



City of Rochester Conservation Commission

Meeting Minutes

Wednesday March 27, 2024

Rochester Police Department (2nd Floor)
23 Wakefield Street, Rochester, NH

(These minutes were approved on April 24, 2024)

Attendance

Presence	Commission Member	Notes	Members of the Public
Present	Mike Dionne, <i>Chair</i>		
Present	Kevin Sullivan, <i>Vice Chair</i>		
Present	Dylan Dowe		
Present	Mark Jennings		
Absent	Bryan Karolian		
Absent	Merry Lineweber		
Present	Dan Nickerson		
Present	Dennis Raymond		
Present	Renée McIsaac, <i>Planner I</i>		

- 1) **Call to Order:**
Mike Dionne called the meeting to order at 6:33pm.

- 2) **Approval of Minutes:**
Review Meeting Minutes of February 28, 2024

Kevin Sullivan noted one typographical error in the minutes. Dan Nickerson made a motion to accept the meeting minutes with the correction. Dylan Dowe seconded the motion; the motion passed unanimously.

- 3) **Conservation Overlay District:**

- a. All Purpose Storage; Tax Map 114 Lot 8 (303 North Main Street)
Conditional Use Permit application for proposed wetland buffer impacts for construction of commercial storage units.

Chuck Ritchie of Fieldstone Consultants introduced himself as the representative for All Purpose Storage. He explained that the project had previously been before the Conservation Commission in February. At the meeting Commission members expressed concerns with the amount of impervious cover and the rain garden being located within the 50' wetland buffer. The project team took this feedback and revised the project plan. They have removed one of the originally proposed contractor bays and this has resulted in a reduction of the amount of proposed wetland buffer impact.

Mike Dionne asked for clarification about the unit changes.

Chuck Ritchie pointed out the location where a proposed unit was removed from the plan.

Dennis Raymond asked how the revised plan addresses snow storage for the site.

Chuck Ritchie explained the project is proposing to use Green Snow Pro contractors for salt applications and snow will not be stored on Limited Common Area-3. Any snow accumulation will be temporarily stockpiled and removed from the site. In the future

they may consider an arrangement to store snow on one of the other Limited Common Areas.

Kevin Sullivan asked if the buildings would require pilings.

Chuck Ritchie stated he did not believe it was needed.

Commission members did not have any additional questions or comments.

Kevin Sullivan made a motion to recommend approval of the conditional use permit. Dan Nickerson seconded the motion; the motion passed unanimously.

- b. Conceptual Review of proposed use for Milton Road property; Tax Map 210 Lot 4 (0 Milton Road) Proposal with wetland buffer impacts for proposed commercial business.

Erik Poulin of Jones and Beach Engineers Inc. introduced himself and the property owner, Fred Sena. He explained the property is located in the Highway Commercial zone. It is primarily wetlands except for the front triangle portion closest to Milton Road. The applicant is proposing to construct a Minute Oil Change business. While developing the project concept, they determined it would need a conditional use permit approval to reduce the wetland buffer. They are seeking feedback from the Conservation Commission to gauge project viability.

Mark Jennings asked to confirm that the plans are not depicting the entire site.

Erik Poulin indicated yes; the plan is just showing the portion being considered for development.

Mark Jennings asked what is being proposed for the remaining portion of the lot.

Fred Sena responded that it would not be developed.

Dennis Raymond asked what is being proposed to mitigate potential risks of contaminants entering the wetland.

Erik Poulin indicated there were both internal building elements, such as how materials are stored, as well as site development designs. He explained that all the paved areas would have curbing and grading would direct any flow to catch basins. These would incorporate grease hoods and oil water separators.

Mike Dionne asked where the treatment pond would be sited.

Erik Poulin stated the site would employ subsurface treatment systems.

Mike Dionne if there was enough elevation for a subsurface system.

Erik Poulin stated he believes they can design a system that will work for the site conditions.

Fred Sena indicated he would explain some of the other environmental controls planned for the site. He stated that oil would only be stored above ground in 250-gallon tanks on top of spill containment pallets.

Mike Dionne asked if this practice was a State of New Hampshire requirement.

Fred Sena responded that it is not. He stated there would not be any fuels stored on the site, just motor oil. The business would provide oil changes and tire rotations. The building would not have a basement but would have large containment pits under each of the service bays. He also felt that the corporate entity had a good track record with preventing contamination.

Erik Poulin stated he felt the 6" curbing and grading would provide more than adequate storage volume.

Mike Dionne asked about how used oil is disposed.

Fred Sena stated that trucks would routinely come to the site to collect the used oils.

Mike Dionne asked if the building was as far forward as possible.

Erik Poulin stated yes, they have moved it as far from the wetland as possible.

Kevin Sullivan asked if the owner would be willing to deed restrict further development for the remaining portion of the property.

Fred Sena stated yes, he would be willing to deed restrict it.

Dennis Raymond asked if the design would be able to manage a catastrophic situation.

Fred Sena stated yes, the containment systems are designed to keep everything onsite.

Erik Poulin stated that the oil water separator systems are useful at mitigating risks for this type of development. He explained they would develop an operations maintenance plan, oil containment protocols, as well as quick action plans for emergency situations. These would include references to additional resources and contact lists.

Kevin Sullivan asked about the location of the dumpster and if there were any other locations further from the wetland buffer that would work.

Erik Poulin explained that the project has already incorporated reduced parking and will require approval of a parking reduction waiver from the Site Plan regulations. He stated that if parking could be further reduced, then perhaps the dumpster could be relocated, but he was not certain this could be done. He explained the dumpster pad would be graded so leachate would be directed to the catchment system.

Mike Dionne stated if it was possible to move the dumpster further from the wetlands, that would be preferable. He included a deed restriction to prevent development of the back section of property would also be of interest to the Conservation Commission.

Commission members had no other concerns or comments.

4) NH DES Applications:

- a. Forestry Statutory Permit-by-Notification; Tax Map 233 Lot 1; 24-00327

Commission members requested more information about the permitted activity. Renee McIsaac will reach out to the permit reviewer and report back to the Commission.

- b. Issued: Wetlands and Non-Site Specific Permit 2023-03125; Tax Map 108 Lot 50 (797 Portland Street)
- c. Request for More Information: Standard Dredge and Fill Wetlands Permit 2024-00005; Tax Map 216 Lot 9 (Farmington Road)
- d. Under Technical Review: Standard Dredge and Fill Wetlands Permit 2024-00447; Transmission Line Y170 Right of Way
- e. Groundwater Management Permit Renewal NHDES Site 199405007; Tax 103 Map 67 (9 Highland Street)

Commission members had no concerns with items b - e.

5) Notice of Intent to Cut Wood or Timber:

- a. Intent to Cut: Tax Map 208 Lot 12; 23-389-10-T (0 Farmington Road)
- b. Intent to Cut: Tax Map 108 Lot 50; 23-389-11-T (797 Portland Street)
- c. Intent to Cut: Tax Map 258 Lot 9; 23-389-12-T (90 Church Street)

Commission members had no concerns with the timber cuts listed above.

6) New Business:

- a. Confirm Member Contact Information

Commission members reviewed their contact information.

- b. Review Grant Opportunities

Renee McIsaac reviewed the list of upcoming grant opportunities.

- c. Turtle Resources

Renee McIsaac briefly reviewed some of the resources that were mentioned during the Taking Action for Wildlife series.

- d. Conservation Land for Proposed Elementary School

Kevin Sullivan stated he would like the remaining portion of the proposed elementary school property to go into a conservation easement.

Mark Jennings made a motion to recommend to the Joint Building Committee that the undeveloped portion of the parcel be placed into a conservation easement. Dylan Dowe seconded the motion; the motion passed unanimously.

7) Reports:

- a. Technical Review

Mark Jennings provided a brief overview of the projects that have been reviewed.

- b. Planning Board Review – Nothing was reviewed from recent Planning Board meetings.

8) Old Business:
Cocheco River Clean-up Event preparations

Renee McIsaac provided an update on the preparations for the upcoming clean-up.

Dennis Raymond reported the t-shirts would be ready in time for the clean-up event.

9) Other:
Timothy Deese a resident of Rochester asked to speak about the need to conserve the Fowler Family property along the Salmon Falls River. He felt that there have been pressures for cluster development so that open spaces could be preserved and more needed to be done for open space preservation.

10) Non-Public Session:
Dan Nickerson made a motion to enter a Non-Public Session under RSA 91-A:3, II(d)* at 8:00pm. Kevin Sullivan seconded the motion; the motion passed by roll call vote.

**RSA Note: "Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community."*

Kevin Sullivan made a motion to leave the Non-Public Session at 8:27pm. Dylan Dowe seconded the motion; the motion passed unanimously.

Dan Nickerson made a motion to seal the Non-Public Session minutes. Mark Jennings seconded the motion; the motion passed by roll call vote.

11) Adjournment.

A motion was made by Mark Jennings and seconded by Kevin Sullivan to adjourn at 8:30pm; the motion carried unanimously.

Respectfully submitted,
Renee McIsaac
Planner I