

**The Town of Newington
New Hampshire - Incorporated 1764
Newington Conservation Commission
Meeting Minutes
Thursday, January 11, 2007**

1. **Call to Order:** Vincent Frank, Chair Person called to order the meeting of Tuesday, January 11, 2007 at 7:16 P.M.

Present: Vincent Frank, Chair Person, Barbara McDonald Vice Chair Person, George Fletcher, Peggy Lamson, Tom Morgan, Town Planner, and Jane Hislop

Not Present: Dottie Watson and Justin Richardson

Guests: None

2. **Old Business:**

1. **Budget 2007**

Barbara's letter to the members: Please note our Budget for 2007 is attached previously to the minutes of 12/14/06 with the Selectmen's recommendation to request the same funding level for us as 2006. We will be presenting our requested Budget for 2007 to the Budget Committee Wednesday, January 10th at 7:00 P.M. Please attend to give your support for our Budget. Thanks, Barbara
Separate attachment sent with Revisions that took place at the Budget Hearing of 1/10/07 to be attached to the minutes.

2. **Submission of Commission's Annual Report read by Barbara to the Committee which will go in the annual budget:**

Barbara felt the Board should hear this before submitting it. It's really important and one of the mandates of CC in the RSA's is that we do an annual report to the Townspeople. This is part of an educational tool letting them know what the CC has done all year. It was in outline form and has now been written and attached to the minutes. ***See Pages 4 and 5.***

Vincent: Would anyone like to make a motion? Jane made a motion to accept the Annual report and Peggy seconded it. Any questions? Vincent: All those in favor. AYE! None opposed.

3. **Hilde Cochrane – DES Wetlands File No. 2006-02553, Tax Map Lot No.22/6**

Vincent gave a package to the Commission with 2 letters from DES. Barbara: basically DES "Request for More Information". The first one is to do with the shoreline frontage and the second has to do with Great Bay Fish and Game regarding the project's potential impact on bald eagles through tree removal and asking if the dock can be moved. Discussion ensued. Barbara: DES cc'd a copy to Pickering Marine who did the plan and they can respond to the plan. Jane feels it's a new procedure/just a notice.

The other letter "*Change in Special Permit Processing*" is talking about a \$25.00 fee that will be imposed to access the database in those situations where NHB actually conducts an assessment. Would assume anyone pulling a permit will have to pay the fee. Jane: Should make sure the Town Clerk handles this? Barbara: Yes, but she doesn't want to hand things out. The Town Clerk's role was discussed

previously. Barbara: If someone doesn't give them the information when they pull a permit, they won't know. Uncertainty to this change was discussed. Peggy suggested they send another copy of this letter to the BOS and the Town Clerk and *attach a note* stating that this is for "their records" if anyone coming in for documentation/permit so the Town Clerk can advise applicants and that it's very important. Barbara: Noted - That we have received this file in relationship to additional information needed concerning shoreline frontage and endangered species.

4. **New Business**

1. **Warrant Article**

Barbara: Tom was going to write up a facsimile of a Warrant Article for us to give to the BOS for inclusion for next Monday at the Selectmen's meeting and thought the CC should vote on it. Tom: Direction he's looking for is what the CC wants to send as a separate warrant article and he will write it up. Vincent: Just what we asked for, the \$16,800, to be in for Monday to the Selectmen. Tom: Will get it done. George thinks they have to the 22nd to bring it in. Tom will have it ready tomorrow. *Jane moved that the CC have Tom write the Warrant Article for the Wetland Inventory Contract for \$16,800. Peggy seconded it.* Vincent: Any questions? Barbara: I think along with this, purposes for discussion that the CC needs to write a letter up and send a separate mailing in support of our warrant article to the people in the Town, before town meeting, so they will support it. Explain to them exactly what the CC is doing. Peggy: Said it's very important to say that they started working on this Natural Resource Inventory in 2001 and this completes our task. Tom: Key element, the first question Albert asked Wednesday night was what's in it for Newington property owners. Should be mentioned in the letter (property owners advantage). Barbara: Needs to be ready next month. *Vincent: All those in favor of the Warrant Articles? AYE. None opposed. Vincent: So passed. Vincent: Anyone wants to make a motion to send a letter out to the Townspeople. Peggy moves to make a motion that the CC sends a very positive letter supporting our Warrant Article on Wetlands Inventory to the Townspeople. Jane seconded it.* Vincent: Any questions? Barbara: Who's going to write the letter? She approached Mark West to give the CC some material and to send him an e-mail as a reminder. We should put in the letter the potential tax consequences to the residents. George had some questions re the warrant article petition. Barbara: We have two warrant articles; one the traditional for the CC fund and then this is the other one. We received the recommendation from the Budget Committee and the BOS recommendation to the CC that they do that. *Vincent: All those in favor of sending the letter out to the Townspeople? AYE. None opposed. Vincent: So passed.*

Acceptance of Minutes – December 14, 2006

Jane moved to accept the minutes of December 14th and Barbara seconded it. Peggy and Barbara had some corrections to the minutes, which were discussed. Pearl will make the necessary corrections and e-mail them to Vincent. *Vincent: Any further questions/corrections? All in favor of accepting the amended minutes of December 14th? AYE. Minutes accepted.*

5. **Correspondence:**

Barbara: It's all in the package and doesn't feel there is anything to address.

Vincent: Addressed Portsmouth Chevrolet and how it stands now to the Board.

What we found is that they had taken the buffer and this was Public Service and they

totally cut it right out. We sent a letter to DES telling them of the violation, which turned out to be the responsibility of the State and e-mailed them the other day and they are looking into it Federally. What happened was PC, gave them a letter okaying the fact to bring in the fill. We did that and went down to see where they wanted to put it and were told that they had an application. The next thing he heard that the CC is to blame for the fact they didn't follow up on this. Vincent went down to see the man, who said that they started over, have other plans and was upset losing the fill. Vincent stated they lost it, not the CC. Vincent feels they will come back in the spring and do the same thing and from what Vincent saw down there, there's more wetlands involved than not. As far as Public Service is concerned, asking the Board what they should do in regards taking care of what they did. He sent them an e-mail to notify the State DES and gave them Dori Wiggins e-mail address. Vincent followed up with Dori the next day to find out where it stood and she got back the next day. David Price is working with this gentlemen from Public Service and as soon as they decide what will happen they will let us know. SO That's the way it stands.

Barbara had one other item to mention. Requested George Fletcher, the Treasurer, to have accounting of the CC fund, all expenditures that have been made to date, and all monies that had been put into the fund since it's inception.

Barbara also had a stamp they received and not sure what it was for. Vincent remembered asking for a stamp being made. Apparently it was for use on the site plans. There was also some discussion on the Town Forrest and issues need to be addressed.

6. Adjournment:

Vincent: Do I hear a motion to adjourn? Peggy made a motion to adjourn and Jane seconded it. Vincent: All in favor, AYE. Meeting adjourned at 8:30 P.M.
Next meeting set for February 8, 2007 at 7 P.M.

Respectfully submitted:
Pearl Travis-Sirois, Recorder/Transcriber
File: NCC Mins. 1/11/07

NEWINGTON CONSERVATION COMMISSION REPORT – 2006

“The Nation behaves well if it treats the natural resources as assets which it must turn over to the next generation, increased, and not impaired in value.”

“Theodore Roosevelt, 1907”

Throughout the year, the Conservation Commission continued to review and make recommendations concerning applications being submitted to the New Hampshire Department of Environmental Services for projects affecting wetlands, as well as those projects which fall within the purview of the State of New Hampshire Comprehensive Shoreland Protection Act.

The New Hampshire Department of Environmental Services (NHDES) granted on January 19, 2006 final approval to adopt all eighteen (18) Prime Wetlands as voted at our Town Meeting held in March 2006.

In the spring, the Commission took a walk as part of a site review of the landscaping maintenance plan submitted by Consolidated Edison for the Shattuck Way Industrial Corridor Road. Noted were numerous dead or missing trees and vegetation. We recommended the Board of Selectmen (BOS) not to release the bond, unfortunately for the Town; the bond was released without us receiving resource benefits.

Prime Wetland designation on the Pease Tradeport was challenged by the Pease Development Authority (PDA) by requesting NHDES to rescind its approval. The Town retained the law firm of Baldwin, Callen & Ransom from Concord, New Hampshire to defend our land.

The Commission recommended to the State of New Hampshire Department of Transportation (NHDOT) a wetland mitigation package as part of the loss of wetlands due to the Spaulding Turnpike Expansion documented by Wetland Scientist, Mark West. Identified, as primary restoration areas are Railway Brook and McIntyre Brook, both have significantly degraded stream systems that drain directly into Great Bay. Also West Environmental performed assessment value for conservation purposes of the Mosher property.

The Commission also addressed the following project during 2006:
Adopted Landscaping Residential and Commercial Site Plan Maintenance and Vegetation Guidelines:

- 100 Arboretum Drive on Pease Tradeport
- Texas Roadhouse Restaurant
- Louis deRochemont House

Pier, Dock, Float Projects for:

- Tyco Telecommunications, Inc.
- Lordco
- Sprague Energy Corporation
- Great Bay Wildlife Refuge
- Haberstroh Estate Application and Revision
- Hilde Cochrane Estate
- Non-Compliance monitoring of the former Pease-Defense Fuel Support Point Groundwater
- Newington Energy's Wetland Restoration Completion
- Brickyard Way culvert reconstruction
- Portsmouth Chevrolet Pre-Dredge and Fill informational session

NH Department of Transportation, Spaulding Turnpike Expansion:

- Dirty Dirt #1, buried in medium wetland
- Dirty Dirt #2, buried in medium wetland
- Dirty Dirt #3, buried in upland, Trickey Cove
- Storm Water Management System

The Commission signed on as a party to a lawsuit as “a friend of the Court” brief as a pro bono party at the request of the Greenland Conservation Commission. The Conservation Law Foundation versus NHDES lawsuit resulted from a proposed Greenland multi-residential sub-division in wetlands and belief that DES was not following their own regulations.

The Commission advocated for funding to keep staff at the Great Bay Wildlife Refuge in order for the site to stay open to the Public.

We also instituted contact with the State of New Hampshire to once again explore the possibility of another renewal lease at Bloody Point, the site of the Old Train Depot in the second historic district.

You may have noticed activity at the Town Hall as our files are being completely reorganized.

A heartfelt “Thank You” to all those individuals giving of their time, energy and support in protecting our natural resources and to the beautification of our Town. To Nancy Cauvet for providing and nurturing the flower tubs in South Newington at the Town's Bulletin Board.... and Christine Beals who deeded a parcel of land on Airport Road to the Town. The lot is a valuable wetland asset as it abuts Prime Wetland on Pease Tradeport.

Respectfully Submitted,
Vincent Frank, Chairman
Barbara McDonald, Vice Chairwoman