



May 23, 2023

To: Nottingham Planning Board

From: Nottingham Conservation Commission

Re: Case # 23-004-SUB Application from Berry Surveying and Engineering on behalf of Owl Ridge Builders requesting a twenty-five (25) lot Open Space Design (OSD) subdivision. The property is located on Smoke Street and Fort Hill Road and is identified as Map 23, Lot 11. Two CUPs are requested; one addresses Article III, Section B, #6, to permit a request to allow disturbance within 25 feet of a wetland. It is this request that falls to the Commission for review.

Dear Planning Board Members:

At the Commission meeting of May 8, 2023, Mr. Christopher Berry was in attendance to review the development plans for the proposed subdivision. The Commission was interested in reviewing and discussing the natural features of the parcel with Mr. Berry to ensure that environmental impacts would be minimized during construction and preserved as best as possible for the future.

The parcel contains 102 acres; the applicant is requesting an Open Space Development (OSD) design that will preserve approximately 75 acres in open space. What portion of the 75 acres are upland or wetland areas has not yet been determined. Mr. Berry reviewed the plan set and Project Narrative (provided to Planning Board dated 4-20-23) with the Commission members. These materials described the three (3) wetland systems, wildlife studies and vernal pool identification (no vernal pools were found on the site).

Of concern due to the location, topography of the site, proximity to bodies of water and located in part over an aquifer, measures and systems to control and treat storm water runoff and its impacts such as rate of discharge, volume, and the quality of that runoff with attention to nitrogen and phosphorous content were designed. Storm water analysis for 2, 5-, 25-, 50-, and 100-year storm events were considered in designing treatment systems. Gravel wells and rain gardens are planned for such mitigation. Erosion control measures include only vegetative mulch berms and silt socks (no jute nor plastics).

Each house will have a down spout and/or a drip edge that will be directed into a dry well. Perimeter drains (foundation drains) will also reduce runoff from impervious surfaces by directing rainwater into the ground water system.

The wetland impact for disturbance within 25 feet of a wetland was studied; it was determined that the OSD design and the resulting proximity to the wetland was a fair trade off, and that the disturbance would be minimal.



The potential archeological significance of the esker located in the central portion was of concern. A study was conducted by Monadnock Archeological Services that indicated no paleo human activity at the site. There was some discussion about the large area of disturbance to this esker.

Other concerns put forward by Commission members were as follows:

- To limit the use of road salt in the aquifer area.
- That 4-6" of loam be replaced on the entire lot site to encourage revegetation.
- Timber cutting be suspended from April 1 to October 1 with respect to wildlife breeding, the rearing of young, and subsequent migration.
- That signage (medallions) be erected to identify the open space area and to identify the wetlands and the wetland 25' no disturb buffers.
- That percentage of upland vs wetland will be determined and added to site plans [the portions should conform to Nottingham Zoning Ordinance Regulations (amended 28 March 2023) Section S. 9. (a: *Not more than 50 percent of the Designated Open Space may consist of otherwise non-buildable areas. A minimum of sixty (60) percent of such Designated Open Space shall be contiguous and should, when practical, connect with existing trails, conservation easements, parks and other types of open space*].

All of these points were acceptable to Mr. Berry. He will post signage along the internal roads to identify a minimum/no salt use area, will post wetland buffers and easement medallions, the latter of which have been used to denote protected areas in public lands and OSD subdivisions. Only minimal tree and vegetation removal will occur during the sensitive wildlife period.

In summary, the Commission approves the application for a CUP to allow disturbance within 25' of a wetland per Article III, Section B, #6.

The Commission is grateful to The Planning Board and the applicant for the opportunity to review, discuss and provide input re: potential projects in order to ensure the protection of Nottingham's rich natural history that includes fresh water for residents, minimal intrusion to our rural character and robust protection for our wildlife habitats and their residents.

Respectfully,

A handwritten signature in blue ink that reads "Sam Demeritt". The signature is fluid and cursive.

Sam Demeritt, Chair