

**Enfield Conservation Commission – Meeting Minutes**  
**DEPT OF PUBLIC WORKS/ZOOM PLATFORM**  
**January 25, 2022**

**CONSERVATION COMMISSION MEMBERS PRESENT:** Jerold Theis (Chair), Leigh Davis, Shirley Green, John Welenc

**CONSERVATION COMMISSION MEMBERS ABSENT:** Dolores Struckhoff, Sue Hagerman\*

**STAFF PRESENT:** Whitney Banker-Recording Secretary

**GUESTS:** Roderick J. Finley

*\*Note – the Zoom meeting link on the agenda was incorrect, and the meeting was not able to be held via Zoom as a result. Ms. Hagerman emailed the committee to say she had the same login issues, however, was able to use the Town Calendar Zoom link which was correct. The commission did not discover this message until the end of the meeting. Ms. Hagerman and landowner for the 88 George Hill Road development project, Mr. Tabor attempted to join via Zoom. For future meetings, the Zoom link for both the Agenda and the Town Calendar will be checked.*

**I. CALL MEETING TO ORDER:**

Chair Theis called the meeting to order at 8:05 p.m. and took a “roll call” of members present, introducing them to Mr. Finley.

**II. NEW BUSINESS:**

**A. Development Project at 88 George Hill Road – Interview Mr. Roderick J. Finley, Vice President, Director of Engineering Services, Pathways Consulting**

**The parcel of land is located on Tax Map 9A Lot 6**

Mr. Theis said that in 1942 the Town of Enfield passed a warrant article regarding wetlands. Most of the warrant is not relevant to Mr. Finley and landowner (Mr. Tabor), however there is a portion of wetland around George Pond that may pertain to the development project. Mr. Theis provided Mr. Finley with a map of the wetlands to review with his concern. Mr. Finley stated that he believed the house site was in a location that was not affected by prime wetlands. Mr. Theis said that he did not see a delineation between the wetlands on the first map and where Bog Rd. sits. Mr. Finley referenced another map and explained the proposed location of the house (as well as the approximate location of the pond). Ms. Davis asked for clarification on the location of the house site in relation to the pond. Mr. Finley clarified the location of the shoreline, and

41 wetlands. Mr. Theis said that the diagram Mr. Finley had provided did not show the wetlands  
42 which concern him. Ms. Davis asked, are all 3 wetlands (streams) crossed? Mr. Theis said yes,  
43 they will have to cross all three with the driveway to the proposed house site. The two maps  
44 continued to be reviewed by the commission and Mr. Finley. Mr. Theis said he was concerned  
45 that the two maps did not have the same wetlands outlined. Mr. Finley explained the location of  
46 the wetlands on the two maps, including that his map only indicated prime wetlands, and the  
47 proposed location of the house and driveway.

48  
49 Mr. Theis marked on the map from Mr. Finley the location of the house. Ms. Green asked how  
50 many feet are the wetlands from the water? Mr. Finley showed a larger map for the commission  
51 to review. He explained the 50', 100', 150', and 250' markers from the shoreline of George  
52 Pond. Mr. Theis said that according to the regulations he has, when a building involves prime  
53 wetlands, it is bumped up as a major development. Normally the state of NH requires a setback  
54 of 100', however they did away with this requirement and deferred it to the community. Mr.  
55 Theis said this is a problem as the wetlands on the map were created from a warrant article by  
56 citizens of Enfield. It is the job of the Conservation Commission to see that is not impacted in  
57 any way. Not only from the building, but any drainage from the house site, driveway, etc.

58  
59 Mr. Finley agreed that he understood. Mr. Finley explained that he plans to treat the run-off on  
60 site, including drainage that will likely not affect the wetlands. Mr. Theis asked who is designing  
61 the house? Mr. Finley said that [Bensonwood Homes](#) will likely be designing the house. Ms.  
62 Green asked how many square feet is the house? Mr. Finley said 3600. Mr. Theis said how many  
63 stories? Mr. Finley said it is two stories, as it will have a walk-out basement. Mr. Theis asked for  
64 clarification of the basement's location in relation to the ground level. Mr. Finley provided a  
65 sketch to illustrate the walk-out basement, and the grade of the land planned to allow for a  
66 walkout along the front of the basement (only along the front). 3 walls are concrete – 2 are step-  
67 concrete, and one wall of the basement is a studded wall (this is the walk-out portion). Ms. Green  
68 asked what kind of a septic system? Mr. Finley said it would be a Presby system. He pointed out  
69 the location of the planned septic system on the map, including locations of pipes from the house  
70 to the tank and leach field. Mr. Theis asked, the pump station will be going 75' according to the  
71 diagrams he has seen, is this just clear water? He also asked, how high above the septic system  
72 will the clear water be taken from the pump station, what is the elevation between the tank and  
73 leach field? Mr. Finley drew another rough illustration to show the location of the tank and  
74 elevation, and the pipes where the pump station will then go uphill to the system near the garage.  
75 Ms. Green asked is this not a conventional system, is there no treatment for the wastewater? Mr.  
76 Finley stated it is a high-tech system, is state approved, that will treat the wastewater, and with  
77 proper function will have no impact on George Pond.

78  
79 Mr. Theis asked will Mr. Tabor (the landowner) have a backup generator? Mr. Finley stated he  
80 believed this is the plan. He will follow-up with Mr. Tabor to ask. Mr. Finley said Mr. Tabor  
81 plans to have some solar power as well.

82 Mr. Theis asked what is the slope of ground around the leach field? The entire box did not seem  
83 to be the entire field. Mr. Finley stated that the box shown for the leach field on the map is the  
84 correct size for the proposed number of bedrooms of the house. Mr. Theis asked about the  
85 number of bedrooms, one application states 4 and Mr. Finley had stated 3. Mr. Finley said he  
86 will review the application and confirm the number of bedrooms.

87  
88 Mr. Welenc said Mr. Finley had earlier stated the streams were not prime wetlands, and he did  
89 not agree with this. Mr. Finley explained they are not designated as “prime” wetlands, although  
90 they are still wetlands. Mr. Welenc said he was not aware of the limits. If the build is right near  
91 the pond, this is part of the prime wetland? Mr. Finley said that the building is planned for  
92 upland from the prime wetlands. Ms. Green asked, what about the fertilizer? It sounds as though  
93 there will be a tremendous amount of fertilizer – what will it be used for? Mr. Finley explained  
94 that the lot would be mostly forested, but there would be seeding and loam along the entire side  
95 slope of the driveway. Mr. Theis asked for the fertilized areas to be drawn on the map. Mr.  
96 Finley explained that he would put traditional stormwater drainage to trap sediment and  
97 fertilizers along the areas of seeding. Mr. Finley drew on the map the areas along the driveway  
98 that will be seeded and have loam and fertilizer. Ms. Green asked how wide will the road be?  
99 Mr. Theis stated it will be 10’ wide. Ms. Davis asked will they salt the driveway? Will they be  
100 here year-round? Mr. Finley said yes, they will live here year-round.

101  
102 Mr. Theis asked, the application states 340 pounds of fertilizer per acre, with a 10/20/20 mix?  
103 Mr. Finley confirmed yes. Mr. Theis asked for clarification of the fill (where is it coming from  
104 and going to) and dredging. Mr. Finley said it is all graded, and the contour lines are shown on  
105 the map. He explained the locations where proposed fill, and ditches, would be along the  
106 driveway as an example. Mr. Theis asked for an estimation of the fills. Mr. Finley said the cuts  
107 and fills balance, they haven’t established quantity yet. Gravel will be brought in, the road will  
108 be sub-graded, and the idea is the balance cuts so excess fill is not brought in. Mr. Finley said  
109 they would likely use Mr. Conkey’s gravel pit (up the road) for the gravel. Mr. Theis said they  
110 would not want to use Bank-Run gravel from there, he has had it and it was a product with a lot  
111 of runoffs. Mr. Finley made note of this.

112  
113 Mr. Theis stated that the area from Mr. Malz’s place (he believed to be recently sold) down to  
114 George Pond has no forest in the area. Mr. Finley stated that the area he had walked was all  
115 forest, he had visited over the past 8 months. Mr. Finley stated that the streams were dry in July.  
116 Mr. Theis and Mr. Welenc stated that in April the locations would be considerably wetter. Mr.  
117 Finley said that the soil test pits were all well drained in the areas of question. The perc tests  
118 were 20m to empty. Mr. Theis asked how many gallons would be pumped from the septic? Mr.  
119 Finley clarified that he would double check if the home were 3 or 4 bedrooms. The water would  
120 be treated by the enviro-septic. Mr. Theis asked if the leach field would absorb the water that  
121 flows from the system. Mr. Finley said it would leach from the system, but supposedly if the  
122 state setbacks are met, the water is considered clean at the setback limits. Mr. Theis said Enfield

123 does not have setback limits, and it takes 100' for the system to properly clean the water. Ms.  
124 Green said that her system has three separate tanks that it goes through before it goes into the  
125 soil, and as a result, her leach field is very small. She had hoped that the landowners may be  
126 using this type of system. Mr. Finley said that the State would review their proposed septic  
127 design, he has not yet submitted it to the state for approval.

128  
129 Ms. Davis asked has this been submitted to the state? Mr. Finley said the wetlands application  
130 had been, and the septic system had not been yet. Due to the time that it takes for the  
131 applications to be approved, he generally submits the septic later. Mr. Theis asked what is the  
132 sub-soil below the gravel? Mr. Finley said there is a complete site soil survey, with soil augers  
133 all the way down along the driveway, all soils were analyzed. Mr. Theis asked what is the  
134 compression in that soil? Mr. Finley said that they vary with the length of the land. Mr. Theis  
135 said he was concerned about the area when wet for emergency vehicles like fire trucks to access  
136 the home. Mr. Finley reviewed the proposed driveway with 12" class C stone fill, 12" gravel,  
137 and fabric underneath and separate sub-soils all to provide strength for emergency vehicles. Mr.  
138 Theis said that if a fire truck will not be able to get to the house, fire insurance cannot be  
139 obtained for the house. Mr. Finley said that they are designing the driveway to allow access to  
140 fire and emergency vehicles.

141  
142 Mr. Theis said, about the fertilizer, you know these are going to be potassium, nitrogen, and  
143 phosphorus, most are going to be salts. The nutrients produced can cause cyanobacteria to  
144 flourish. George pond drains into Knox River, which goes into Mascoma Lake, as a source of  
145 drinking water for Lebanon. The cyanobacteria considered a neurotoxin. One thing the  
146 Conservation Commission looks at is maintaining water quality. Mr. Theis said that a large  
147 amount of fertilizer may drain and could cause problems to come up with the cyanobacteria.

148  
149 Ms. Davis said she had received a phone call from a friend, the Tabors were trying to get into the  
150 meeting but were unable to access the Zoom (as the Commission was too).

151  
152 Ms. Finley said that they meet the town setback from prime wetlands. Mr. Welenc said that it is  
153 so close, he does not feel that it doesn't impact wetlands. To allow someone to put a house next  
154 to the area could set a precedent in the town for future issues building. Ms. Green said there are  
155 plenty of other locations on the land where a house could be placed further from the wetlands.  
156 Mr. Welenc said that the wetlands in this area were 5X higher than any in the town when the  
157 ratings were done in the 90's. Ms. Davis and Ms. Green agreed this was important. Mr. Finley  
158 said the landowners love the spot for this reason. Ms. Green said they should educate themselves  
159 further regarding the wetland's issues. Ms. Davis said if they were in the wetlands, it would  
160 require a public hearing. Mr. Finley said they are planning to build close to the pond. Along the  
161 driveway they plan to treat the stormwater and will put 3' culverts in, buried.

163 Mr. Theis pointed out an aquifer on the map, important for drinking water. The aquifer is close  
164 to the proposed house site, and construction is not permitted on top of an aquifer. The wetland  
165 scientist that had reviewed the land did not mention the aquifers in the area. The aquifer has the  
166 potential to be contaminated from the proposed home location. Mr. Theis asked for confirmation  
167 that the grading around the house is downhill? Mr. Finley said it is.

168  
169 Mr. Theis said that the area is a corridor for wildlife. He showed Mr. Finley on the map the  
170 known location where wildlife moves along the area to get to George Pond. He pointed to the  
171 areas of the highest-ranked habitat in the biological region and in New Hampshire. He said it has  
172 been shown if you build structures within 300' of a corridor the wildlife is blocked from going  
173 there. The area in question is near conservation, and a corridor wildlife use to get to and from the  
174 conservation areas. He pointed out on the map locations that were less environmentally  
175 important. Mr. Theis pointed out that there are alternative sites on the property that represent less  
176 of an environmental impact, and risk, than the currently proposed home site. Mr. Theis said they  
177 are not trying to keep the property owners from using their property, but that property owners  
178 also have a responsibility to the community, the wildlife, the water, the functions of the wetlands  
179 on their property.

180  
181 Mr. Theis said there are other things they don't have the data on, which they cannot get at this  
182 time of year. The commission would like to know the extent of important or endangered plants  
183 and animals in the location. Mr. Theis said there are some plants that are endangered that grow  
184 in the wetlands. The wetland scientist did not provide any information about the presence of  
185 those plants on the property. Mr. Finley said that the wetlands scientist had looked only at the 5  
186 wetland areas across the property. Ms. Davis said she knows there are vernal pools there which  
187 had been previously discovered by an environmental biologist in this area near George Pond. Mr.  
188 Finley said there are no vernal pools on Mr. Tabor's property. Mr. Welenc said the proposed  
189 house site is as close to the prime wetlands area as one can get. He did not disagree that it might  
190 be a good building site, but wonders, is it worth the risk to the current area and the town  
191 precedent it might set? Mr. Finley said that the site plan design he would put together for the  
192 house would take this into consideration. Mr. Welenc said he continued to be concerned, as this  
193 is a delicate area with an amplified risk.

194  
195 Mr. Welenc asked Mr. Finley if he had any questions for the commission. Mr. Finley did not  
196 have any. He said he was clear with the details that the conservation commission had shared. He  
197 likes the idea of limiting the fertilizer. He will check on the number of bedrooms for the  
198 proposed home. Mr. Theis said he had only been given a copy of the application, as well as the  
199 maps. The commission wanted to show Mr. Finley the extent of the prime wetlands, and to make  
200 sure that his diagrams understood their location so they would not encroach on it. Mr. Theis said  
201 even if the proposed home doesn't encroach, there is the issue of erosion, impact from  
202 construction. Mr. Finley said he has been hired to oversee the entire construction to make sure  
203 there were not issues like this. Mr. Finley explained an example of another construction site

204 along the Connecticut river where his firm closely monitors construction in areas where there  
205 could be impact to wetlands, endangered species, etc. Mr. Finley said they monitor erosion  
206 weekly and after every rainstorm and write reports for this monitoring.

207  
208 Mr. Theis asked Mr. Finley to send the conservation commission:

209 -Information regarding the septic system leach field (dimensions, gradation of the leach field  
210 down to the wetland area). Mr. Finley said he would not have this done for some time. Mr. Theis  
211 explained that when it is available, the commission would like a copy so they can write their  
212 report to the state. The commission is an advisory body, that the state as the regulatory body  
213 relies on to provide comments on any conservation concerns.

214 -What are the Tabor's views on building at the alternative site up the hill? Mr. Finley said he  
215 believed the issue was the steep grade, he did not believe Mr. Tabor would be interested in  
216 building in that location.

217 -With a 3000' driveway, are there intentions of building any other places in there to sell in the  
218 future? Mr. Finley said that he did not believe this is the plan and will check with Mr. Tabor.

219 -How high will the footprint of the house's elevation be above the surrounding ground level?  
220 Mr. Finley will clarify the height of house over the existing grade, as well as the cubic yardage  
221 of fill. Mr. Finley drew on the map that he had drawn on earlier locations of proposed fill along  
222 the driveway (the wetland locations would not have fill). Mr. Theis said if there is not fill it is  
223 possible for sediment to go into the wetlands, though the way Mr. Finley plans to design the  
224 driveway this may be stopped. Mr. Finley clarified the locations of the ditches and culverts. Ms.  
225 Green asked, for storm water runoff and snow melt, the water will all go into George Pond  
226 eventually, and then Mascoma? Mr. Theis said George Pond is drained by the Knox River,  
227 which flows into the Mascoma Lake.

228  
229 Ms. Davis said she would be interested in what the landowners will do in the winter to make the  
230 driveway passable. Will they plow it, use salt, etc.? Mr. Finley said in his own driveway he  
231 plows and sometimes puts sand down, and sand/salt if it is very icy. Ms. Green asked what is the  
232 elevation of the driveway? Mr. Finley said it varies, but the plan set has a profile with all grades.  
233 The maximum is 12%. Mr. Theis asked what is the elevation of the area suggested as an  
234 alternative building site? Mr. Finley said the slope of the land is 15-20%. Mr. Theis asked about  
235 an area that appeared to be mostly flat. Mr. Finley said this is all wet area. Mr. Finley and Mr.  
236 Theis reviewed the map elevations, and Mr. Finley explained the driveway moves back and forth  
237 due to the steepness of the land. Mr. Theis asked if there were any other places where a property  
238 could be made? Mr. Finley said it was possible, but with a lot of land work.

239  
240 Ms. Davis asked, with someone moving deep into the woods, what will the landowners use for  
241 bug control? What goes into the air, goes into the land, and into the water. This is important to  
242 think about.



Mr. Theis asked the commission if there were any further questions for Mr. Finley. There were none.

Mr. Theis will write a draft report to the bureau of wetlands and will send copies to the commission through email. He asked commission members to read it over and send any changes to him. The final copy will be sent to the bureau of wetlands, to Mr. Finley, Mr. Tabor, and Mr. Rob Taylor (Enfield's Land Use Administrator). Mr. This said his points will be made on protecting the wetlands, wildlife corridors, and water safety. Mr. Welenc said the felt there should also be note made of setting a bad precedent for future development. Mr. Theis said this is likely to happen again, as a neighboring property has the same terrain as the Tabor property and was recently sold. There has not been any application yet for that property. Mr. Welenc said this would be in line with setting a precedent. Ms. Green said with a year-round resident, the runoff from the terrain would be quite great. Mr. Theis said that according to FEMA there is a 20% chance that there could be a flood in that location at any point. Ms. Davis asked, would it help to write up a warrant to make the setback 125'? Mr. Theis said he would discuss with Mr. Taylor, who had indicated that the town may be able to institute this provision on their own, so a warrant article may not be necessary. Ms. Green said that the state expected the communities to have a stronger setback, however Enfield does not. Mr. Welenc agreed that is why this is important. Mr. Theis said he will plan to follow up with Mr. Taylor and will let him know about the importance of this.

### **III. REVIEW MEETING MINUTES: December 10, 2021**

***Mr. Welenc MOVED to approve the December 10, 2021, Minutes presented in the January 25, 2022, agenda packet as presented and amended.***

***Seconded by Ms. Green***

Amendments: N/A

#### **Roll Call Vote:**

**Jerold Theis (Chair), Leigh Davis, Shirley Green, John Welenc all voting Yea.**

**None voted Nay.**

**None Abstained.**

***\* The Vote on the MOTION was approved (4-0).***

### **IV. OTHER BUSINESS:**

None.

**V. NEXT MEETING:** February 3, 2022 (Mr. Welenc will not be present for this meeting).

**VI. ADJOURNMENT:**

***Mr. Welenc MOVED to adjourn the meeting at 9:00p.m.***  
***Seconded by Ms. Davis***

Amendments: N/A

**Roll Call Vote:**

**Jerold Theis (Chair), Leigh Davis, Shirley Green, John Welenc all voting Yea.**

**None voted Nay.**

**None Abstained.**

***\* The Vote on the MOTION was approved (4-0).***

Respectfully submitted,

Whitney Banker

Recording Secretary