

Town of Newington, NH
CONSERVATION COMMISSION

Meeting Minutes for Thursday, August 14, 2014

Call to Order: Chair, Jane Hislop called the August 14, 2014 meeting at 6:34 p.m.

Present: Chair, Jane Hislop; Jane Kendall; Ann Morton; and Bill Murray

Absent: Nancy Cauvet and Jim Weiner

Public Guests: Duane Hyde, Southeast Land Trust; Badger Baird; Julie Peterson, NH Sea Grant, UNH Cooperative Extension, and PREP (NROC); Barb McMillan and Sally Soule, NHDES Watershed Section and Cynthia Gunn

1) **Public Hearing:** Pursuant to RSA 36-A:5 to consider proposal for the appropriation of funds from the Conservation Fund for the acquisition of an executory interest in a conservation easement encompassing 34 acres on the **Baird property, 316 Newington Road, Tax Map 53, Lot 5-2.**

Mr. Duane Hyde, Land Protection Director for Southeast Land Trust updated the Commission on the recent survey and said the acreage went down slightly to 33.91 acres from the original estimation. He said the terms were fully negotiated with the family and the Commission.

Mr. Hyde said the Commission expressed an interest in establishing two parking spaces for access and said it was determined that the most practical place would be near the pond, but it seemed it would be complicated because it was a right of way that the family used to access their property so he proposed removing that provision. Chair Hislop said she didn't see any problem with that because it was a right of way on someone else's driveway there was no place to park. Mr. Hyde said part of the easement would allow people to walk down the driveway, however. Chair Hislop asked if Southeast Land Trust would provide signage for parking and Mr. Hyde said the Town usually did that. Chair Hislop said the landowner usually made suggestions and the owner, Mr. Badger Baird agreed that they could give it some thought.

Mr. Hyde said they would be going out on Monday or Tuesday with an environmental consultant from Exeter Environmental for a professional evaluation to establish that there are no hazards on the property because there were many known "hits" from nearby Pease. He said he would also be doing the fieldwork for the baseline documentation on Tuesday. He said the last thing they needed to do was to acquire the Selectman's vote to accept the executory interest for the Town on the conservation easement. Chair Hislop said Town Administrator, Martha Roy said he could meet on Monday, September, 15, 2014. Mr. Hyde said it would be up to the Selectmen on how they wanted to handle the settlement statement. He said he would then work with the Bairds over the next month to complete the contract.

Chair Hislop informed the Commission that they were asking for \$220,000 out of \$359,397 from the Conservation Fund to pay for easement.

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Ann Morton moved to approve the appropriation of \$220,000 from the Conservation Fund for the acquisition of an executory interest in a conservation easement encompassing 34 acres on the Baird property, 316 Newington Road, Tax Map 53, Lot 5-2. Jane Kendall seconded the motion and the motion passed unanimously.

2) Community Education: Sea Grant, UNH Cooperative Extension, and PREP (NROC)

Ms. Julie Peterson with NH Sea Grant, UNH Cooperative Extension, and PREP (NROC) returned to continue working on plans for community education, along with Mr. Barbara McMillan and Ms. Sally Soule with the NH Department of Environmental Services Watershed Section.

Ms. Peterson said Ms. McMillan was also a NROC member and they had had discussed educational items, technical support, financial resources, and regulatory tools to manage septic systems at a level. She said Ms. McMillan was also another NROC member.

Ms. Peterson said the Commission had settled on objectives for informing residents on good septic practices for the first phase and they were working on one or two phases of implementation for community education. She said they had discussed various venues of disseminating information to the community, such as creating an informational brochure that could be available at the library, school, transfer station and at the Town Hall for anyone registering a vehicle or paying their taxes. She said they could also do a mailer or newsletter that could be linked on the Town website. Lastly, they discussed having a table at the Fox Point September Fest at the end of September.

Ms. Cindy Gunn of Fox Point Road said it was her experience in real estate that there was not enough motivation or regulation as incentive for homeowners to maintain, replace or upgrade their septic systems. Chair Hislop said it seemed to be left up to towns to regulate. She said there was a recent article in the newspaper on August 2, 2014 that said the Town of York, Maine was requiring home sellers to pay for septic inspections. Ms. Peterson said the Town had implemented a management plan, monitoring the river and were working on the hot spots section by section. Ms. McMillan said Meredith passed a ground breaking septic ordinance for Lake Waukegan residents that was similar to the ordinance in York requiring mandatory septic inspections for house sales.

Discussion ensued regarding the possibility of financial incentives such as the Town establishing a contract with a septic inspector for lower costs and also matching funds.

Commissioner Murray asked what kinds of funding was available and Ms. McMillan said they worked on one grant that provided a discount for residents of Province Lake in Wakefield for residents that were 250 feet of the lake because the lake had reoccurring bacteria blooms. She said treating septic systems was more challenging than storm water runoff and their lake association was taking a slow and deliberate approach. She said Lake Waukegan in Meredith was also impaired with excess nutrients and they did a project that was funded through DES grants where they

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paid for inspections and identified the biggest contributors. She said it was tricky because the failing septic systems were contributing to water quality problems, but none had outright failure with surface breakout. She said they used Clean Water Act funds to identify and map hotspots and make assessment without going on properties.

Ms. McMillan said there had been beach closures due to high bacteria counts at Wallis Sands in Rye and they believed it was coming from Parson's Creek. Mr. Murray asked if everyone in Rye was on septic and Ms. McMillan said most of the residents along the Parson's Creek watershed were on septic with only a few on Hampton's sewage. She said they found no septic surface breakout or outright failure so they thought there might be a ground water connection from the leaching septic systems. She said DES was working on funding the implementation of storm water best management practices.

Ms. McMillan said they collect data for the projects, ranked septic systems based on perceived risk and evaluated potential contamination. She said there were funds for known failures to work on reducing pollutant loads, but funds couldn't be obtained unless the pollutant source was quantifiable and measurable.

Chair Hislop said Newington didn't have a beach for incentive and Ms. McMillan agreed that most of the projects did. Ms. Gunn said she found waterfront town associations were reticent to push septic improvements on homeowners, including those with big houses because everyone had an interest, but she thought Newington could be proactive with educating residents on how to treat their septic systems better, such as not washing latex paints down the sink which clogged the pipes.

Ms. Soule said Newington was listed as contributing 16 tons of human waste to Great Bay a year. to great bay is 16 tons /yr 8% from human waste. Mr. Murray said he had a great septic system, but he would be willing to pay more to be tied into the sewer line. Ms. Peterson said wastewater treatment was still a nitrogen pollution point source, however.

A brief discussion on the qualifications of grant and loan programs for septic upgrades ensued. Ms. Soule said there wasn't a lot of assistance available. Ms. McMillan said there was a low interest loan with forgiveness of 20%, but towns had to agree to hold and administer the plan. She said there was also a grant program for up to \$4,000 for repairs and replacement. Ms. Gunn said some towns qualified for rural development grants, but they were based on a low average income and she didn't think Newington would qualify. Ms. Gunn said some septic designers and installers would be willing to do several septic systems at a discount for a cost saving to households.

Ms. Gunn said septic systems didn't go all at once, but over a long period of time so it was easy to ignore. She said one way of appealing to doing the right thing would be to make people understand that they could lose resale value because of a failing septic and the \$200 spent on an inspection for full disclosure would be worth the \$12,000 removed from an asking price if problems were found by the buyer. Chair Hislop said it would be helpful for people's resale to keep records as well.

Ms. McMillan said they had a program for door-to-door outreach and they could do presentations on community education. She said Ms. Soule said DES they sent out surveys asking who would be willing to discuss their septic systems. Ms. Peterson said

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she and Ms. Ferrell met the Lamprey River Advisory who discussed signs of failure with residents. Ms. Soule said could another possibility would be to get interns to do some of the door-to-door discussions. Chair Hislop said they could find interns at UNH, but the problem was with supervising and continuity.

Ms. Peterson said short of hiring a consultant to determine impairment there were also other resources for educational outreach, including site visits and talks with soil scientists or Granite State Installer's Association. Ms. McMillan said they would need funding to figure how to reduce nutrient loading in Great Bay and the grant pre-proposals were due in the month of June and if they were selected they could move forward the next fall.

Commissioner Kendall said she thought the Commission needed a need work session to begin copy for the informational brochure for September Fest and distribution throughout town and on the Town website. Ms. Peterson thought a single page handout, postcards or bookmarks would be good and Ms. Gunn said she would work on the handout. Ms. Peterson said Ms. McMillan and Ms. Soule said the Commission could borrow the watershed model. She also provided an example of a brochure that was done that showed the functioning of a septic tank and a homeowners guide for maintenance.

Ms. Peterson said Jill Ferrell would return for the next meeting.

3) Request for recommendation on DES Dredge and Fill Application by **Bruce C. Belanger** at the corner of **Nimble Hill Road and Fox Point Road, Tax Map 17, Lot 4.**

Chair Hislop passed out a memo dated August 1, 2014 from Town Planner, Tom Morgan regarding the Planning Board's legal counsel's suggestion that the Commission comment on the dredge/fill application.

Jane Kendall moved that the Conservation Commission recommend against wetlands crossing of the middle lot on Nimble Hill Road as proposed by Bruce C. Belanger on the property at the corner of Nimble Hill Road and Fox Point Road, Tax Map 17, Lot 11-2, recommending one wetlands crossing instead of two because the upland portion could be accessed via Fox Point Road. Ann Morton seconded and all were in favor.

Minutes: *Jane Hislop moved to approve the Minutes for the July 10, 2014 meeting. Ann Morton seconded and all were in favor.*

Adjournment: The meeting adjourned at 8:30 p.m.

Next Meeting: Thursday, September 11, 2014

Respectfully

Submitted by: Jane K. Kendall, Recording Secretary