

Town of Newington, NH
CONSERVATION COMMISSION

Meeting Minutes for October 10, 2013

Call to Order: Chair, Jane Hislop called the October 10, 2013 meeting at 6:30 PM.

Present: Chair, Jane Hislop; Nancy Cauvet; Julia Fijas; and Thomas Morgan, Town Planner

Absent: Jim Weiner

Public Guests: Ken Berry of Ken Berry Surveying and Engineering; Jeff and Nell Ann Hiatt

1) Swearing in Commissioners

Julie Fijas was sworn in as a new Commissioner, and Jane Kendall was sworn in as an alternate.

2) New Business Proposals or Preliminary Discussions

A) Proposal to stabilize shoreline erosion at Jeff and Nell Ann Hiatt's property at
80 Little Bay Road

Ken Berry, Principal of Ken Berry Surveying and Engineering came before the Commission to discuss the shoreline erosion on the Hiatt's property. Mr. Berry showed photos of the eroded shoreline with trees that were falling down. He said Mr. Hiatt and he met with Dori Wiggin at DES said she would not approve of pouring concrete, or riprap from top to bottom which would contradict much of shoreline protection practices, but she said this case was an exception because the falling trees were not retaining the shore, but contributing to its collapse.

Mr. Berry said there was not a lot of surf, but there were ravines on either side of the slope, and they were concerned with storm water runoff. Mr. Berry said the State owns to the high water mark, and they were proposing to put a line of naturally rounded boulders at the base with a line of smaller rock behind. He said they were looking in to the engineering logistics of getting the boulders and equipment to the location. They would also create a terrace with a 33% slope along a five foot trail to allow travel from the top to the bottom in addition to stairs that would slow the run off, and they would staple a jute and coconut mesh material to the soil with native species seed below and plantings on top.

Julie Fijas asked if they were allowed to hydro seed and use fertilizer that close to the Bay. Mr. Berry said they wanted quick growth to be effective, but they would see if they should use slow release fertilizer. Chair Hislop said they wouldn't want they should check with Dori Wiggins to be sure they were planting at the correct time of year so the seed wouldn't be washed away.

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Ms. Fijas asked if the erosion was from runoff or tidal activity and Mr. Berry said it was mostly from tidal activity. Chair Jane Hislop asked how rounded rocks would work differently than a stonewall, and Mr. Berry said the largest rocks would take the brunt of tidal action, and then the waves would break and the lower rocks behind the boulders would prevent further erosion.

Ms. Fijas said she was somewhat familiar with the surrounding property shorelines, and said there were setbacks with trees and vegetation that could probably tolerate this kind of erosion control. She asked Mr. Berry how they would protect the salt marsh grass during construction, and Mr. Berry said they would put orange plastic construction fencing around it. Ms. Fijas asked if the grass had peated yet, and Mr. Berry said it has and floated away.

Ms. Fijas asked which trees would remain, and Mr. Berry said only the trees that were in the eroded area that were in danger of falling in, but no others would be removed. Ms. Fijas asked what their construction schedule would be, and Mr. Berry said it was not certain yet how soon they could get a permit from the State. He said he already had the required letter from Natural Heritage, and they would have some one go to Concord to look at the archeology. He said they would also have to work out the technical details of working on the slope, the boulders, and the schedule. Ms. Fijas asked what their hours of operation would be so they didn't disturb neighbors, and Mr. Berry said they would work the schedule out so it would be neighbor friendly.

Town Planner, Tom Morgan asked when they could return, and Mr. Berry said he would try to have a package ready for next month's meeting.

B) Mitigation measures to reduce nitrogen discharge to the estuary

Ms. Fijas said she looked into the State's setback for applying fertilizer along the shoreline, and found it was a 50' setback. She said she also thought it should be applied by a professional. She said it was important to educate people on the state laws. Nancy Cauvet said she couldn't imagine the State dictating that only professionals could apply fertilizer on residential lawns.

Ms. Fijas said she also talked with the Sea Grant Docent program, and they recommended that there be a 200-meter setback for fertilizer treatment, that stated that excess nitrogen and other pollutants are causing Great Bay to head in the same direction as Chesapeake Bay. They also talked about other towns surrounding Great Bay, or along tributaries that feed into Great Bay were fighting the EPA's request that they upgrade their wastewater treatment systems, as Newington has been willing to do. However, she said there is no way to test residential septic systems to know how much they contribute to the high nitrogen pollution. Mr. Morgan said Newington has the largest shoreline along the Bay. He said there is a high standard of storm water treatment for new developments, but there is still a large expanse of impervious asphalt from parking lots along the Bay, the malls, and the PDA that flow into the Bay without storm water treatment. He said he was hoping the EPA would require one of the most advanced storm water treatments in the MS4 Communities.

Ms. Fijas said she talked with Mark ? at the UNH Cooperative Extension who said homeowner's get their information on what fertilizers do fertilizers from professional

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marketers instead of getting their information from environmentalist. Mark ? also said they could have an informational town meeting.

Nancy Cauvet said New Castle's Conservation Commission put together information on fertilizing for their residents, and York, ME also has a program called "Lawns to Lobsters".

Ms. Fijas said the Town could consider welcome brochures with nitrogen pollution information in the same way they give information on recycling at the transfer station, as well as mailing informational brochures to residents, and making the brochures available at the Town Hall and the Library. She said that information could also be included in the Town Report Mr. Morgan said it could also be included on the Town Website. Discussion ensued regarding improvements needed to make the website more user friendly. Jane Hislop suggested making the brochures available during Town Meeting and elections, but said there probably wouldn't be enough time to prepare copy before this year's Town Meeting.

2) Old Business: Fox Point Easement

The Commissioners decided that they would postpone discussion on the Fox Point Easement until the following month so all the Commissioners could be in attendance for their input.

Invoices and Encumbrances:

Jane Hislop moved to pay \$495 on F.X. Bruton Invoice # 1700 for legal consultation for the September 12, 2013 meeting regarding an easement on Fox Point. Julie Fijas seconded, and all were in favor.

Mr. Morgan said the Town could get a municipal discount on the plants for the Langdon Library rain garden that has been granted by the UNH Storm Water Center. He asked if the Conservation Commission wanted to provide the initial outlay of funds and then UNH could reimburse them.

Jane Hislop moved to authorize advance payment in the amount of \$2,500, which will be reimbursed for the Langdon Library rain garden materials if the Conservation Commission has sufficient funds in its budget. Julie Fijas seconded, and all were in favor.

Adjournment: The meeting adjourned at 8:30 p.m.

Next Meeting: Thursday, November 21, 2013

Respectfully

Submitted by: Jane K. Kendall, Recording Secretary