

Town of Newington, NH
CONSERVATION COMMISSION

Meeting Minutes for Thursday, February 19, 2015

- Call to Order:** Chair, Jane Hislop called the February 19, 2015 meeting at 6:30 p.m.
- Present:** Chair, Jane Hislop; Cindy Gunn; Ann Morton; Bill Murray; Jim Weiner; Alternate Jane Kendall; and Thomas Morgan, Town Planner
- Public Guests:** Attorney Steve Roberts, Steve Haight, Haight Engineering, Luke Hurley, Gold Environmental Services, Keith Frizzell; NROC Outreach, Jill Ferrell, PREP; Julie Peterson, NH Sea Grant and UNH Cooperative Extension and intern Abby Gronberg

2) Planning Board: Proposal by Patterson Lane, LLC to fill wetlands at 34 Patterson Lane

(This item was taken out of order.)

Mr. Steve Haight of Haight Engineering informed the Commission that the applicant owned two adjoining lots with the property line running along the Industrial and Residential Zones with existing industrial and residential buildings on each lot. He said they had asked the Planning Board to merge the two lots so they could have sufficient frontage to replace the existing industrial building with a larger building. He said they also were asking the Zoning Board of Adjustment to approve a Special Exception because only one principal building would be allowed while they tore down the existing industrial building.

Mr. Haight said there was a catch basin in front of the existing building that had not been maintained and was plugged. He said they were proposing grading for drainage and a long-term detention pond for treatment. He stated that they submitted a dredge and fill application with the Department of Environmental Services (DES) and he and Mr. Luke Hurley with Gold Environmental Services met with Ms. Dori Wiggin in the Wetlands Bureau who was looking for feedback from the Conservation Commission.

Mr. Hurley said there was no significant wetland habitat value in the two small wetlands on the site containing silty, clay coastal soils and wetlands plants. Commissioner Weiner said it appeared that they were proposing to expand the wetlands in the meadow to an open pond area and Mr. Hurley agreed. Mr. Haight reviewed the drainage design, noting that the treatment area would be twice the area of impact. Commissioner Weiner asked how the pond would treat the runoff and Mr. Haight said a natural grass swale and the surrounding vegetative area was considered the best treatment for sediment and salt removal.

Commissioner Cindy Gunn asked if they had considered pervious paved surfaces and Mr. Haight said pervious pavement would not support industrial trucks and there was ledge on the site so there was no reservoir for runoff below.

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Commissioner Gunn said she was concerned because the area was sensitive with the nearby Piscataqua River that would be affected by runoff. Mr. Haight said the storm water treatment following Best Management Practices (BMP's) that would be recorded on the plan was the primary goal for alteration of terrain and nothing would leave the site without being treated.

Chair Hislop asked how many trees would be removed and Mr. Hurley said the area was a field that was easily walked, but slowly starting to reclaim itself. Mr. Haight said everything was being removed from the industrial lot. Chair Hislop asked if they would be planting trees on the residential side to shade the building and Mr. Haight said the Ordinance required a minimum of one tree, but their landscape plan had three to four trees. He said they had discussed mitigation with Ms. Wiggins, but New Hampshire Fish and Game told them the area was not large enough for a natural grass habitat; however, they could still plan holly, high bush blueberry and other fruit bearing native plantings for a grassy scrubland. Commissioner Gunn said it would be nice to have an attractive, natural landscaping that would not be the minimum requirement.

Mr. Morgan said it was a nice lot and wondered how they would ensure it would be maintained and Mr. Haight said Fish and Game recommended mowing ever five years. Chair Hislop said they could do a plan for landscape management.

Attorney Roberts said they also proposed planting a row of trees along abutter, Ann Beebe's property line, but she had informed them that she didn't want any tree maintenance. Mr. Haight said perhaps could they do use some of the shrubs Fish and Game had recommended. Chair Hislop also recommended diverse plantings to avoid a monoculture and Mr. Hurley said they would talk with Fish and Game about random plantings. Applicant, Mr. Keith Frizzell said he had owned the residential lot for a couple of years and the field hadn't been hayed for years so it was very rough when they mowed every fall. He wondered if allowing the field to reclaim itself naturally would be quicker than risk plantings that could die.

Commissioner Bill Murray asked what kind of plant and animal life occurred in the natural wetlands. Mr. Hurley said mostly high-bushed blueberry, American maple, and cinnamon fern. He said the wetlands were shallow and stayed wet for a few weeks with no vernal pools. He said wildlife might pass through, but it was not a habitat and it would still be replicated with a new detention pond.

Mr. Haight said they brought their wetlands application in and Attorney Roberts said they were scheduled to go before the ZBA for a recommendation on March 2, 2015. Mr. Morgan said he hadn't seen the application and Chair Hislop added that it was not on the agenda.

Bill Murray made a motion that the Conservation Commission had no objection to the proposal by Patterson Lane, LLC to fill wetlands at 34 Patterson Lane. Commissioner Ann Morton seconded the motion and all were in favor.

Commissioner Cindy Gunn moved to recommend an enhanced landscape plan for the plan by Patterson Lane, LLC at 34 Patterson Lane. Commissioner Bill Murray seconded the motion and all were in favor.

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Mr. Haight said he would file the dredge and fill application with the Town Clerk and Mr. Morgan said he and Chair Hislop could review the application and sign off on it.

1) Community Education: NH Sea Grant, UNH Cooperative Extension and PREP (NROC)

(This item was taken out of order.)

Ms. Julie Peterson with NH Sea Grant and NROC passed out “Spring for the Bay 2015 – Newington” time line for the hour long community education outreach that would include a light luncheon and be held at the Langdon Library on April 11, 2015 from 11:30 a.m. to 1 p.m. Mr. Weiner suggested they make a one-page, invitational flyer out of the agenda. Discussion ensued on presentations and children’s activities with the UNH Marine docents. Chair Hislop said there should be plenty of room and they could also run some educational videos too.

Ms. Ferrell and Ms. Peterson said they would look into getting a septic engineer and installer in for a presentation. Ms. Peterson said there would be a sign up opportunity for those who wanted their property looked at by a technically informed person, who was not regulatory personnel, to advise them on ways to address potential septic leaching. She said the septic assessment was built on the Lamprey River Advisory Counsel’s program and they could also discuss ideas such as rain barrels and rain gardens.

Ms. Jill Ferrell of PREP and NROC said it would be important to get interaction rather than talking at people and Ms. Peterson agreed that they would want an informal interactive atmosphere.

Ms. Ferrell said Ms. Margaret Hagen would be a guest speaker on gardening tips and suggested offering discount coupons from a lawn and garden center. She said there would be an incentive for merchants to provide a \$5 coupon to draw customer sales in. Ms. Peterson said independent garden centers were often better to work with. Chair Hislop said a coupon for low nitrogen, organic fertilizer would be a good idea. She added that it was close to the 45th anniversary of the first Earth Day in 1970 and seedlings from the National Arbor Society or the UNH Nursery might be a good idea too. Commissioner Weiner said he would call a couple of places.

Ms. Peterson said they could use the newingtonconcomm@gmail.com email for RSVPs. Ms. Ferrell said the RSVP would be a good way to get an idea of how much food they needed, but some people might not commit right away. Commissioner Weiner agreed that many people liked to leave their Saturdays leave open until the last minute. Ms. Ferrel said they could give a pizza or sub place heads up shortly before the meeting.

Chair Hislop said the Southeast Watershed Alliance (SEWA) had come to the Commission looking for contributions toward their regional education outreach efforts. Ms. Ferrell said Chair, Dick Snow told her they would support this effort. Ms. Peterson said SEWA could use this presentation as a pilot if it went well. Ms. Ferrell said they

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could also reach out to other volunteer organizations for Great Bay as well as Laura Bergeron with Greenland Conservation Commission.

Mr. Morgan said the Langdon Library had a lot of contacts through social media and suggested they might want to share those resources by posting the event. Chair Hislop said a flyer would be sent out and they would also ask Town Administrator, Martha Roy to post something on the Town marquee in front of the fire station and Mr. Morgan could post something on the Town website. Chair Hislop said the "Newington Neighbor" publication would be coming out in March 2015 as well. Mr. Morgan said he would check on the deadline with publisher, Lulu Pickering.

3) Proposed Conservation Easements

A) Mitigation for wetlands impact off *Shattuck Way Extension*.

Mr. Morgan said the Town intended to extend Shattuck Way toward Gosling Road to route trucks away from Woodbury Avenue. He said Wilcox Industries was generously working with the Town while they were also expanding their facilities and both proposals ran into wetlands impacts. He said they met with Ms. Dori Wiggins and Mr. Dave Price at DES and were asked to mitigate thirteen acres for the half-acre of wetlands the projects would impact.

Mr. Morgan said Wilcox was tired of writing checks so he had the idea to utilize the former Flynn Pit property off Little Bay Road that the Town already owned for the mitigation. He said he ran the idea past the Board of Selectmen and the Planning Board and they were in support of the proposal. He said the Town owned nineteen acres, but they would exclude the skating rink pond.

Discussion ensued regarding the property that had been a gravel pit as well as an old landfill. Commissioner Gunn said using properties for landfill was common over the last 400 years. Mr. Morgan said this site had been used as a landfill in more modern times, perhaps as little as thirty years ago.

Commissioner Cindy Gunn moved to recommend putting thirteen acres of Town owned property, formerly known as the Flynn pit into a conservation easement as mitigation for wetlands impact from the construction in extending Shattuck Way. Jane Hislop seconded the motion and all were in favor.

B) Conservation easement on the former *Beane Estate* property

Mr. Morgan said the Planning Board had reviewed the former Beane Estate subdivision proposal over the last 14 months and at the last meeting Chair Hebert had asked the applicant if they would consider putting the wetlands into a conservation easement and they had agreed. Chair Hislop said there were a lot of lowlands and it would be nice to have a mix that included uplands, but the area was contiguous with the property surrounding Town Hall.

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Commissioner Cindy Gunn moved to recommend a conservation easement on the former Beane Estate property wetlands and have the Chair write a letter to the developer. Commissioner Ann Morton seconded the motion and all were in favor.

C) Conservation easement on **Fox Point**

Commissioner Murray asked when the conservation easement for Fox Point would be resolved and Chair Hislop said there were obstacles because the Commission could not hold the easement and the Board of Selectmen were hesitant with using an outside party. She said the concept of creating a residential group to hold the easement like "Friends of Fox Point" might be a problem for perpetuity because it might become defunct unless it was passed on to another party before it dissolved, which the Attorney General would require.

Commissioner Murray asked if the Selectmen were hesitant to relinquish control to an outside entity and Chair Hislop said they were fine with the Southeast Land Trust (SELT) overseeing the Baird easement or the Flynn Pit easement, but they were reluctant to do so with Fox Point because it was so visible to criticism from residents, however, SELT might be the only possibility since others would not be interested or Fox Point would not meet requirements for organizations such as the Society for the Protection of New Hampshire Forests.

Minutes: *Commissioner Ann Morton moved to approve the Minutes for the January 8, 2015 meeting. Commissioner Cindy Gunn seconded, and all were in favor.*

Adjournment: *The meeting adjourned at 8:45 p.m.*

Next Meeting: Thursday, March 12, 2015

**Respectfully
Submitted by:** Jane K. Kendall, Recording Secretary