

**Town of Newington, NH**  
**CONSERVATION COMMISSION**  
Meeting Minutes, Thursday, September 8 2016

**Call to Order:** Co-Chair Jane Hislop called the September 8, 2016 meeting at 6:30 PM.

**Present:** Co-Chair Jim Weiner; Sandy Devins; Bill Murray; Alternate, Jane Kendall; and Interim Planner, Gerald Coogan

**Absent:** Cindy Gunn and Ann Morton

**Public Guests:** Tracy Degnan with Rockingham County Conservation District

1) **Conservation Easement:** Regarding John and Meg Ripley's property at 50 Old Post Road, Map 17, Lot 15.

Co-Chair Hislop and Co-Chair Weiner updated the Commission regarding the previous week's work session that they attended with John and Meg Ripley.

Co-Chair Hislop and Co-Chair Weiner stated that there were a limited number of reasonable restrictions to meet Eversource's requirements that followed the Aquatic Resource Mitigation (A.R.M.) funding easement language and the Ripley's were not required to have public access for approval.

The necessity of a current survey was discussed along with boundary markings and signage near the prime wetlands was discussed.

Co-Chair Weiner explained that there would be a no cut, no disturb buffer around the prime wetland area of the easement parcel and their path around the area would be limited to the size of their mowing tractor deck. He added that the maintenance and restoration of existing structures in the buffer would be allowed, but new structures would not be allowed, as well as no alteration of the drainage ditch would be allowed without express written permitting by the Department of Environmental Services and the Town. DES would still have enforcement rights, but would get back to us on what that might be.

Tracy Degnan with Rockingham County Conservation District commented that DES would still have enforcement rights and she would follow up on those details when she learned more.

Interim Planner, Gerald Coogan passed out the draft of the Ripley's conservation easement drawn up using A.R.M.'s easement template.

The Commission reviewed the changes. Co-Chair Weiner noted that a two-hundred-foot buffer was listed, but only a one-hundred-foot buffer was discussed. Co-Chair Hislop noted that the template was dated December 2014 so the final easement

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might not be quite the same. Co-Chair Hislop replied that she thought the section on the riparian wetlands buffer on page 2 needed further explanation.

Co-Chair Hislop informed the Ripley's that the easement allowed agricultural plantings, harvesting and haying. Co-Chair Weiner added that the removal of invasive species would be up to the Ripley's, but it would be costly and they often returned. Commissioner Devin pointed out that section 5A noted that invasive species could only be removed only with written permission from the grantor.

Ms. Degnan stated that the easement agreement would require monitoring by the Town once a year must be monitored by town and that the State would require a report every five years.

Commissioner Devins asked where payment for monitoring would come from and Co-Chair Hislop replied that the Commission would need new line in budget.

Discussion ensued regarding the monitoring of other conservation easements in town. Commissioner Sandy Devins asked if the task would fall under the Department of Public Works and Co-Chair Weiner suggested the Commission discuss the matter further at the next meeting. Co-Chair Hislop suggested it would be helpful if Interim Planner, Gerald Coogan could do some research on third party vendors that would do monitoring. Mr. Coogan said the Society for New Hampshire Forests did monitoring.

Co-Chair Hislop asked Ms. Degnan if Rockingham County Conservation District did monitoring. Commissioner Jane Kendall replied that Ms. Degnan had said they had, but that they wanted to get out of monitoring.

Co-Chair Hislop informed the Commission that Town Administrator, Martha Roy sent her an email inquiry on whether the dispersal of Eversource's \$2,500 fee for the easement through the Flynn pit for their transmission line expansion project should go to the Conservation Fund or the General Fund. Both Co-Chair Hislop and Co-Chair Weiner said they would rather see the funds go to the Conservation Fund so that those funds could also be used as a form of mitigation in the purchase of the Ripley easement, which would also require that much less in the warrant article for the remainder of the purchase.

Co-Chair Hislop added that there were two funding sources for the Commission's Conservation fund – one from the annual warrant request at Town Meeting and the other was a 10% refund when property was pulled out of current use during a development sale, except in one case where a property owner was granted an abatement a few years earlier. Mr. Coogan said he thought the Board of Selectmen were not supposed to wave the refund. Co-Chair Hislop replied that they were not, but that they had made an error in that case.

*Sandy Devins made a motion that the Town deposit Eversource's \$2,500 fee for the easement through the Flynn pit for their transmission line expansion project in to the Conservation Commission Fund. Bill Murray seconded the motion and all were in favor.*

Co-Chair Weiner commented that the letter of intent referred to how much the Town would contribute if they received \$80,000 in mitigation funds directly from Eversource. He added that the Commission would need to determine if they wanted to

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drain the Conservation Commission fund completely or if ask for more in the warrant article to leave some behind and then determine what requests to make for the Conservation Commission fund for future easements.

Co-Chair Hislop added that the final agreement wouldn't be signed until all the funds were in hand in the Spring of 2017.

Ms. Degnan stated that she would inform the Commission as to any additional steps would be necessary for Eversource's representative, Sarah Allen with Normandeau Environmental Engineering to complete the application that was due on September 15.

**2) Interim Town Planner Update**

Mr. Coogan updated the Commissioners on the applications on the Planning Board and Zoning Board of Adjustment agendas.

Mr. Coogan also informed the Commission that Rockingham Planning Commission was reviewing the Town's Master Plan and would soon be providing comments.

Mr. Coogan added that Rockingham Planning Commission would also be providing a draft report on their climate risk assessment for sea rise in the next month.

**Minutes:**

*Jane Hislop made a motion to approve the Minutes of August 11, 2016. Sandy Devins seconded the motion and all were in favor.*

**Other Business:**

Co-Chair Hislop asked Mr. Coogan if he had heard anything from Jeff and Jill Boynton. Mr. Coogan said he had not since he spoke with them a month ago when they said they would explore the possibility. Co-Chair Weiner commented that this would be a good time for the Boynton's to talk with the Ripleys.

Co-Chair Hislop commented that there had been a recent article on eel grass in the "Portsmouth Herald" that stated that the grass was not doing too well, but they were hoping that the upgrades in sewage treatment in towns feeding into Great and Little Bay would reduce the nitrogen levels enough to improve the water quality.

**Adjournment:** *Jim Weiner moved to adjourn. Jane Hislop seconded the motion and the meeting adjourned at 8:55 p.m.*

**Next Meeting:** Thursday, October 13, 2016

**Respectfully**

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

*These Minutes were approved and adopted at the October 13, 2016 Conservation Commission Meeting.*