

MINUTES OF THE MEETING OF THE NEWINGTON CONSERVATION  
COMMISSION HELD ON 13 MARCH 2003

Present were George Fletcher, Barbara McDonald, Margaret Lamson, Nancy Cauvet, Jane Hislop, Selectmen's rep Jack O'Reilly, Dorothy Watson, and Kay Akerley. Also present was Tom Morgan, Town Planner.

Chairman Lamson called the meeting to order at 7:09 p.m.

Jane Hislop made a motion that the minutes of the meeting of 13 February 2003 be accepted; seconded by Barbara McDonald. Motion carried.

The Chairman called attention to the information sheet on Article 3 (re purchase of development rights at the Frink Farm) which has been inserted into the Town Annual Report. It has been signed by the Chairmen of the Board of Selectmen, Planning Board and Conservation Commission.

The Chairman read a letter from Barbara Hill, in which Mrs. Hill stated her concern that certain wetlands on her property had not been included in the wetlands inventory. The Chairman said she would address the subject later in the meeting.

The Chairman noted correspondence from the UNH Technology Transfer Center and Office of State Planning (Coastal Program) concerning workshops on Erosion Control, one of which will be held in Portsmouth on 1 April 2003.

The Chairman referred to the subject of the DES correspondence of 14 January 2003 to Rockingham Properties which the Commission discussed at the February meeting. She said she had talked with DES personnel and had been told that the permit in question concerned the construction of a detention basin, that no information on wetland mitigation had been received by DES, that the permit would have been passed from Rockingham Properties to Mr. Howard Patten when he bought the property, and then to Eastern Bearing when they obtained the land from Mr. Patten, and that DES requires an explanation from the property owner on what has been done concerning the mitigation requirement. The Chairman said all this is between DES and the property owner.

The Chairman asked Tom Morgan to give a status report on the \$50,000 due from ConEd in mitigation funds. Tom said he had received an E-mail from the Seacoast Land Trust advising that the easement had been recorded. Tom passed this info on to Atty. Ratigan and it is expected that the money will be forthcoming shortly. Jack O'Reilly noted that another \$50,000 will be realized if Article 4 passes at Town meeting. Barbara McDonald asked why it has taken so long for the ConEd matter to be finalized. Both Tom Morgan and Jack O'Reilly indicated that things got hung up for a while because of the stipulations Chris Cross had endeavored to have inserted into the easement, stipulations that the Seacoast Land Trust had rejected.

As agreed at the February meeting, Commission members devoted considerable time during this meeting to naming all 30 of the wetlands listed on the inventory by Mark West.

The Chairman and Tom Morgan will see that the list is faxed to Mark. It was also agreed that Barbara Hill's letter will be faxed to Mark with a request for explanation. Barbara McDonald asked that the reply be in writing. Mark will also be asked to clarify numbers 14, 15 and 16 on the inventory, specifically if they can be consolidated.

After discussion of the need to fast-track completion of the inventory, Barbara McDonald made a motion that the Commission endorse as prime wetlands all 30 wetland areas delineated in Table I on page 4 of the Town of Newington Wetland Inventory draft report submitted by West Environmental and dated February 2003. Seconded by Dorothy Watson. Discussion followed. Nancy Cauvet said she didn't think the state would approve all 30. Barbara said we could at any time reduce the numbers endorsed, but going on record at this time to endorse all 30 might help to protect them until areas are finalized. The Chairman called for a vote and the motion carried.

The Chairman noted that some other boards have begun to hold their meetings at an earlier time; she asked Commission members what they thought about meeting earlier in the evening. The consensus was that 7 p.m. is best for those that work, so no change is contemplated.

The Chairman acknowledged the presence of Atty. D.K. Bouffard, and invited him to sit at the table. Atty. Bouffard was representing Mr. H.L. Patten in

his attempts to have his escrow account with the Town released. The Chairman reviewed the history of the Commission's attempts to get Mr. Patten to fulfill his obligation to put in place the landscaping he had agreed to provide and to submit an appropriate maintenance plan. She referred to various documents, including minutes of CC meetings, letters, etc., copies of all of which she had previously provided to Atty. Bouffard. The Sullivan-provided landscaping plan for Rockingham Properties was shown to Atty. Bouffard. It was noted, further, that Mr. Patten had engaged Salmon Falls Landscaping to undertake the plantings. But the work was never completed. The Chairman assured Atty. Bouffard that the Commission had no desire to inconvenience anyone or to hold back their money. The Commission's task is to review landscaping plans and make recommendations to the Planning Board. This was done in Mr. Patten's case, and the landscaping was found to be sorely deficient. Nancy Cauvet said that only about one-quarter to one-third of the plantings were provided -- and those were not taken care of. She added that the area is at the entrance to Newington and should be made as attractive as possible. A maintenance plan is also needed. The Chairman said she had sent Mr. Patten a copy of an appropriate maintenance plan. George Fletcher said that he thought what landscaping had been provided had been a slipshod job. It was also pointed out that Mr. Patten had been scheduled for some meetings, which he never attended.

Atty. Bouffard said he would take the matter up with Mr. Patten and he will look at the site -- obviously when the snow clears enough to be able to see the ground. Tom Morgan advised Atty. Bouffard he could access Commission minutes on the town Web-site, and the Chairman gave Atty. Bouffard her telephone number in case he had questions. Tom said he had talked with the owner of Eastern Bearings and asked if there would be any objections to having the property beautified. The answer was absolutely not.

Tom Morgan spoke to the Planning Board's efforts in undertaking an update of the town Master Plan. In an effort to obtain resident input, survey sheets were distributed.

A UNH intern in the Master's program in Public Administration has volunteered to program the responses into data-base form which will be helpful to the efforts of the Planning Board. Tom said the questions asked on the survey were essentially those asked in 1984. He said 444 surveys were sent out; 137 (31%) were returned. That is close to the return in 1984.

It was noted that even the "snowbirds" (residents away from town) were contacted.

The Chairman noted that Friday, 14 March, is the 100th anniversary of the National Wildlife Refuge system. The anniversary will be remembered with a ceremony at the Town Hall at 1000,

Jane Hislop made a motion that the meeting be adjourned; seconded by Jack O'Reilly. Motion carried. Meeting adjourned at 9 p.m.

Kay Akerley  
Vice Chair/Secretary