

Town of Newington, NH
CONSERVATION COMMISSION
Meeting Minutes, Thursday, August 11, 2016

- Call to Order:** Co-Chair Jane Hislop called the August 11, 2016 meeting at 6:30 PM.
- Present:** Sandy Devins; Cindy Gunn; Ann Morton; Alternate, Jane Kendall; and Interim Planner, Gerald Coogan
- Absent:** Co-Chair Jim Weiner and Bill Murray
- Public Guests:** John and Meg Ripley; Tracy Degnan with Rockingham County Conservation District; Sarah Allen with Normandeau Environmental on behalf of Eversource; Peter Beauregard and Erol Moe, Co-Owners with Stoneface Brewing; Colin Dinsmore with MSM Engineering

1) **Conservation Easement:** Ripley Property, 50 Old Post Road, Map 17, Lot 15

Interim Planner, Gerald Coogan informed everyone that he had drafted a letter of intent (LOI) between the Ripleys and the Town to confirm that both parties intended to move forward for with an easement so that Sarah Allen with Normandeau Environmental, representing Eversource could use the document to begin the process of applying for funds since a purchase and sale agreement would depend on the Town Meeting in March 2017. Mr. Coogan said the LOI was non-binding, but he wanted Town counsel, Attorney John Ratigan to review the document. Co-Chair Hislop asked Mr. Coogan to get the letter of intent to Town counsel as soon as possible. Mr. Coogan said he would as soon as Attorney Ratigan returned from his vacation.

Jane Kendall moved to recommend that Co-Chair Hislop sign a letter of intent upon approval of Town counsel. Sandy Devins seconded the motion and all were in favor.

Meg Ripley of Old Post Road asked if the letter of intent was common. Ms. Allen replied that it was helpful when pursuing multiple sources of funding.

Ms. Allen suggested that the letter specifically mention Eversource's Seacoast Reliability Mitigation funds on "3B" of the application to clarify that they were not referring to the Aquatic Resource Mitigation (A.R.M.) funds. She also suggested that they reference the amount as "approximately \$80,000" because they didn't know if the amount would go up or down.

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Ms. Allen also informed the Commission that Eversource's Seacoast Reliability was putting together some language regarding the FCC because there had been some design changes, include going underground on the Darius Frink Farm.

Ms. Allen stated that the New Hampshire Department of Environmental Services (DES) looked for the town's conservation lands in the State's data base during the A.R.M.s application review and were not able to find them so she suggested the Commission put together an updated map that would include the Baird, Hislop and Saba easements along with the Flynn, Fox Point, Frink Farm, Trickey's Cove and New Hampshire Fish and Game's easement on a lot near Beane's Lane.

Tracy Degnan with Rockingham County Conservation District said the lot lines around Mott's Pond were not clear. Co-Chair Hislop said she wasn't sure, but she thought the Town owned Mott's pond and would contact Margaret Lamson or Richard Spinney who owned abutting properties. She said Mr. Coogan could follow up with Ms. Allen regarding Mott's Pond Map 10, Lot 19 once they knew more.

Ms. Allen said it would be to the Town's advantage to update their maps because people used the State's database for reference. Mr. Coogan passed out a 2010 Newington Conservation Map from Rockingham County Planning as a starting point for reference. Commissioner Sandy Devins asked Mr. Coogan if he would do the update and Mr. Coogan said he could provide information to the GIS planner at Rockingham County Planning. Ms. Allen asked that he also send the updates to Fay Rubin at Granit, New Hampshire's statewide geographic information system (GIS).

Ms. Allen wondered if they could get Mark West's digital wetland boundaries. Co-Chair Hislop said the Commission had already paid Mr. West to do them and she could ask him directly. Ms. Degnan said she might have them and that they would also need Mr. West to do the wetlands functions and values.

Ms. Allen said she was putting together a package and was trying to reach Lori Summer with DES to be sure the A.R.M.s easement language would be satisfactory because she was not sure if DES should be present or if the negotiation for the easement between the Newington Conservation Commission and the Ripleys. She said if Ms. Summers having DES on board would help make a convincing argument to the Environmental Protection Agency (EPA). Ms. Degnan said there had also been discussion about incorporating the A.R.M.s easement agreement with the Town.

Mr. Coogan asked when the A.R.M.s agreement deadline was and Ms. Allen replied that she would at least like a draft attached by mid-September. Co-Chair Hislop asked Mr. Coogan to send an email to confirm that the Commission was working on the agreement.

Ms. Degnan went on to say that the \$80,000 request directly from Eversource mitigation funds that would otherwise go into the A.R.M.s fund pot and therefore thought it might be too much to ask for additional funds from A.R.M.s. Co-Chair Hislop agreed that would be nice but that it would be like double dipping.

Ms. Allen asked any sense on likelihood of getting support for a warrant article during the March 2017 Town Meeting for the additional funds for the easement purchase. Co-Chair Hislop said the town approved of the Fox Point, Frink and Saba property easements and thought there could be support for a member of the

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community. Ms. Allen said the advantage was that it would connect the Saba and Hislop easements along Knight's Brook with just one gap between the Ripley's and the Frinks.

Commissioner Cindy Gunn asked the Ripleys if they had any alternate plans if this didn't go through. John Ripley of Old Post Road said seems this approach seemed the most logical and probable so they hadn't.

Discussion ensued regarding an easement working group. Ms. Allen said they needed to submit the amendment proposal to Eversource's for Seacoast Reliability Mitigation so the sooner the better. Mr. Ripley said he could meet the following Thursday, Aug 18, 2016 at 6 p.m. Co-Chair Hislop said she and possibly Co-Chair Weiner also meet then. Mr. Ripley said he could meet on September 8, 2016 if they couldn't meet the following week.

Mr. Ripley said their lot was in current use now and asked what impact the easement would have on their taxes. Commissioner Gunn said she thought it would be taken out of current use once it became a conservation easement. Mr. Coogan added that the value of the property would be diminished since it couldn't be developed so he didn't think there would an impact. Mr. Ripley asked what would happen to the house lot and Mr. Coogan said the house value would stay the same, but the property value might go down.

2) Stoneface Brewing Landscape Plan, 436 Shattuck Way, Unit 6, Tax Map 7, Lot 12

Peter Beauregard and Erol Moe, co-owners of Stoneface Brewing appeared before the Commission with Colin Dinsmore with Ambit Engineering to present their landscape plan.

Mr. Dinsmore informed the Commission that they met with the Planning Board in June and were granted approval with the condition that they appeared before the Commission with a landscape plan for their expansion of their existing brewing center to include a small restaurant at the other end of the building.

Mr. Dinsmore stated that they the owner had planted five new trees in front of the building that was also occupied by other tenants, but they were focused on landscaping around the parking lot and entrance of the restaurant. He said there already was an established red maple and they intended to add some low shrubs and decorative grasses along with planters near the building and two small trees to provide shade and screening for the patio and parking area.

Mr. Dinsmore said there was no need for a green area as the lawn was well established. Co-Chair Hislop asked if they were maintaining the lawn and Mr. Beauregard replied that the landlord would continue to mow and plow.

Commissioner Devins asked if the parking area would increase and Mr. Dinsmore said they were changing the shape to maximize parking.

Commissioner Devins asked if fencing around dining area. Mr. Dinsmore said there will be railing to comply with liquor commission.

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Mr. Coogan asked who would be responsible for the maintenance of the plantings and Mr. Dinsmore replied that the species were low maintenance and Mr. Beauregard said they would water their planters.

Alternate Commissioner, Jane Kendall suggested they used water gators to water the newly planted trees every three to five days for the first couple of years until they were established. She said the trees that the landlord planted in front might look fine now, but they might not in another year considering the drought conditions if they weren't watered. Co-Chair Hislop commented that the trees looked to be salt tolerant.

Cindy Gunn moved to accept Stoneface Brewing's landscape plan for 436 Shattuck Way, Unit 6, Tax Map 7, Lot 12 as presented. Ann Morton seconded the motion and all were in favor.

Mr. Dinsmore asked for feedback on the guard rail in the back of parking area. He said there were some stormwater treatment swales which had filled in and turned to wetlands so he wondered if there was an alternative to a guard rail to them from snow storage. Co-Chair Hislop suggested they contact University of New Hampshire Stormwater Management group for their suggestions.

Mr. Coogan said the site was developed for mixed use in 1987 with a drainage plan, but there had been no maintenance by the landlord so silt filled the culverts. He said one of the Planning Board's conditions of approval was to replace the catch basin as approved by DES.

Mr. Dinsmore commented that the man made drainage had become wetlands over time. Ms. Kendall said even if the wetlands were man made, DES still considered them wetlands that required protection now and they couldn't have snow storage there. She asked where the snow would be stored and Mr. Dinsmore said to the side.

Mr. Moe said there was chain link further back, but railing was expensive. Mr. Dinsmore said they considered large landscape boulders at the back of the parking lot to discourage snow storage. Commissioner Gunn said stockade fencing was relatively inexpensive, but agreed that boulders would be a good solution too.

Commissioner Devins said sometimes rain gardens were used as well.

Mr. Coogan asked when they planned on opening and Mr. Moe said they were eyeing early December.

3) Open Space Preservation:

Mr. Coogan informed the Commission that he had contacted Jeff and Jill Boynton on Old Post Road to consider the possibility of putting a portion of their property into a conservation easement that would complete the Knights Brook wildlife corridor between the Frinks and the Ripleys.

Commissioner Gunn asked if the Board of Selectmen were aware of the Ripley's easement and Mr. Coogan replied that he provided them with memos on the activities of each board. Co-Chair Hislop added that Town Administrator, Martha Roy attended the last meeting.

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4) Interim Planner Update:

Mr. Coogan presented the Commissioners with his memo updating them of pending items for each board.

Minutes:

Sandy Devins made a motion to approve the Minutes of July 14, 2016. Cindy Gunn seconded and all were in favor.

Jane Hislop made a motion to approve the Non-Public Minutes of July 14, 2016. Sandy Devins seconded and all were in favor.

Jane Hislop made a motion to seal the Non-Public Minutes of July 14, 2016. Cindy Gunn seconded and all were in favor.

Jane Hislop made a motion to approve the Minutes of July 28, 2016. Sandy Devins seconded and all were in favor.

Correspondence and Invoices

Jane Kendall moved to pay an invoice from Rockingham County Conservation District for the amount of \$1,475.26 for Tracy Degnan's services. Jane Hislop seconded the motion and all were in favor.

Adjournment: *The meeting adjourned at 7:53 p.m.*

Next Meeting: Monday, September 8, 2016

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

These Minutes were approved and adopted at the September 8, 2016 Conservation Commission Meeting.