

**Minutes of the Peterborough Conservation Commission Site Visit
November 11, 2010, 4 p.m., 470 Hancock Road**

Present: Jo Anne Carr, Matt Lundsted, Francie Von Mertens, Robert Wood; Tom Weeks; Denise and Scot MacKenzie

The site visit related to the Zoning Board of Adjustment's rehearing of its decision to grant a variance for incursion into the town's Wetlands Protection District (Case 1159-A / 470 Hancock Road).

Conservation Commission members looked at the as-built septic plans supplied by Code Officer Tom Weeks which showed the septic system south of the location shown on the plan that was submitted to the ZBA for the case. It was determined that the structure could be located closer to the house, with less impact to the town's Wetlands Protection District (WPD).

The ZBA finding that the structure on the submitted plan had been situated so as to minimize impacts to the WPD was not true at the time; and with the new information about the septic system's actual placement, there is further opportunity to lessen impacts to the town's WPD.

The applicant said that some 30 trees were cut and stumped in the WPD, an area that now is lawn and extended driveway. Depressions on the driveway indicate the underlying wetland soils.

Code Officer Weeks said the applicant would have to seek a variance from town code as the building does not comply in several ways, including lack of a foundation. He said a foundation would not necessarily increase the area of impact on the WPD. The application indicates the area of disturbance to be slightly larger than the area of the structure, which measures 40x46 feet.

The applicant repeated that he intended to take the structure with him if he moves, and in that way it is not a permanent impact on the WPD. Removal of the structure was not a condition of the ZBA approval.

Applicant MacKenzie's lawyer Mr. Little said he would deliver a revised plan showing the true location of the septic, and a repositioning of the structure so as to truly minimize impacts on the WPD. He said he would request an amended application at the November 16 ZBA meeting, although it's unclear whether ZBA procedure allows an amended application.

ConCom members agreed they could not recommend approval of the plan as submitted; that the impacted NHDES jurisdictional wetland area would have to be revegetated to meet Wetlands Bureau standards; that "necessary use" was not the purview of the ConCom.

Carr and Von Mertens will look at the revised plans on Monday, and draft comment to the ZBA for November 17's rehearing of the case.

/fvm