

TOWN OF ALLENSTOWN
Zoning Board of Adjustments
Allenstown Fire Station
1 Ferry Street
Allenstown, New Hampshire 03275
December 11, 2019

CALL TO ORDER

The Allenstown Zoning Board of Adjustments meeting of December 11, 2019 was called to order by Chair Keith Klawes at 6:33 pm. Chair Klawes called for the Pledge of Allegiance.

ROLL CALL

Present on the Board: Dawna Baxter, Jeff Gryval, Keith Klawes, Chad Pelissier

OTHERS PRESENT

Silas Canavan, Walsh Engineering; Carol Angowski, Abutter

OLD BUSINESS/RECIPT OF APPLICATIONS& PUBLIC HEARINGS

None.

NEW BUSINESS/RECIPT OF APPLICATIONS & PUBLIC HEARINGS

1. ZBA Case#2019-09 – Casella Waste (Map #105 Lot #37 & 38) Zoned: CLI- Variance: Requesting construction of a subsurface gravel wetland & roof drain system within the 50-foot wetland buffer. (Article XXV Section V.C.6.b) V. Permanent Stormwater Management Requirements C. Protection of natural hydrologic features and functions 6. Priority shall be given to maintain existing surface waters and systems, including, but not limited to, perennial and intermittent streams, wetlands, vernal pools, and natural swales. b. Existing surface waters (Fourth Order Streams & higher) as well as wetlands shall be protected by a 50-foot, no disturbance, vegetated buffer.

Chair Klawes first informed the applicant that they did not have a full Board, having only four of five members and no alternates. He said the applicant has a right to be heard before the full Board.

Mr. Canavan said he would like to proceed without a full Board. He began his presentation, saying that Casella owns the Allenstown transfer station.

Ms. Angowski stated that, as an abutter, she had received notices of this meeting and the Planning Board meeting. She asked why this was not a joint meeting.

Mr. Gryval said the ZBA variance was needed first, and if it were not granted, there would be no need for a Planning Board meeting.

Chair Klawes added that it would be premature to bring them in.

Ms. Baxter said they might have done a joint meeting, but for the timing of the paperwork and legal deadlines.

Mr. Canavan continued, referencing 102 and 104 River Road. These wetlands, he said, are the subject of the proceedings. He said that in the summer of 2019, Casella received approval to install a stormwater treatment system. Phase I involved the installation of a Clara unit, which is a separation device. This has been done. Phase II is the construction of a subsurface gravel wetland and roof drain system within the 50-foot buffer and for which a variance is needed. He displayed graphics of the plan, saying they have installed new pipes which have been raised a bit and flattened to raise the elevation of the stormwater. Thus, the stormwater will flow through the gravel to the wetland, receiving treatment via filtration, settlement and biological actions. The reason for the variance, he said, is that a portion of the construction for the roof draining system is within the 50-foot setback. Paving which is disturbed during construction will be repaved, with no change to the impervious area. He said there is no way around creating another wetland in the 50-foot setback, but at the end the area will be improved because it will be turned back into its natural condition, versus the lawn there now.

Mr. Gryval asked why Casella is doing this.

Mr. Canavan responded that they have to gather stormwater samples regularly and upload them to an EPA website.

Mr. Gryval asked about the useful life of this installation.

Mr. Canavan said it would last for generations, if properly maintained.

Mr. Gryval asked if Casella has a routine maintenance plan.

Mr. Canavan responded that they do.

Ms. Baxter asked if this would be underground or visible from River Road.

Mr. Canavan said a mound could be seen from River Road.

Chair Klawes asked if this is a common installation.

Mr. Canavan said it is not a typical installation for Casella but common for many others, especially in New Hampshire.

Chair Klawes asked about the regulatory authority.

Mr. Canavan said that his company collects samples to send to the EPA. He said it is a sort of self-reporting system.

Ms. Baxter asked about an increase in odor from this installation.

Mr. Canavan said it will neither increase nor decrease odor.

Ms. Angowski asked if the structure is underground.

Mr. Canavan said it is above ground and will look like a shallow pond, which won't hold water all of the time.

Ms. Angowski said, so it won't be jutting into the sky?

Mr. Canavan said that it would not be jutting into the sky.

Ms. Angowski asked if this is the area where the trees are.

Mr. Canavan said that it is.

Ms. Angowski asked it if will flow in the same area.

Mr. Canavan said that it would. It is the same amount of stormwater flowing to the same wetlands. It will just be better quality because it will be treated.

Mr. Gryval asked if the town engineers had weighed in on this.

Mr. Canavan said that Hoyle Tanner has the materials and is reviewing the plan.

Ms. Angowski asked how many feet long the installation is.

Mr. Canavan said it is 143 feet long.

Mr. Gryval asked if a maintenance road would be needed during construction.

Mr. Canavan responded that a maintenance road would not be needed. He said they might use a sucker truck and perhaps an excavator.

Mr. Gryval made a motion to enter deliberations. Ms. Baxter seconded the motion. A roll call vote was taken on the motion: Mr. Gryval – aye; Ms. Baxter – aye; Mr. Pelissier – aye; Mr. Klawes – aye. The motion carried unanimously.

Ms. Baxter asked about the purpose of the 50-foot buffer.

Mr. Pelissier said that no construction is allowed within the buffer.

Chair Klawes said it is like a pool filter.

Mr. Gryval said that the Planning Board should have the town engineer look at the plan. He suggested that the Board need not go through all of the criteria for the ordinance, and the other members agreed.

Mr. Gryval made a motion to come out of deliberations. Mr. Pelissier seconded the motion. A roll call vote was taken on the motion: Mr. Gryval – aye; Ms. Baxter – aye; Mr. Pelissier – aye; Mr. Klawes – aye. The motion carried unanimously.

Ms. Angowski asked if the petitioner had gone before Environmental Services.

Mr. Canavan said the size of the project would not trigger such a review.

Mr. Gryval made a motion to grant the variance requested. Mr. Pelissier seconded the motion. A roll call vote was taken on the motion: Mr. Gryval – aye; Ms. Baxter – aye; Mr. Pelissier – aye; Mr. Klawes – aye. The motion carried unanimously.

Chair Klawes informed the applicant of the 30-day appeal period.

UNAPPROVED MINUTES AND UNSIGNED MINUTES

Mr. Gryval asked if the correction he requested for the September meeting minutes had been made.

Ms. Baxter said that the correction had been made and that she would email it to him.

Mr. Gryval made a motion to approve the minutes of the November 20, 2019 meeting as written. Mr. Pelissier seconded the motion. A roll call vote was taken on the motion: Mr. Gryval – aye; Ms. Baxter – aye; Mr. Pelissier – aye; Mr. Klawes – aye. The motion carried unanimously.

CORRESPONDENCE AND OTHER BUSINESS

Chair Klawes set January 8, 2020 as the date of the next meeting.

Mr. Gryval said he has the name of someone who might be interested in serving on the ZBA.

Chair Klawes said that would be great and they would be reviewing appointments and re-appointments at the time of the Town Meeting in March.





ADJOURNMENT

Mr. Gryval made a motion to adjourn at 7:24 pm. Mr. Pelissier seconded the motion. A roll call vote was taken on the motion: Mr. Gryval – aye; Ms. Baxter – aye; Mr. Pelissier – aye; Mr. Klawes – aye. The motion carried unanimously.

ZBA

SIGNATURE PAGE

December 11, 2019

SIGNATURE	MEMBER	DATE
	Keith Klawes, Chairman	1/8/20
	Chad Pelissier, Vice Chairman	1/8/20
	Dawna Baxter, Secretary	1-8-20
	Jeff Gryval, Member	1-8-20
	Roger Laflamme, Member	