

Walpole Planning Board Minutes
March 9, 2021
Meeting via Zoom
7 pm

Roll Call: All Planning Board members and other participants are in separate locations. This meeting is being recorded. Present: Chair Jeff Miller, Vice-Chair Dennis Marcom, Clerk Jason Perron, Zoom Host Jeff Harrington, Jeff Colley and Select Board Representative Steve Dalessio. Board member Joanna Andros was a few minutes late coming into the meeting.

Also present at the meeting were applicant Jay Landry, surveyor of the project, Joe DiBernardo, civil engineer, Erin Barrow, abutters and neighbors Cynthia Reeves, Todd Nielsen, Beth Colley and Teese Gohl and Bronia and Mark Jensen.

Recording: Secretary Marilou Blaine. **This meeting is being recorded. These minutes are unapproved and will be reviewed at the April 2021 meeting for corrections, additions and/or omissions.**

Meeting coming to order: Mr. Miller called the meeting to order at 7 pm.

Minutes: Mr. Marcom said he didn't have any changes or suggestions. Mr. Miller said the minutes have been approved and seconded. All those in favor say aye. All Board members present said aye.

Old Business:

Public Hearing continued from January meeting.

Subdivision: Jay Landry two lots into four lots, Map 17, Lots 5 and 5-1, land between Old Keene Rd. and Wentworth Rd., Residential A. Mr. Joe DiBernardo was the surveyor on the project and presenter for Mr. Landry. He said all lots have the required 200 feet road frontage and 40,000 square feet in the Residential A district.

The new lots would be:

- Lot 5.1 – 2.19 acres with 200 feet road frontage on Wentworth Road;
- Lot 5-2 - 1.67 acres with 200 feet road frontage on Wentworth Road;
- Lot 5-3 – 1.15 acres with 200 feet road frontage on Wentworth Road;
- and 5-4 - 6.22 acres with 203.61 feet road frontage on Old Keene Road and Wentworth Road.
48.5 feet road frontage on Wentworth Road.

Discussion of the subdivision project was divided into four different presentations: Mr. Landry spoke about his history and his plans for property. Mr. DiBernardo spoke on the topography of the land. Erin Darrow, a civil engineer working for Right Angle Engineering, PLLC gave a presentation on Stormwater Management and Well Capacity. Mr. Landry also weighed in on well capacity. Throughout their presentations, abutters and neighbors asked questions and made comments on the project. There were 12 pages of documents and diagrams, of which several were referenced on the Zoom screen.

Mr. Jay Landry introduced himself and gave the Board and guests a little information about his background and intentions. Mr. Landry is a native of New Hampshire. He was born in Berlin, paid his way through UNH and landed in Keene on his first job. After being in Keene 20 years, he moved to Walpole. He choose Walpole because it was in between Keene and Lebanon where he now works for Fujifilm. He lived at 18 Prospect Hill and took over a property that was a work in progress. The prior owners did some of the heavy stuff and fixed the foundation and roof. He continued to work on the

property and fix it up in period-appropriate ways as it was an old farm house. During his time in Walpole, he walked around the Wentworth Road -- Hooper Road loop. On one walk he noticed an old for sale sign on the property that he now owns. During his time in Walpole, he grew to love the town and appreciated the people and businesses and "grew some roots here." He sold his property and purchased the lots. He knew it would be a while before he actually got to building on the lots and he knew he was going to do some "house surfing" for a while. His brother lives in Tilton, made him an offer to stay there and that's where he's been for the last few years. He was still spending a lot of time in Keene, he said, so I was popping into Walpole on occasion. He still works in Lebanon, but with Covid, he's mainly working out of the Keene office.

Once, if the subdivision is approved, he plans to keep two lots: one lot, 5-4, for himself and his partner, Andrea, and the other lot for Andrea's parents. The lot for him and Andrea would be less than 2,000 square feet and the other one about 1,600 square feet. He wants a quality home, not exquisite, but a place where "we can age in place." The home would be environmentally friendly and sustainable. He plans to use local people to do the work and he made several contacts when he was working on the farm house on Prospect Hill.

The other part of the subdivision is that he expects to sell lots 5-1 and 5-2. He will choose buyers very carefully and make sure they have the same interests. He plans on having deed restrictions along the lines that Erin Darrow will explain. It would be in our interest to have neighbors that consider preserving the land and keeping the land as is. He doesn't have unlimited funds so that's why he's selling those lots. Also, he recognizes that if he did retain those lots, it would require a lot of maintenance. Their plans are fluid so suggestions are welcome. At the December meeting he heard about the concerns of his neighbors regarding water runoff, water supply, use of pesticides and generally harming the neighborhood and question what we're going to do. And there was a lot of discussion about "how do we know that Mr. Landry won't harm the neighborhood." Well, Mr. Landry said, "I want to be part of that neighborhood."

Joe DiBernardo spoke on topography.

He used a system called Earth Model scanners that scans the ground to show the topography of the ground. He labeled two flat spots on top and bottom of the map where Wentworth and Old Keene roads are. He pointed out a stone wall between the Jenson and Landry properties. Then he pointed to a hump that runs down the south side of the Landry property about where two massive trenches meet. One starts at Wentworth Rd and connects to another trench that runs northwest and picks up water from the wetlands and channels to another drainage area. This is where water flows toward the northwest and catches swales and taking it from the Hugh Shaw and Jenson properties and shedding water towards the Reeves property. All the water is not solely off of the Landry property. You can see Hugh Shaw's field. There's a lot going on here. Some of the water come from road, some from these channels that might have been built for drainage, some from other properties.

Some questions: Board members and neighbors asked: Point out the Reeves area where the streams are. In the first meeting Ms. Reeves spoke of a dug well on a border to Landry, where it is close to the property line. Point out the tree-lined wooded area between Reeves and Landry on northern boundary that goes down to Old Keene Road. Where is Reeves stream in her southeastern corner of the property. One swale would go near that corner. Point to the wetlands, which were in the northeastern portion of Landry property. What about the trenches? One comes down from both sides of property and meet further down where it begins to slope toward Old Keene Road. It's near the wetlands?

Todd Nielsen said if you cut down all those trees it will exasperate the problem and the land there will erode. If all those trees are going to go, there will be a lot more water runoff.

That's where Erin Darrow came in and presented a proposed drainage plan. Darrow is a licensed professional civil engineer and a certified erosion control and sediment specialist. She referenced a contour map. She said she was studying how the development of two single-family homes could impact the stormwater situation. The houses could be built anywhere on these two lots. Looking at the related infrastructure and two additional homes, her focus was on how you can attenuate and mitigate the situation so there is no increase in water.

Right now, there is water coming off Wentworth Road and it starts in a sheet flow for 200 feet. Her proposal was to implement a bio retention and lower impact structure to provide a long-term means to convey runoff and focus around this swale and where the water comes from. She suggested diverting the runoff to a bio-filtration swale into a filtration basin. The swale is 20 feet wide and the bio filtration basin is 40 feet in diameter. Once installed, it will sustain itself. It helps slow water down and mitigate any increase. It allows water to sit there and recharge the area. This is not a pond. It is an underground system that mediates water flow. It is low maintenance and will eventually be pretty with wild flowers etc.

Ms. Darrow said in her written presentation that "the intent of the design is to mimic existing drainage patterns. Infiltration swales, along with bio infiltration basins (i.e., raingardens) are proposed to be installed along the northeastern sides of proposed lot 5-1, 5-2, 5-3. Lot 5-4 will have an infiltration swale running along the vicinity of the existing drainage path, with a larger bio-infiltration basin on the northwest corner of the property.

"The intent of this approach is to implement a low-maintenance stormwater management infrastructure that will help mitigate runoff in the long-term. It does appear that water comes off of Wentworth Road at this time at rates that will not change as a result of this subdivision. However, what this design does mitigate are the potential changes for runoff off-site when the lots are developed.

"Changes to the north and east of this property, particularly off of Wentworth Road, in recent years, appear to have resulted in increase in drainage flows across properties proposed to be subdivided. The changes in drainage as a result of building the new single-family house and the associated infrastructure will be relatively minor and will be attenuated by the proposed infiltration swales and raingardens. Again, flows from off-site sources come through the subject's properties and in turn, to adjacent properties down gradient."

Ms. Darrow also spoke of using non-woven jute mats that slow down water at a 3 to 1 ratio. They are sometimes made of coconut cord and eventually biodegrade and have a long-term impact.

Ms. Reeves said any building in this area is going to exacerbate the problem. We are looking at a whole bracket of homes. She understands that there is water from other offsite sources, not just Mr. Landry, but this is going to make it worse.

Mr. Nielsen again spoke about cutting trees and the problem of erosion when cut. There are a lot of homes being impacted so it means it's a town problem, he said. That's two properties that have virgin timber. This area is rather "hoity toity", he said. He mentioned several neighbors that have lots sizes of many more acres than the smaller lots that Mr. Landry has divided.

Ms. Darrow said there is already a problem and there is no perfect answer. Mr. Landry is complying with the town ordinance and looking for a way to minimize the impact. There will be a change. Mr. DiBernardo added that we don't know how many trees are going to be removed and there shouldn't be an insinuation that every tree on the lot will be cut. Mr. Nielsen add that there is no ordinance preventing someone taking down every tree on a lot. Ms. Darrow said that most people building houses also want to have privacy.

Regarding Old Keene Road, Mrs. Colley asked said about where the trees are. Is there a slope there that causes water to pour onto the road? The two converging trenches are slightly above that. Could a swale be installed there? Mrs. Colley asked. Ms. Darrow pointed out that the wetland area is next to the trees and there are lots of Department of Environmental Services regulating wetlands. If they started digging around the lower area it could cause problems that aren't there now. But the area above that might have a swale. Ms. Darrow said that maybe they could do a bioswale, just a basin, that would be inexpensive and help between the two drainage area. It would be relatively ease, she said.

Mr. Gohl asked about the springs on the Reeves property and how they would coexist with swales. The springs furnish water that runs to a cistern in the basement of the house. The water is used for general household use but there is also a drilled well and that water is used for drinking and cooking. Ms. Darrow said it should have minimal if any impact. The volume is going offsite. However, there is no radial requirement for putting the swale further away. It is compliant. There is no 75 foot radius requirement as there is for a septic system and a well. The raingarden is 20 feet from her property line. It should have a permanent protective measure around the spring such as an easement.

Mr. Marcom asked what would happen if there were a heavy rainfall. Ms. Darrow said the swales and raingardens will help dissipate and reduce channelization but if it's a 500-year rainfall, there would be problems everywhere.

Water Capacity

A Goggle Earth Map showed Wentworth and Old Keene Roads with pins on the map that point out houses on both roads, mostly Wentworth Road. The pinpointes were addresses of homes along the roads and the amount of gallons of water per minute at those address. For example, the house at 101 Wentworth Road to 12 gallons of water a minute; the house at 144 – 11 gallons a minute; house at 178 Wentworth – 6 gallons a minute. Generally, houses further up the hill got less gallons a minute than the once closer to the village. Ms. Darrow said that DES and the NH Water Board recommended the rate be 5 gallons of water per minute for a private well.

Ms. Reeves remembered the previous summer when Walpole experienced a drought. She said that homeowners are already having a problem worrying if that could happen again. But with added building going on in this area, it would exacerbate the problem, she said. At the last meeting Ms. Reeves remembers it was discussed that the town of Walpole had a problem with having enough water. And she heard of a home on Wentworth that ran out of water completely.

Regarding that home, Mr. Landry said he looked into that situation. That homeowner had a dug well and capacity of that well was already an issue. That homeowner was already in the process of getting a drilled well.

Mr. Marcom said he spoke to Mark Houghton, head of the water department, and Mr. Houghton said that the problem with getting water to people on Wentworth Road and Old Keene Road was not that there was not enough water. The reservoir has plenty of water. The problem is elevation. The water would need to be pumped up to the homes on those roads and that would require that a cost-prohibitive pumping station be installed. Mr. Dalessio agreed and added that that was the information he too had from Mr. Houghton.

Mr. Nielsen questioned the copy of the Goggle map. He thought 101 Wentworth Road looked too far north. He also asked why this information and references was not provided before this meeting. Other also wanted copies of the information that was presented at the meeting. Actually, the secretary just received the information Tuesday morning by email and sent it immediately to Board members.

The Board has 90 days to make a decision on a site plan since it was first presented at the December 2020 meeting. It was decided that it would be hard to make a decision that night because of the new information. Mr. Miller checked with Mr. Landry who said he was okay with letting people digest the information they had received tonight. It was suggested that everyone at the meeting receive copies of the documents that were presented and also copies would be placed with the application that was in the Town Offices. Mr. Landry said he felt that the information presented at the meeting addressed their concerns. So it was decided that a final decision would be made at an April meeting.

It was also decided that certain information should be included on the plat, deed and building plan regarding restrictions on the property on stormwater management and sediment and erosion control in order to mitigate problems. Ms. Darrow it should be very specific regarding sediment and erosion control and runoff and it should get into details. She also recommended it be done by a certified professional and that it be technical enough so that a person 10 years down the road could not circumvent the intentions of the restrictions.

New Business:

Site Plan: Change of Use. Larry and Paula Burdick, 8 Huntington Lane, commercial district. Change from a chiropractor's office to retail sales of chocolate. No one came to the meeting on this matter. Mr. Miller said he called a couple of times and left a message with the Burdick's daughter, who said she and her father were going on a trip for the next three weeks. Mr. Miller suggested that a public hearing for the April meeting be scheduled on the matter and if the application were complete, a public hearing could be held at that time. The footprint of the building is not changing, but the renovations would probably over \$10,000 and there would be more traffic and parking concerns. Mr. Marcom made a motion to hold a public hearing on a change of use at the former chiropractor's office to be changed to a retail building. The motion was seconded and the motion carried.

Adjournment: A motion was made, seconded and approved to adjourn the meeting.

Workshop: No workshop this month.

Next meeting April 13, 2021.

Respectfully submitted,
Marilou Blaine
WPB Secretary

Posted: Inside and outside Town Office, bulletin board outside Post Office, The Walpolean.

cc: WPB, ZBA, Town Offices, www.walpole.nh.us