

NEWINGTON CONSERVATION COMMISSION MEETING
Minutes
Thursday, March 2, 2006

Call to Order: Peggy Lamson, Chair Person called to order the meeting of March 2, 2006 at 7:08 P.M.

Present: Peggy Lamson, Chair Person; Barbara McDonald, George Fletcher, Dottie Watson, Justin Richardson; Tom Morgan, Town Planner.

Not Present: Jane Hislop

Minutes: Minutes of February 2, 2006

Peggy Lamson, Chair Person: Motion to accept minutes of March 2. Do we have a motion to accept from the floor the minutes of the meeting of February? Moved by George and seconded by Vincent. Any topic for discussion, any errors or omissions? Call to vote on the minutes of March 2, all of those in favor, Aye. Motion carried in the affirmative.

Correspondence: We sent a letter sent to Mr. Waszczuk on February the tenth. On February the 14th he called her home. The office gave him her phone number. So in return, Peggy wanted some communication from him because he went on to say stating that we didn't identify mitigation sites for wetlands in reading the letter. Tom received it on February 21st. Peggy would like to send him another letter and ask him to come down and talk to the CC on the whole mitigation process. In the meantime, Tom received an e-mail from Mark West regarding Waszczuk's letter. Mark West gave everyone a copy of the potential mitigation. Justin asked if we ever got a copy of the correspondence Mark sent to the DOT. Peggy, he sent it all to Vanasse Hagen? Tom: Correct. This was information was discussed. Railway Brook Restoration is called Flagstones according to the Commission. Clarification that Vanasse Hagen works for DOT and Mark West is the Wetland Scientist retained by the NCC. Discussed the letter from Edna regarding open land. Tom reiterated that Edna would like to at least sell some of her land (see discussion in the last meeting minutes) it's and important parcel. I would think you would like to have a fallback position. Tom, reason he thinks it's important parcel is that and when you drive into Newington, it's the first open space you see. Barbara, yes it's open space and it's not mitigation land. Tom: they are willing to restore open ditch, preserve the open space. Justin likes the idea and agrees. Tom: Edna feels that if no one comes up with a program, she will try to develop it. Barbara: has Mark West looked at the property and given an analysis of what he thinks? Tom: No. Peggy agrees with Tom. Tom stated that Edna is willing at this point to make a deal, wants to sell to someone. Tom: something to keep in mind some of the mitigation money to go over to Dover. Barbara would like to get a reply back to Edna and not keep her hanging and would like the possibility to have the area she'd talking about, looked at by Mark West and get an idea of the value and some feedback on it. Justin: should have Mark look at it and to consider it and that Edna and Mark look at the property to see what they come up with.

Barbara reiterated to stress that we are not making any commitments. Peggy: Barbara made an important statement that we need to be very careful that we are not making a commitment, just exploring. Peggy: would like to have in a form as a motion and Justin, can you make a motion? Justin: Why don't we move to have a motion to have Mark West look at the property and assess it's value for conservation purposes or as part of the DOT project or in general and report back to the Commission. Barbara: Would like to have it in writing and a hardcopy and is willing to/and seconded the motion by Justin. Peggy: All in favor of motion as presented, Aye. Motion heard. Peggy will send a letter to Edna Moser stating that we are going to have our Scientist. Mark; stop to see her and to look at the value of her land for conservation and mitigation. Peggy, We send a letter first to Edna and we won't respond back to Waszczuk until we talk to Mark and have something (recommendations) from him in writing and about any time constraints. Peggy: Justin, vote to have Mark come to our meeting in April and make a motion to do it. George seconded it. All in Favor, Aye.

Peggy: Gave George copy of statement of Conservation Fund-amount of money they have in fund. Put in Peggy's mailbox and she told them repeatedly it's not her's. It should be in George's.

Peggy: Office Team minutes: Motion on the floor to pay two bills of \$42.00 and \$168.00 for the CC meetings. Justin moved to pay the bills and George seconded it. All in favor, Aye.

Peggy: Received literature on the Land Resources Management Workshop 2006 to be held a NH DES, Concord, NH. Anyone can attend, it's free. If interested, please follow up to register. The date is Wednesday, March 22nd from 8:30AM to 3:45PM.

Public Hearing:

Peggy: Continuance of Public Hearing of the Newington CC requirements for Commercial Site Plan and Residential from February. Are there any additions? Jane made corrections on Vegetation. Peggy: No one in attendance at the public hearing, and in order to go to regular commission meeting we need to close the Public Hearing. Since there were no other questions or any additions to Vincent's presentation on the Commercial and Industrial requirements for Public Hearing, I will close the Public Hearing at 7:56 PM and would like a motion from the floor. Barbara makes a motion to adopt that the CC requirements, Commercial and Residential Site plan, and Vegetation as presented in the Public Hearing. . Barbara will amend the motion to read Newington CC Guidelines for the Commercial and Residential Site Plan and Vegetation. George seconded it. All in favor, Aye. Motion passed.

Old Business:

Peggy: We received a letter from Appledore Engineering that was sent to Tom and would like to withdraw their project from the March 2 agenda, and respectfully request to be placed on next months agenda will more than likely be here for the April meeting.

Secretarial Services:

Pearl Sirois was interviewed by Tom and was interested in doing our minutes and being the Newington CC Recorder. Peggy has to go to the Selectman's office and register her.

Barbara/Justin: Made a motion to retain Pearl Sirois for \$14.00 per hour to take minutes and minutes to be available pursuant to RSA 91-A within 144 hours and e-mailed to Tom to meet the legal requirements. Pearl to submit a bill to the CC Committee. Justin seconded the motion on the Independent Contractor, Pearl Sirois. All in favor, Aye.

Other Business:

Landscape requirements and Guidelines. Still haven't followed through. Jane made corrections. Peggy would like to see more discussion on this and if satisfied with format. Barbara didn't review it. Justin has a proposal: Do we want to form a subcommittee to wrap these things up, 2 or 3 people to review it and report back? Peggy: Good idea. Barbara: Jane has been instrumental in doing all this and feels, in order to review this, she should be here. Peggy will set this aside for the April meeting and inform Jane. All in agreement.

Amy Manzelli, Attorney of Sulloway and Hollis. She is our Pro Bono Attorney working on project over in Greenland. Sent a portfolio/brochure and will be put on file with the Town.

Peggy: Next, you've all read and remembered the letter from Attorney Mulvey. We asked Barbara to write a letter and she had a copy for everyone and voted at the previous meeting for Barbara to do this and Justin abstained.

Barbara read the letter to the committee that she wrote and will be sent to the Newington Board of Selectmen. Barbara: Guidelines were not established, this is what she wrote and the way she wants it. She also put this thru her attorney. Justin: in total disagreement and not an appropriate letter to issue and gave his views on this. He will abstain his vote.

Peggy: If you recall, George suggested we write our own letter and asked Barbara and we took a vote. This letter has not been sent. Peggy: We should make a motion to accept letter. Vincent: made a motion to accept this letter and to send it to the Selectmen. George seconded motion. Peggy: called for a roll call vote. George, Vincent, Barbara, Dorothy, Peggy were all in agreement and signed the letter. Justin: Voting against it. Tom will mail a hardcopy to Attorney Mulvey.

Peggy requested Tom to explain the Excavation Tax. He doesn't know anything about it. Justin: Wanted time to discuss Arboretum Drive. Gave Tom a draft letter regarding endangered species and he made corrections. He suggested to use the budget to have Mark West prepare a set of recommendations on what we want them to do and present those findings at the April meeting and also what Mark would have to do is to go out and find where exactly the species are located. The State keeps records of the specific locations of the exact species. That was what Justin was suggesting. Discussion ensued. Justin read Wetlands Law to committee. Barbara feels we should engage Malcom McNeil re PDA.

Barbara made a motion to move to have a consultation with Attorney Malcom McNeil on the issue of defining a prime wetland status. Barbara: Would like to see Malcom put on the agenda on the next PDA meeting and say whatever he has to say to defend our prime

wetland status to the PDA. They do respect Malcom when he speaks. We have a call into Peter Loughlin and will have some answers tomorrow. Tom: We will know where the PDA stands on this. Vincent seconded it. All in favor, Aye. Motions: Unanimous. Justin will work with Tom.

Vincent made a motion to adjourn and George seconded it. Next meeting will be the first Thursday, April 6th.

Meeting Adjourned by Peggy Lamson at 9:25PM.

**Respectfully Submitted:
Pearl Sirois, Recorder**

Two tapes given to NCC at next meeting.