

# Town of Newington, NH

## CONSERVATION COMMISSION

Meeting Minutes, Thursday, January 9, 2020

- Call to Order:** Chair Jane Hislop called the January 9, 2020 meeting at 6:30 p.m.
- Present:** Chair Jane Hislop; Vice-Chair Weiner; Commissioners Ann Morton; Andrew Meigs; Jim Tucker; Alternates Jane Kendall and Bill Murray
- Absent:** Town Planner, Gerald Coogan
- Public Guests:** Theresa Walker, Rockingham County Planning Commission; Ben Clarke with ABM Engineering

### 1) Presentation of Draft Natural Resources Chapter for Newington Master Plan Update

Theresa Walker with Rockingham County Planning Commission said she had been assisting the Newington Planning Board for the last year to update the Town's Master Plan, and she was asking the Conservation Commissioners if they would like to make any additions or changes to the natural resources chapter.

Ms. Walker said a lot of natural resources information was covered when Newington's previous Town Planner, Tom Morgan did the Master Plan 10 years earlier, but she had been asked to reduce the size like a primer to the size of the Zoning Ordinance appendixes to make it more user friendly for Town boards, commissions, and citizens, with references to expanded information in the appendices. Ms. Walker said there would also be an online link.

Chair Hislop commented research on references was frustrating when links got old. Ms. Walker replied that soils and watersheds didn't change, but the science behind climate change did so they would need to reference a Google search for the most recent information.

Ms. Walker said some information came from the adaptation to climate change study, such as enabling marshes to move inland to allow wildlife to migrate. Ms. Walker said that the updated chapter would have a section showing the effects of storm surge on the shoreline, include soil types, and the updated wetlands maps,

Vice-Chair Weiner stated that the Conservation Commission had proposed a warrant article to clarify definitions of wetlands, and setbacks in the Town Wetlands

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Ordinance, but the Planning Board dropped it because there were objections by a few residents even though the update would have reduced setbacks to many less significant wetlands. Vice-Chair Weiner said the wetlands overlay map would not be kept with the Zoning Ordinance or any of the Planning Board's regulations, but it would be kept as a reference tool in the Natural Resources chapter, however.

Commissioner Jim Tucker said there seemed to be errors in some of the names of streams. Ms. Walker said she had obtained the information from the old Master Plan, and that he could email her corrections at [theresawalker@comcast.net](mailto:theresawalker@comcast.net).

Commissioner Andrew Meigs wondered if a reference to Great Bay National Wildlife Refuge might be included. Vice-Chair Weiner said the Master Plan was the Planning Board's vision of what they wanted the town to look like, and he didn't think Great Bay National Wildlife Refuge had anything to do with that. Commissioner Meigs replied that there wasn't a brick wall keeping everything in the refuge. Chair Hislop agreed that wildlife did migrate back and forth from the refuge to town. Ms. Walker said she would add a paragraph to reference.

Ms. Walker stated that Lulu Pickering with the Historic District Commission asked her to discuss how past natural resources, such as a tidal river and good farmland soils influenced activities, and the appealing character of the town and the region. She said the town forest would be discussed as well.

Ms. Walker asked if the Commission had anything to add regarding land conservation priorities or projects. Chair Hislop said they couldn't name properties. Ms. Walker agreed, but said they could talk about attributes.

Alternate Commissioner Jane Kendall commented that the Commission had focused on creating conservation easement parcels that connecting wildlife corridors. Chair Hislop added that they favored parcels with a mix of wetlands, forest, and open space for diverse habitats. Commissioner Tucker suggested that they include shoreline conservation in their goals.

Vice-Chair Weiner said the Commission had a history of building up their Conservation Fund, but had been asked to reduce their request for several years, and now they were trying to build it back up so they would have funds for mitigation easements that might come up.

Ms. Walker asked if the Commission received refunds when properties were taken out of current use. Chair Hislop replied that they were supposed to.

Ms. Walker said the original version included conservation parcels, and the Planning Board discussed how much to include in main section, or in the appendix. Chair Hislop said the appendix would be fine so it could be updated.

Ms. Walker said would like response by Wednesday, January 16, 2020 because meeting with the Planning Board on Thursday, January 17, 2020.

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### 2) **Landscape Plan: McGovern Auto Group** for a **Subaru Automotive Sales** facility to be located at the former Toys “R” Us building located at **85 Gosling Road, Tax Map 34, Lot 3-1**

Ben Clarke with ACM Engineering stated that McGovern Auto Group was working an adaptive reuse of the former ToysRUs site for a Subaru dealership. Mr. Clarke said they were under redevelopment guidelines so there was less of a burden on site requirements using the same building and parking lot. Mr. Clarke said they were not proposing a great deal of change on the lot, but they were reducing some of the impervious surface by replacing some pavement with a grassed area.

Mr. Clarke presented the landscape plan that had been prepared by a professional. Commissioner Kendall pointed out that the regulations required applicants to provide a landscaping plan that was signed by a licensed landscape architect or designer. Chair Hislop added that it needed to include the plant species, and a two-year maintenance plan for planting, watering, mulching, reseeding, low nitrogen fertilization, and snow storage.

Vice-Chair Weiner said he heard the owner say during the Planning Board hearing that they would fill and seal the pavement, and he thought it would look horrible in a short amount of time. He said he did a site walk and it was very uneven, and a trip hazard for customers.

Mr. Clarke said they had discussed planting along the backside of the lot, but were hesitant to put plantings in the Eversource easement. Commissioner Meigs suggested that they just make sure that they be dwarf plantings under 16 feet while keeping their easement access clear. Vice-Chair Weiner suggested that they could do some minimal landscaping with boxwoods to improve the lot as well. Mr. Clarke responded that Eversource didn’t want anything under their line easement.

Mr. Clarke stated that an arborist looked at the existing ash trees for emerald ash borer, and found no sign, but one damaged tree would be removed, and some dead branches would be pruned, sucker growth and poison ivy and bittersweet removed. Commissioner Meigs commented that he used to live in Connecticut, and he expected an infestation would arrive in three years.

Mr. Clarke went on to say that they would plant three Alberta spruces near the pump station. He added that it was sloped near the wetlands and so they were proposing to plant river birch trees on the slope near Gosling Road that would provide screening without blocking view of their vehicle inventory.

Mr. Clarke said they would also plant shrubs and ornamental grasses proposed in islands, that were native and low maintenance. Chair Hislop asked if the islands were raised, and Mr. Clarke said they were, and were all existing islands.

Commissioner Tucker asked who owned the wetlands left of the accessway. Mr. Clarke replied that the property was owned by the Crossings Mall.

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Chair Hislop commented that ToysRUs had done a poor job of keeping surrounding wetlands clear of trash. Mr. Clarke responded that they intended to clean the area.

Commissioner Tucker asked where snow would be stored. Mr. Clarke pointed out the location of snow storage. Mr. Clarke said they would not be doing any grading so water would still flow to the low point at corner of the existing lot. Mr. Clarke said there was an existing catch basin with a 24-inch culvert, so they would remove the culvert, and a storm water pond would treat the runoff. Mr. Clarke said they were not required to do any site improvements on a repurposed site, but the changes they made would improve stormwater treatment from 54% to 58%.

*Vice-Chair Weiner moved to recommend approval of the landscape plan for the Subaru Automotive Sales facility to be located at the former Toys "R" Us building located at 85 Gosling Road, Tax Map 34, Lot 3-1 with the condition that it would be stamped by a licensed landscape architect or designer, and include a two-year maintenance plan. Jane Hislop seconded the motion, and all were in favor.*

Commissioner Meigs asked about the area of the dumpster, and where tractor trailers parked. Mr. Clarke said he would have someone to check it out, and let the Planning Board know on Monday.

### **3) Conservation Commission Report for 2019 Annual Town Report**

Chair Hislop stated that the report was due by the first of February 2020.

Chair Hislop asked that the report include the New Hampshire Department of Environmental Services (DES) permits, review of wetlands site reviews, placement of newly ordered wetlands plaques, wetland violations, landscape plan reviews, wetlands mapping, discussions on mitigation and conservation easements.

Chair Hislop said the report should also mention attendance of regional discussions and workshops, historic research done on local brooks, and community education presentations on invasive species and tree care for Spring for the Bay. .

Chair Hislop went on to say that the report would also say goodbye to former commissioners, Liz Durfee and Sandy Devins, approval of new member, Andrew Meigs, and encourage applications for new members.

### **4) Conservation Commission Members**

Chair Hislop welcomed newly appointed, Andrew Meigs.

Chair Hislop added that thanks would be extended to former members, Sandy Devins and Liz Durfee

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Vice-Chair Weiner Discussed using funds for tokens of appreciation. Chair Hislop said she was not sure if could if funds could be used for gifts if not earmarked. Commissioner Kendall agreed, and said she had an issue that some people came and went and barely got a thank you, while others received commemorations, and gifts. Chair Hislop said she thought it would be nice to do a commemorative planting.

### 5) Additional Discussions:

Vice-Chair Weiner noted that whomever left their docks stored on the wetlands near the Town docks had not removed them since DES pointed out that they were in violation last year. Vice-Chair Weiner said he had asked former Town Planner, Gerald Coogan to inform the Board of Selectmen of the violation, on several occasions, but nothing had been done. Commissioner Kendall suggested having Chair Hislop write an email to Town enforcement officer and building inspector, Kevin Kelly and copy Town Administrator, Martha Roy. Walker suggested that they also contact DES.

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Vice-Chair Weiner informed the Commission that he had attended the Planning Board's interviews for a new, part-time Town planner, and they had recently hired John Krebs as part-time Planner. Vice-Chair Weiner, said they had also interviewed former Conservation Commissioner, and contract project planner Elizabeth Durfee, whom they all liked as well but they decided to go with Mr. Krebs because he previous planning experience with Rockingham County Planning Commission, as well as serving on the planning board in his hometown of Freedom, New Hampshire.

Vice-Chair Weiner added that they liked Ms. Durfee, and thought they might consider again after Mr. Krebs retired in 5 years.

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Vice-Chair Weiner commented that over the last couple of years, the monthly packets for Conservation Commission meetings had not been sent out in a timely manner for review the week before meetings. Vice-Chair Weiner said he had talked with Recoding Secretary, Jane Kendall, who had experience covering former Town planner, Tom Morgan's desk while he was out on medical leave for twelve weeks, as well as having worked in the City of Portsmouth's Planning Department, and he wondered if the Commission could vote for her to assist Mr. Krebs in getting the packets out each month.

Vice-Chair Weiner said they had also asked Ms. Kendall to put an executive summary together for the Town's 2019 Annual Report and he thought that she should be paid \$22 an hour as had been offered for putting together a procedural and information primer because it was an additional project outside of her regular duties.

Commissioner Meigs said he would be interested in receiving more information regarding his role in serving on the Conservation Commission.

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*Anne Morton moved to have Recording Secretary, Jane Kendall assist the Town planner with Conservation Commission meeting packet preparation. Jane Hislop seconded the motion, and all were in favor.*

Vice-Chair Weiner said he would talk with Mr. Krebs further.

**6) Correspondence and Invoices:**

*Jim Weiner moved to approve payment of \$1,375 to Town wetlands consultant, Mark West for work he had done on wetlands mapping. Jane Hislop seconded the motion, and all were in favor.*

**Minutes:** *Jim Tucker moved to approve the Minutes for the December 12, 2019 meeting with corrections as noted. Jim Weiner seconded, and the motion passed with Andrew Meigs abstaining.*

**Adjournment:** *Andrew Meigs moved to adjourn. Bill Murray seconded the motion and the meeting adjourned at 8:16 p.m.*

**Next Meeting:** Thursday, February 13, 2020

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

*These Minutes were approved at the March 12, 2020 Conservation Commission Meeting.*