did not think it included a functional assessment of the wetlands.

Mike Dionne stated a concern with the potential encroachment at the rear of the lot. He stated an interest in assessing the functions of the wetlands for any future site development.

Mike Scala stated that a land survey is being conducted for the site.

Mike Dionne wondered if the site provided good turtle habitat.

Dan Nickerson stated that in his experience with the subject area, it contained high amounts of clay and likely was not very good turtle habitat.

Renée McIsaac mentioned the Commission would be interested in retaining the ability to access the abandoned railroad section of the property for potential future rail trail connectivity with Dover.

Clint Gendreau indicated they would be amenable to rail trail access.

Mark Jennings pointed out there may be an opportunity reduce the amount of loop roadway since this design was originally for a residential use and the current proposal would likely not need to provide this level of service.

Clint Gendreau agreed that was a possible consideration.

The Commission members had no other questions or concerns.

**b. Conceptual Review - Fairview Apartments - 86 Church Street; Tax Map 258 Lot 8**

Scott Lawler of Norway Plains Associates, Inc. introduced himself and Eric Jackson of the Stabile Companies. He stated that the Stabile Companies are interested in developing the property and seeking feedback from the Conservation Commission.

Scott Lawler explained that the site currently has two buildings, each with six 2-bedroom units. The site is serviced by municipal water and sewer. It was previously approved for an expansion of additional 30 residential units. A wetlands delineation for the site was conducted by Stoney Ridge Environmental. He stated that the current proposal is to construct five buildings each with 6 units. These would each have a garage and a parking space in front of the unit. The project also includes some new parking areas for the existing tenants and for visitors to the site. Development of the project would require a Shoreland permit, Alteration of Terrain permit and a Conditional Use Permit.

Dennis Raymond asked if there were changes planned for the existing buildings.

Scott Lawler replied no, just additional parking would be constructed.

Mark Jennings asked if the previous lot line revision was needed for the additional parking.

Scott Lawler replied that the lot line revision was primarily needed to permit the dwelling unit density. He stated the project previously received a variance for an expansion of multifamily in the agricultural zone.

Scott Lawler continued to explain that all the stormwater would be collected and directed to management systems. Each building would have roof drains directed to rain gardens, that would then allow for overflow volume to be directed to a large stormwater infiltration basin at the rear of the development. He stated the project would be designed to meet the City's Chapter 218 requirements. The design would require a Conditional Use Permit for grading of the proposed infiltration basin into the wetland buffer. He pointed out the 250ft shoreland setback from the Cocheco River and stated the proposal would also be before

the Cocheco River Local Advisory Committee. He reported that an inquiry to the Natural Heritage Bureau resulted in no findings.

Dennis Raymond asked how much impervious surface the project would add to the site.

Scott Lawler replied that he did not immediately know the answer, but this would be calculated for a formal project submission.

Dennis Raymond mentioned a concern with the roadway and salts impacting the Cocheco River.

Mark Jennings indicated this was less of a concern (compared to other projects) where this project only proposes an impact with a portion of the infiltration basin being located within the 250ft shoreland setback.

Scott Lawler stated the applicant is also interested in establishing a walking path down to the river as an amenity for the residents.

Scott Lawler stated he understood the Conservation Commission's concerns with snow storage and salt runoff, and these would be addressed in any future submission.

Renée McIsaac asked if the Commission could conduct a site walk if the project proceeds.

Scott Lawler indicated this would be acceptable.

The Commission members had no other questions or concerns.

**5) NHDES Applications:**

Major Wetland Impact Permit - Charles Prescott Estates; Tax Map 241 Lot 4 (984 Salmon Falls Rd)

Scott Lawler of Norway Plains Associates, Inc. introduced himself and provided a brief overview of the project. He explained that the site is an existing mobile home park that was originally approved in 1987 for 132 units. Since this time only 113 units were constructed. The project also previously had received NHDES approval for some wetland filling and dredging on the site. The site is serviced by municipal water and onsite shared septic systems.

Scott Lawler explained that B.H. Keith Associates more recently delineated the wetlands and found areas of fill along the old tote road. As part of the major wetland impact permit application, they considered different options for development. The current proposal would construct a roadway entrance approximately where the existing preliminary roadway work occurred. It is not feasible to construct the 16 units originally depicted in the approved plans and instead 8 units are proposed. The project would incorporate curbing for a closed stormwater management system.

Scott Lawler stated that during project design the applicant attended pre-application meetings with NHDES, US Army Corps of Engineers, NH Fish & Game, and the EPA.

Scott Lawler stated they determined that the best areas for mitigation were where the wetland soils were buried with fill. The applicant is seeking to permit after the fact wetland

fill, new areas of fill, and temporary wetland impacts. A proposed wetland restoration plan was also submitted to NHDES as part of the application. The project will require an Alteration of Terrain permit and septic design approval from NHDES. An inquiry to the Natural Heritage Bureau returned a finding for black racer snakes. Two culverts will be constructed for the roadway in order to maintain the existing hydrology.

The Commission members had no other questions or concerns.

**6) Approval of Minutes:**

Review Meeting Minutes of January 24, 2024.

Mark Jennings had two minor corrections to the draft minutes. Dan Nickerson made a motion to accept the meeting minutes with these corrections. Dylan Dowe seconded the motion; the motion passed unanimously.

**7) Notice of Intent to Cut Wood or Timber:**

Intent to Cut: Tax Map 264 Lot 11; 23-389-09-T (324 Blackwater Rd)

There were no concerns with the above notice.

**8) Reports:**

**a. Technical Review**

Mark Jennings and Renée McIsaac provided a brief overview of projects that have been to the Technical Review Group.

**b. Planning Board Review**

Renée McIsaac provided a brief overview of projects that have been to the Planning Board for review.

**9) Old Business:**

- a. Dennis Raymond presented the Commission with some possible t-shirt designs and costing breakdowns. Commission members felt this would help promote the river clean-up event and increasing awareness of the Commission.

Commission members agreed on a design and authorized procurement of 30 t-shirts.

- b. Renée McIsaac provided the following updates and communications.

- i. The Cocheco River clean-up flyer has been posted and the event has been added to the Commission's page on the City's website, Nature Groupie and Project Happy.
- ii. The Recreation Department currently has an open survey for guiding their master plan chapter update.
- iii. Asked Commission members if they had any objections to having some video or photographs taken at upcoming meetings for public outreach.

Commission members had no objections.

- iv. The equipment used for the Volunteer River Assessment Program (VRAP) had been returned to NHDES for service. A Spaulding High School student

has expressed interest in participating in water quality monitoring for the upcoming season. Renée has already met with Mr. Scopel and the student.

**10) Adjournment.**

A motion was made by Mike Dionne and seconded by Dan Nickerson to adjourn at 9:15pm; the motion carried unanimously.

Respectfully submitted,  
Renee McIsaac  
Planner I