

MINUTES OF THE MEETING OF THE NEWINGTON CONSERVATION  
COMMISSION HELD ON 19 MAY 2004

Present were Commission members Margaret Lamson, Dorothy Watson, Jane Hislop, George Fletcher, Kay Akerley and Barbara McDonald; Town Planner Tom Morgan, and Selectman Cosmos locovozzi. Also present were soil scientist Mark West and NH DOT District Six Maintenance Supervisor Ralph Sanders.

The Chairman called the meeting to order at 7:08 p.m.

George Fletcher made a motion that the minutes of the 8 April 2004 meeting be accepted, seconded by Dorothy Watson. Barbara McDonald requested that the minutes be amended, in the next to last paragraph, next to last line, after the word "process," to include the words "expended from the Conservation Fund established under RSA.." George Fletcher amended his motion accordingly, and Dorothy Watson her second. Motion carried.

The Chairman requested that Selectman locovozzi administer the oath to the following members for their new terms: Kay Aklerley, one year; Dorothy Watson, Barbara McDonald and Jane Hislop for three years.

Under new business, the Chairman addressed the issue of the new driveway entrance at the elementary school. She said she understood that the state is exempt from any requirement to notify abutters of any road work to be performed by the state. She expressed the concern of the Commission that the state had not submitted a Standard Dredge and Fill Application for the project and that the work was in progress before the Conservation Commission or the Planning Board knew work on the project was imminent. She presented for review photos of before and after the project had commenced and said she had asked Selectmen locovozzi to call Mark West and request he look at the site. She added that Jean Demers, Environmental Manager for NH DOT Bureau of Environment, who had determined the site did not contain jurisdictional wetlands, was not a soil scientist. She than asked Ralph Sanders of NH DOT to give the Commission an update on the status of the project. He explained that he had been informed by Jean Demers that the site did not contain jurisdictional wetlands. Mark West said he had checked the site, and it did contain wetlands for which a permit is required. He said the area is not typical because it has been kept mowed and mowed wetlands have to be looked at differently and mowed carefully. Ralph Sanders said that DOT has now submitted a Standard Dredge and Fill Application (copies were made available to CC members).

Barbara McDonald asked why the project had even been considered. George Fletcher posed the same question. Selectman Locovozzi said the location of the present driveway is a safety issue. One solution considered was scaling down the hill approach to increase visibility, but ledge and underground utilities made this an unacceptable solution. He said when the state was planning to resurface Nimble Hill Road, they had asked if the town had in mind anything the state could do in the way of improvement, and the selectmen, with the backing of school officials, addressed the matter of a new driveway entrance. The state agreed to provide same at the time of resurfacing. Barbara McDonald and George Fletcher both expressed the opinion that they did not consider the present entrance a safety issue – the present entrance has been there since the school was built and there has never been a problem. Jane Hislop said the traffic situation is far different today and she believes the low visibility at the hill approach is now a safety matter. George Fletcher said if safety is an issue, the school should require the bus company to provide smaller busses capable of easier turns, rather than the big busses currently used and which are not really required for the number of Newington students requiring transportation. He said another consideration would be to have police stationed near the school to monitor traffic at the beginning of school and at dismissal time. Kay Akerley said the Commission's consideration should be directed at the wetlands issue – safety is another matter.

Mark West said there are three issues to be considered in determining the acceptability of projects planned for wetlands: 1) Need (safety) , 2) Least impact, and 3) Don't impound wetland by blocking flow. Kay Akerley asked Mark West if he was satisfied that the plan now submitted by DOT was satisfactory. He answered in the affirmative and said he saw no off-site impact to abutters.

Chairman Lamson asked if the three trees which have to be removed for the project will be replaced. Ralph Sanders said six trees will be planted as replacements. George Fletcher asked how big the trees would be. Ralph Sanders said they will be about 6 ft. and that the school had requested that they be maples. Jane Hislop said they should not be sugar maples, but a variety of maple more salt-resistant. The Chairman said the Commission should stipulate the number and type of trees in its comments on the state's application.

The Chairman asked if anyone in the audience had any questions concerning the project. Former Fire Chief Larry Wahl said he and the

former Chief of Police had discussed the matter and agreed there has never been a safety problem with the present entrance.

The Chairman called for a vote. Jane Hislop made a motion to recommend approval of the Standard Dredge and Fill Application of the State of NH DOT to relocate the Newington Elementary School driveway, with the stipulation that the six replacement trees be of a salt-resistant, non-invasive species. Seconded by Kay Akerley. Motion carried 4-1, with Barbara McDonald voting in the negative.

The Chairman referred to the handout sheet provided by DOT for planned maintenance work in connection with a culvert near the Young residence on Nimble Hill Road. The last section of outlet end of 12" RCP needs to be reset and the headwall rebuilt. It was agreed there is no objection to this routine maintenance work. Ralph Stevens of DOT said Mr. Young is aware of the planned project.

Larry Wahl asked Ralph Sanders if any other projects are planned for this road this summer. Mr. Sanders said no. Mr. Wahl then expressed his extreme frustration over the lack of maintenance on the swale across from his former property at the corner of Nimble Hill Road and Coleman Drive. He said the build-up of water is starting to impact the corner property. Selectman Iocovozzi said this problem is being looked at and will be resolved.

Because Selectman Iocovozzi had to leave due to a family emergency, Jane Hislop made a motion that the Trickey's Cove agenda item be postponed until the next meeting. Seconded by George Fletcher. Motion carried.

Mark West gave a status report on the wetlands inventory project. He passed out copies of the list of those wetlands we have chosen for designation as prime and noted that to avoid confusion, he has identified each with a letter. He said we are set to go to the Planning Board and start the hearing process. He is waiting for just one thing and that is confirmation from Ralph Richardson of DES that it is O.K. to include three of our candidate areas as prime. Although they are under the prescribed 2-acre minimum, he believes these saltmarsh areas are worthy of protection. The areas are the Shackford Lot, Trickey's Cove, and the Town Beach.

The Chairman recognized Jack Pare, who had requested opportunity to address the Commission and Mark West on what he perceived was progressive error between the town maps and the new map overlays.

Mark said the new digitized maps reflect changes in wetlands (e.g., beaver action) which have occurred over time, and that the new maps are more accurate.

The Chairman noted the next meeting will be 10 June 2004.

The Chairman called for election of officers. Kay Akerley made a motion that Margaret Lamson continue as Chairman, seconded by Dorothy Watson. Motion carried. Margaret Lamson made a motion that Kay Akerley continued as Vice Chair, seconded by George Fletcher. Motion carried.

Barbara McDonald made a motion that the Commission request that the Board of Selectmen, in the spirit of continuity, appoint a representative of that body to attend Conservation Commission meetings and that, preferably, that person be the same individual that is a representative to the Planning Board. Further, that this request be in writing. Seconded by Jane Hislop. Motion carried.

Jane Hislop made a motion that the meeting be adjourned, seconded by Barbara McDonald. Motion carried, meeting adjourned at 8:27 p.m.

Kay Akerley  
Vice Chair/Secretary