

# MINUTES OF THE NEWINGTON CONSERVATION COMMISSION

**DRAFT      JUNE 11, 2009      6:37 PM**

Members Present: Justin Richardson, Chair, Margaret Lamson, Vice Chair, Dorene Stern, George Fletcher, Jane Hislop & Dorothy Watson, Honorary Member.

Others: Mark West, West Environmental, David Sweeney and members of his family, Tom Aspinwall.

Absent: Nancy Cauvett

The chairman called the meeting to order at 6:37 PM.

## **1. David Sweeney made a presentation concerning brush that was placed in a wetland on his property.**

Mr. Sweeney asked if there had been a complaint made to the Commission. The Chairman indicated that there had been no such complaint, as it would have been made to the NHDES. It was also noted that the NHDES inspector in question rides his bicycle to work to the NHDES Pease Field Office, which would bring him on Fox Point by the property in question.

Mr. Sweeney showed photographs and explained that the brush had been removed from wetlands and no damage had resulted. He asked questions related to the potential installation of a septic system. Members of the Commission explained that the Commission does not review septic plans and he should approach the NHDES and building inspector concerning those issues.

The Commission recommended that Mr. Sweeney hire a wetlands consultant to field locate the wetlands. Mark West had recently arrived for his presentation and there was some discussion of the process used to identify and locate wetlands and file applications with the NHDES.

No action or vote was taken.

## **2. Spaulding Turnpike, NHDOT Wetlands Impact Mitigation.**

Mark West gave a presentation concerning the New Hampshire Department of Transportation's proposed expansion of the Spaulding turnpike, related wetlands impacts and the sufficiency of the wetlands mitigation proposal. After considerable discussion of the proposal, alternatives, environmental conditions bearing on the proposed restoration, and other issues, members of the Commission were in agreement that:

- the mitigation package should be supplemented to include consideration of coastal buffer impacts;

- the Commission should serve as the local qualified organization to hold the conservation easement
- the NHDOT should not use eminent domain to acquire wetlands mitigation properties, and the Commission would not support a mitigation package acquired by eminent domain;
- the Knight Hill brook should be considered (Commissioner Hislop recused herself from this part of the discussion);
- the Commission should inform the NHDOT that it would consider use of its conservation fund if such use would provide additional protections, especially to link conservation of Knight's brook to the Frink farm, already in conservation;
- the development in close proximity to Railway Brook could substantially undermine the value of the restoration project and greater buffers should be acquired on the PDA side of the restoration project in light of the proposed interchange;
- the proposed interchange mentioned by the NHDOT at the meeting in Newington on May 29, 2009 is unknown but could have an adverse impact on the wetlands restoration;
- the ecological "history" of Railway Brook wetland should be further examined to look at the wetland functions and locations, including air photos, prior to the ditch;
- the DOT should look into whether measure could be taken to improve water quality and quantity coming into the restoration area as storm-water runoff from the airport, which could prevent any restoration from being successful.

After considerable discussion, Chairman moved that the above items be addressed in a letter from the Commission to the NHDOT Project Manager, Chris Waszczuk reflecting the foregoing. The motion was seconded. All concurred with Commissioner Hislop requesting that the minutes reflect that she did not participate in that part of the discussion concerning the potential acquisition of property owned by her family.

### **3. Tom Aspinwall, Nimble Hill Office Suites.**

Mr. Aspinwall brought in small scale plans that the Commission examined. He indicated that he had spoken to NHDES and was moving forward with the project. His proposed stormwater treatment system (Storm Tech) was examined that would accept roof and parking lot run off and treat it below grade.

Commission members encouraged Mr. Aspinwall to focus on low-impact development approaches that would divert runoff into rain gardens where the water would be infiltrated instead of discharged directly for treatment, and that these systems would have an overflow that would handle larger storm events.

The Chairman indicated he would provide a copy of the landscape design/maintenance guidelines that provide some guidance and resources/information concerning this. The Christmas Tree Shops in Portsmouth was mentioned as one nearby location that had used LID/raingardens.

Commission members discussed the review process and indicated that it could review both the wetlands application under RSA 482-A at the same meeting as a request for a special exception to the ZBA, which also requires a recommendation from the Commission.

A motion was made to recommend that Mr. Aspinwall incorporate LID in to his landscape design, i.e. using lowered rain gardens to capture run-off (with an overflow to stormwater treatment system), with a note that the Commission would issue a favorable recommendation once the design was complete. Second by Jane Hislop. All concurred.

#### **4. Town of Newington Notice of Routine Maintenance.**

Proposals were reviewed for Airport Road and Coleman Drive. The chairman stepped down because the Selectmen retained his office relative to the negotiation of drainage easements from two of the property owners. After discussion a motion was made by the Vice Chair Lamson to accept the notification/proposal. Jane Hislop seconded. All concurred, with the Chairman recused.

#### **5. Town Forest.**

The Town Forest sign was brought into the room through considerable effort. It was discussed that one sign should be placed beyond the Stone School at a potential trail location near the gate at Nimble Hill Road. The Commission members generally agreed. A question was raised as to whether Historic District Commission or Planning Board approval was required.

The chairman indicated that the sign was a governmental use of property which has its own review process under RSA 674:53.

The greater problem of Town Forest Management Plan was discussed and that the Commission understood that Charlie Moreno would prepare a scope of services to update the plan, and that the Chairman had scanned the prior plan and run an optical character recognition program, and that the plan was provided to Mr. Moreno some time ago.

It was agreed that Jane Hislop would contact Mr. Moreno.

#### **6. Other business.**

The status of the Newington Conservation Commission's appeal was discussed briefly, it being noted that the package contained a letter from the PDA's chairman Art Nickless, that the case needs to be decided by the Courts and that further discussions would not likely result in a settlement. Commissioner Lamson recused herself from the discussion. The chairman proposed that the Commission approve an additional \$2,000 towards Baldwin & Callen's retainer to represent the Town of Newington. Jane Hislop asked if a greater amount would be required. After discussion, all voted in favor and a purchase

order was approved in the amount of \$2,000, with Commissioner Lamson not taking part in the vote or discussion.

The Chairman recognized Dorene Stern and Jane Hislop for their work on planting projects throughout the Town. A purchase order for approximately \$100 or less was approved and signed by the Commission.

At approximately 10 PM, the meeting adjourned.