

Newport Conservation Commission
Site visit:
Newport Chevrolet Buick GMC dealership
320 John Stark Highway; Newport, NH
Minutes of August 15, 2017
6:30 PM

MEMBERS PRESENT: Bruce Burroughs, Co-Chairman; Stanley Hannum, Co-Chairman; Linda Dennis, Kristen Boffo

MEMBERS ABSENT: Clifford Richer

STAFF PRESENT: none

GMC DEALERSHIP REPRESENTATIVES: Jeffrey Olesky, PE, Wilson Consulting Engineers, PLC (WCE); Joey Wilson, PE, President of WCE; Mr. Mark Stewart, Architect, MGS Architects

PRESENT FROM THE COMMUNITY: Ken Dennis

CALL TO ORDER: Chairman Burroughs called the Conservation Commission meeting to order at 6:32 p.m. followed by a roll call.

Agenda items were taken out of order to accommodate the site visit presenters.

NEW BUSINESS:

2017-SPFP-007: RHTL Partners, LLC(Owners) DBA Newport Chevrolet Buick GMC and Mark Stewart (Agent) request review of a Site Plan for a proposed parking lot layout and a recon building addition the property is identified as Lot 004 and is located in the Industrial (I) and Rural (R) Zoning Districts.

Mr. Jeffrey Olesky, PE; representing applicant Newport Chevrolet Buick GMC introduced himself. He addressed the Commission and led them through the site visit, answering all questions and concerns the Commission members had on the project.

Mr. Jeffrey Olesky began by stating there had been a parking lot constructed before their company had been hired. The parking lot construction needed to be permitted. He explained the procedure that his company had already completed and those planned to be in compliance with Newport ordinances.

Using a color coded site plan, Mr. Olesky indicated where the proposed paved area would be as well as the hard pack gravel area. He indicated to the Commission members that it might be temporary; the dealership might pave the entire area in the future. He told the Commissioners that in his company's plans both surfaces were considered non-pervious and they account for it as such in their testing.

The company was proposing pulling in, reclaiming, an area around the present lot. He showed the Commissioners the areas considered wetlands. WCE was dividing the lot into two areas for water drainage. He pointed out the swales and other natural boundaries WCE was proposing the dealership use for storm water evacuation and snow removal. He showed the Commissioners the pond retention centers

already in place; explaining they would not be filled with water 100% of the time. They were areas that were bermed up around the perimeter and they were sized to collect up to a ten year rain event.

Chairman Burroughs asked for the size of the pond retention centers (length/width/depth containment). Commissioner Hannum stated that none of the site plans they had indicated the size. Mr. Olesky did not have the answer.

Mr. Olesky stated that the newest plans submitted to Ms. Magnuson and Mr. Wiggins will have a computerized hydro-CAD monitoring report that showed the specific depth of the areas. It also shows the existing runoff of the area for a one to ten year rain event as well as a proposed runoff event.

Mr. Olesky had a summary of the report (he had a hard copy and asked the Commissioners if they had seen it). He stated it had the storm water management plan. It explained:

- ❖ The existing process
- ❖ The proposed area for sub-catchment and draining
- ❖ A drainage summary: rainfall amounts versus discharge rates (pre and post)

Commissioner Hannum asked why the discharged amounts changed but the timeframe and depth did not (indicated on the site plan)? Mr. Olesky explained what was shown were the tallies of the existing conditions; the last numbers were the proposed (post construction) conditions. He stated it explained the discharge at (as indicated) a wetland swale. The existing discharge was stated on the plan and the proposed conditions (by WCE) were stated as a lower amount on the plan. After construction, the proposed figures would match or be below the amount currently discharged.

All water management studies and paperwork had been sent to the Town Office. Chairman Burroughs stated that neither he nor the Commissioners had seen them.

Chairman Burroughs asked how WCE was determining permeability of the soil (test pits?). Mr. Olesky explained it was determined by two ways. First, the USDA (United States Department of Agriculture) website's online tool which mapped the soil in the entire country (he had a hard copy that he would show the Commissioners). Second, that WCE has done percolation tests. He explained the tests.

The report would be submitted to the Town on Wednesday or Thursday.

Commissioner Dennis stated that the area was already filled in; it was not the original soil. How did Mr. Olesky get to the soil for the tests? Mr. Olesky stated that WCE only had to prove that the pre-existing site runoff and the post-existing site runoff are equal to or less than each other.

An additional question was how much damage has been done since it was filled in. Mr. Olesky stated that with the fill that had been added, their calculations were now all "proposed". The reason was because currently the ground was either gravel or pavement (WCE considered both impervious in their calculations). It was up to the WCE to establish a procedure to manage the runoff. He explained the specifics to Commissioner Dennis.

The WCE representatives, MSG representative and the Commissioners present then began their walk about the parking area in question. Mr. Olesky stated that he did not feel as though remediation was necessary except for the areas that he had brought up.

Sand was noticed that had eroded over the bank. It had reached the wetlands area. Mr. Olesky proposed to reclaim the area around the edge of the parking lot and vegetate it.

Mr. Olesky reiterated that the WCE Company had been hired “after the fact” and they were doing the best they could do to rectify the situation. All proposed plans showed how things should be or should have been done.

Mr. Dennis asked Mr. Olesky if only he and Mr. Joey Wilson were the WCE employees working on the project. Mr. Steward stated that he (MGS architects) was also working on the project.

Mr. Dennis repeated Chairman Burroughs question: Did either WCE employee have a soil engineer stamp. Mr. Wilson asked if he meant soil as in geotechnical engineer. Mr. Wilson stated it was not a geotechnical project. It was a civil hydrology type exercise: structural soils and elevation design. He stated that that was in the scope of WCE’s work. Mr. Wilson stated he was a licensed civil engineer, Mr. Olesky was also a P.E. and Mr. Steward was an architect. It was a straight forward project for the company.

Mr. Wilson reiterated their testing of soils in the area and the water filtration. In their testing they were not differentiating between gravel and pavement; for their models they were considering everything pavement (impervious). WCE was trying to be as conservative as possible.

Commissioner Hannum explained to others that WCE was making their projections better by saying (for testing) the lot was paved instead of gravel. He then asked if the dealership would be taking out any gravel (that’s bad) they had put in.

Mr. Olesky did not have a firm answer; discussions had been held internally about the parking lot and future plans.

Commissioner Hannum stated he was concerned about what it was filled with and asked. Mr. Olesky stated he did not think anyone knew. Mr. Steward stated he did not think they had contaminated the soil.

Chairman Burroughs asked about oil leakage into the soil. Representatives hoped that the staff would take care of any leakage from vehicles. It was not a junk yard. The chance of a leak was minimal. Everything that is new will be self-contained in the drainage swales and filtration areas up to a ten year rain event before it directly discharged. It would also be approximately 100 feet away from the wetland area or drainage way.

The Commission and Representatives continued their walk about.

Two ledge outcroppings were identified, WCE’s surveyed area was indicated, the proposed grading of the area and retention areas were identified and the proposed area for new vegetation and swales were indicated.

Commissioners pointed out the questionable fill and lack of silt fence. Mr. Olesky again explained WCE could only request that the dealership do things; they could not force them to. The group continued to discuss their concerns with the current soil/gravel/fill. Some Commissioners stated that the company should be fined.

Mr. Olesky stated that the parking lot would be raised approximately 1 foot. He said their proposal to the dealership would make suggestions on what to use for the fill. Crushed blue stone would be the top coat proposed. Mr. Wilson addressed the leveling and finish work as well.

Chairman Burroughs asked for the plans for snow removal.

Mr. Olesky stated the information was on the new plans. He explained that the concept was that the storage areas around the perimeter would be sufficient to store the snow (during the winter months). In the spring the melted snow would drain down the drainage ways.

Chairman Burroughs addressed Mr. Olesky and explained that when snow was plowed the air was taken out of it. The dealership would pile it over the swales and it would harden. When there was a rain storm the snow/ice would go over the bank of the swale. Mr. Olesky and Chairman Burroughs discussed the process and potential problems of stored snow and rain water drainage.

Mr. Olesky then indicated the proposed area for greenspace and the responsibility of the dealership to dredge the excess fill from the swale for optimum efficiency. That will be part of WCE's proposed plan, if the Board considers that as a condition; that is in their purview.

Additional items noted were: the general lot size of the dealership and its topography, the way the retention ponds will work, proposed water filtration for DES specifications, revegetation and creation of some of the swales.

Mr. Dennis asked about Mr. Wiggins (Town P.E.) water concern. Mr. Olesky explained the concern was of a surveying nature; they had done additional surveying on August 15, 2017 to get the requested information (on the drainage swale, its outlet and capacity) to Mr. Wiggins.

Items of note from the July 25, 2017 meeting are noted below in black (blue indicates information given on 8/15/2017):

1. The plans that the Commission had been given on July 25, 2017 were only 90% complete. Newly completed plans had been submitted to the TOPAZ office and Mr. Larry Wiggins; the new plans had not been distributed to the Conservation Commission members. The new plans shown during the site visit included changes the Commission members were not aware of. When asked, Mr. Olesky stated the newest plans had been submitted to the Town Office.
2. At the July 25, 2017 Conservation Commission meeting, Chairman Burroughs had asked when a corrected copy of the site plan would be submitted to the Conservation Commission so they could go on a site visit. He stated if plans were available for the Commissioners before August 15, 2017 they would go on a site visit (before the September Planning Board meeting). This had not been done.
3. The small addition to the recon building (wood building behind the main building) was for detailing only. Mr. Jeffrey Olesky and Mr. Mark Steward repeated that the wooden building would be used for detailing only, there would not be any water used in the building.
4. New electrical service installed for recon building and parking lot. Parking lot lighting. Mr. Steward stated that the lighting design was on the new drawings. Mr. Olesky and Mr. Steward repeated during the August 15, 2017 site visit that there would be LED lighting used in the parking lot. They had spoken to Mr. David Gifford, general manager; he stated it would be shut off nightly at approximately 9-10 PM. One or two with security lights (downcast and shielded), mounted on the building and would remain on all night.

Items of concern and discussion during the site visit were: the parking lot, storm water evaluation and evacuation, erosion control and snow removal procedures.

- The purpose of the back parking lot? Vehicle storage (new and used), not for display items.

- Snow removal. There was a lengthy discussion about the Conservation Commission's concerns with the swales, plowing and storing of snow. Chairman Burroughs wanted a definitive answer to the GMC dealership plan for appropriate snow removal and storage (see additional info in minutes).
- Detail of parking lot-noting paved versus gravel. See additional information above.
- Size of lot. Was not given.
- Current soil make up. There was concern about the contents of the fill that the dealership had used to level and create the back parking lot. Representatives admitted the content was unknown.
- Retention ponds (original and new) See information above.
- Was information gathered from soil engineer? Mr. Wilson, civil engineer, stated that he and his company had gathered the information. It was a civil hydrology type exercise: structural soils and elevation design. He stated that that was within the scope of WCE's expertise.
- Wetlands report. Will be submitted by Jonathan Sissons. Hard copy of the report was shown to Chairman Burroughs at end of visit.
- The placement of a silt fence and full erosion control. There was no silt fence or erosion control present during the site visit by the Conservation Commission.
- The grading of the land. General information given not specifics. See information above.
- Calculations and square footage noted on final site plan. Only general indicators were given of the area, no exact footage was given during site plan visit. Representatives stated it was noted on the new site plans given to the Town Office.

At the July 25, 2017 meeting, Ms. Magnuson had stated the site plan should show the entire six lots and their use. Plans with the six lots were not shown to the Conservation Commission. Plans shown were limited to the parking area in question. The plan should also show to scale the parking area that was approved separately. This was not shown separately to the Conservation Commission.

Ms. Magnuson had stated it should be shown as approved; if the GMC dealership wanted to pave more of it, it should be shown. This was not shown to the Conservation Commission. The WCE representatives stated that the proposed parking lot would have crushed packed rock and the paved area that was already there.

At the July 25, 2017 meeting, Chairman Burroughs had asked what effect the cutting has had on wildlife and threatened and endangered species. Mr. Olesky stated during the site visit that he did not believe there had been any effect. He showed the Conservation Commission members the areas that had been clear cut as of December 2016. New growth of 1-9 feet in height was now present at that area of the site (August 15, 2017).

- It was requested that Jonathan Sisson and the engineer be at the site meeting. Representatives of the WCE engineering company and MGS were present; Mr. Jonathan Simmons had submitted a report.

Chairman Burroughs asked specific questions he had from the old plans. Mr. Olesky answered all questions.

Mr. Olesky reminded the Commission that all their Erosion Prevention Containment systems (EPCs): were all recommendations and expectations of the dealership. Their company (WCE) could not, however, enforce them.

The representatives were asked if the owners of the dealership were invited to the meeting. They stated no. Mr. Steward stated that in hearings and site visits in other locations the owners were not in attendance.

There were no further questions from the Commission members. Mr. Steward asked what the role the Conservation Commission had with the approval and with the Planning Board. Chairman Burroughs stated he would submit the Conservation Commission's thoughts and recommendations along with photos to the Planning Board. Then the Commission's role was completed. Mr. Steward asked if they (WCE and MGS) would see the report before the Planning Board hearing. He was told it would be up to Ms. Magnuson.

Mr. Olesky stated in the next few days they would address the concerns of the Conservation Commission. He reiterated it was a less than ideal situation for them. WCE was trying to do their best to make the project comply; he reiterated the awkward position they (WCE) were in. They wanted to improve it; not leave it in its current condition.

Mr. Olesky thanked the Commissioners for their time.

After discussion by the Conservation Commission members the following was decided: Recommendations by the Conservation Commission for conditions for approval by the Planning Board will be:

1. The lights will be downcast and shielded.
2. Timeframe will be established for parking lot lighting.
3. No snow will be plowed in the direction of any of the wetlands.
4. Submit in writing the proposed management plan for the swales and retention pond that GMC will be responsible to implement and follow

On a motion by Mr. Hannum, seconded by Mrs. Boffo; *the Conservation Commission approved the four recommendations for the Planning Board. The motion passed 4-0-0.*

CONTINUED BUSINESS:

MINUTES: July 25, 2017

July 25, 2017

On a motion by Mr. Hannum, seconded by Mrs. Dennis; *the Commission voted to approve the minutes of the June 25, 2017 Conservation Commission meeting as presented. The motion passed 4-0-0.*

ADMINISTRATION: none

ACTION ITEMS:

Barton Lot

There was a discussion concerning the continuing infractions occurring along the Barton property and the length of time that the Conservation Commission had been trying to rectify the violations. Chairman

Burroughs will contact Town Manager Rieseberg and give him all information the Commission had accumulated over the past two years. It was decided, *by a consensus of the Conservation Commission members present, that it would be put in Town Manager Rieseberg's hands.*

Markers in Town Forest

Chairman Burroughs stated the metal stakes to mount the conservation markers were not in. When they were the Commission would place them in appropriate locations in the Town Forest and along the Barton property line to indicate the boundary of Newport's Conservation Easement lands.

Preliminary Assessment Values of Conservation Property

Chairman Burroughs informed the Conservation Commission members that he had received a letter which stated the values of the properties of the conservation lands under their jurisdiction. The statement showed three property values, but did not give names to any of them. Property values were:

\$7600

\$7900

\$7300

Workshop

A conservation commission workshop will be held during September 2017 in Charlestown, NH. Each member had been given notification of it through the mail.

Other

Chairman Burroughs distributed a list of endangered species.

Chairman Burroughs has been looking through the old Ruger Gun Range Project documents at the Town Office for information having to do with endangered species accumulated by the Coalition against the proposed range. He had not been able to find information on the GMC lot they had put together and filed in the TOPAZ office. Commissioner Linda Dennis volunteered to contact a member of the Coalition for the information.

There was general discussion on the advisory report which would be presented to the Planning Board for their consideration and recommended conditions by the Conservation Commission for a proposed approval of the final site plan review of Case **2017-SPFP-007: RHTL Partners, LLC (Owners) DBA Newport Chevrolet Buick GMC and Mark Stewart (Agent).**

On a motion by Mr. Hannum, seconded by Mrs. Boffo; *the Conservation Commission voted unanimously to adjourn at 8:01 p.m.*

Respectfully submitted,

Maura Stetson
Scribe

Approved: October 17, 2017