

MINUTES OF THE MEETING OF THE NEWINGTON CONSERVATION
COMMISSION HELD ON 13 JUNE 2002

Present were Commission members George Fletcher, Nancy Cauvet, Barbara McDonald, Margaret Lamson, Dorothy Watson and Kay Akerley and Tom Morgan, Town Planner. Commission members Jane Hislop and Jim Leger were absent.

Chairman Lamson called the meeting to order at 7:05 p.m.

Moved by George Fletcher that the minutes of 2 May 2002 be accepted.
Seconded by Dorothy Watson. Motion carried.

The Chairman referred to a memo of 10 June 2002 from Tom Morgan, Town Planner, to the Planning Board re the subject of the town's Master Plan, which is some 2 1/2 years out of date. She recommended that the Conservation Commission consider sending a memo to the Planning Board advising that the Commission's project of inventorying the town wetlands was nearing completion and that the Commission hoped the Planning Board would make use of the resulting inventory in its efforts to update the out-of-date Master Plan. Nancy Cauvet made a motion that the Commission send a memo to the Planning Board advising that the Commission's project to inventory the town's wetland resources is nearing completion and that the Commission hopes the Planning Board will seriously consider the findings and use them as they undertake to update the town Master Plan. Seconded by Dorothy Watson. Motion carried.

Tom Morgan said Mark West would be walking throughout the town as he conducts his inventory. He has been given a letter of introduction/authorization by the Selectmen and will be obtaining an ID badge from the PD. Tom said Mark had informed him that he had obtained (source unknown to Tom) some excellent colored Ortho photos which he hoped he could have copied in Portsmouth.

Tom Morgan addressed the subject of easements and stressed the importance of landowners knowing what options are available to them should they wish to preserve all or some of their land as open space. He said he

had had a number of people ask him if the Newington Conservation Commission would have the responsibility for the management and control of any easements granted to the town. He pointed out that the Commission had never voted to accept the responsibility which the State legislature has given Conservation Commissions to manage and control, in the name of the town, any easements acquired by the town. Tom said in some large towns, where there may be large tracts of land under easement, this could be a problem, but Newington is small enough to preclude any significant problems being encountered. Barbara McDonald said she thought the Commission automatically had this authority. Tom said no -- the fact that the legislature authorizes it doesn't mean the Commission has accepted the responsibility. George Fletcher made a motion that the Commission go on record as agreeing to accept the responsibility for the control and management of any easements acquired by the Town of Newington. Seconded by Barbara McDonald. Motion carried.

Chairman Lamson referred to the copied pages from the NHMA Selectmen's Handbook on Conservation Commissions, which she thought would be a helpful reference for members. Tom Morgan said it appeared to him that the Commission was pretty much doing all the things which the legislature permits.

The Chairman asked Tom Morgan if Mark West had indicated that he would be attending the Commission's July meeting. Tom said he hadn't heard. But he said Mark had indicated that he was going to start his field work.

Nancy Cauvet brought up the subject of stewardship for the Fox Point property and reiterated her past concern that a conservation easement for the property should be considered inasmuch as simple ownership by the town does not exempt it from some sort of development. It was the consensus that no problems are anticipated under the current status, i.e., the Selectmen have the responsibility for the area, but always have, and do, defer to the Conservation Commission when it comes to the areas of Fox Point, excluding the buildings.

Barbara Hill, a volunteer for the Great Bay Coast Watch, was present to bring Commission members up to date on the activities of the group and

on their findings as a result of monitoring the water off Fox Point. Also present, to assist in answering any questions, were David Burdick of the UNH Estuarine Lab, and Great Bay Coast Watch volunteers Ann Reid, Donna Desautels-Pease, and Michelle Wensman. Barbara showed slides concerning the various monitoring sites and indicated the group had also visited with the Conservation Commissions in Portsmouth and New Castle. She explained that Newington was one of 21 sites monitored, April through November.

The sites are monitored for such things as water temperature, air temperature, oxygen saturation, salinity, PH, clarity, etc. The results of the testing go to DES at the Estuarine Lab. She said there are 100 volunteers in the program and that 11 public schools and 2 home schools participate in the program. Michelle Wensman said a few words about the phytoplankton monitoring program which is done at Hilton Park every week.

The Chairman referred to the 6 June 2002 letter of Attorney Hastings enclosing an Outside Maintenance Agreement between Wal-Mart and Lynch Landscaping. Unfortunately the plan is not legible. She asked that the Secretary send a memo to the Selectmen advising that the Commission needs a legible copy of the signed agreement before the Commission can agree Wal-Mart has met the landscaping maintenance criteria.

The Chairman advised that Jane Hislop will address the UNH senior project program at the July meeting.

Mr. Howard Patten was present and invited to address the Commission concerning the Selectmen's retention of his bond pending satisfactory resolution of the landscaping at 32 Nimble Hill Road. Mr. Patten insisted that he had done everything required to meet the town's criteria for returning his bond. He argued that he no longer owns the property and therefore can do nothing further in regard to landscaping or a maintenance plan. The Chairman pointed out to him -- and agreed to fax him a copy -- of the minutes of the Commission meeting in which Barbara McDonald moved that the Commission accept the one-year maintenance plan, with the stipulation that any sales agreement include submission of a maintenance plan. Commission members agreed that the landscaping plan originally approved had never been completed and that the area had never been properly maintained and looked "seedy." Mr. Patten said that even though he no longer owns the property, he will offer to replace and plant two pines to

replace those that died and, further, that he will request the new owner, Eastern Bearing, to provide a maintenance plan. The session with Mr. Patten ended with the Chairman reiterating her plan to fax him copies of the minutes to which she had referred.

The Chairman said she would be away the week of July 11th and it was agreed the next meeting would be held on Thursday, July 18th.

There was discussion concerning a date and time acceptable to members for a site walk on Fox Point. No conclusion was reached and it was agreed the Chairman will contact members concerning this matter at a later date.

On a motion by Barbara McDonald and seconded by George Fletcher, it was voted to adjourn at 9:12 p.m.

Kay Akerley
Secretary/Vice Chair