

# Town of Newington, NH

## CONSERVATION COMMISSION

Meeting Minutes for Thursday, December 5, 2013

- Call to Order:** Chair, Jane Hislop called the December 5, 2013 meeting at 6:30 PM.
- Present:** Chair, Jane Hislop; Nancy Cauvet; Julia Fijas; Jane Kendall; Jim Weiner
- Absent:** Thomas Morgan, Town Planner
- Public Guests:** Jamie Long, GZA Engineering; Jamie Belanger

### **1) DES Application:** Shoreland Permit request by Haberstroh, 108 Little Bay Road

Jamie Long from GZA Engineering came before the Commission with a request for a recommendation for a Shoreland Permit for the Haberstroh's. Mr. Long presented a letter from DES Shoreland Section Supervisor, Darlene Forst that stated, "...the project in question meets the requirements of Env-Wq 1406.03 (b)(1) Exemption for Vested Rights and therefore, construction of project as approved by Wetlands Permit #2005-1079...does not require a shoreland impact permit..." so long as there are no future increases in impervious area, excavation and filling activities beyond those identified...this exemption does not preclude the property owner from adhering (to) other provisions of RSA 483-B...pertaining to the maintenance of the Natural Woodland Buffer..."

A discussion ensued between Mr. Long and Commissioners regarding shoreline setbacks and the Natural Woodland Buffer requirements when the application was first submitted, and the current requirements.

***Jim Weiner moved to recommend Exemption for Vested Rights #2013-03192, 108 Little Bay Road, Tax Map 15, Lot 4 as outlined in DES Shoreland Supervisor, Darlene Forst's December 3, 2013 letter to Nancy Haberstroh. Julie Fijas seconded, and all were in favor.***

### **2) New Business:** Baird Land Easement Proposal by Southeast Land Trust

A brief discussion ensued in response to Southeast Land Trust contacting the Commission with a proposal by the Baird family to purchase an easement on their property on Newington Road. Several questions arose on how much of the land is forested, wetlands, contiguous to the Smith Farm property, and use agreements with the owner. Chair Hislop said Duane Hyde with Southeast Land Trust had indicated the Baird's wanted to retain ownership of the dam on the property. Jane Kendall said Town Planner, Tom Morgan had researched ownership and determined that the Town owned the dam as was previously reported in the November 21, 2013 meeting minutes. A

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discussion ensued regarding liability of failed dams, especially a dam such as this dam that was so close to a public roadway. There was also a discussion of the owner's request to allow camping, and it was thought that allowing the current owner to camp on their property might be one thing, but allowing public camping could be a liability. As for agricultural use, Julie Fijas said even organic fertilizers would contribute to nitrogen pollution to Great Bay from storm water runoff of the wetlands, which would defeat the purpose of a conservation easement. Chair Hislop said DES would not give permits for timber cutting in the wetlands area either.

**Adjournment:** The meeting adjourned at 8 pm

**Next Meeting:** Thursday, January 9, 2014 and Monday, January 13, 2014 (Work Session with Board of Selectmen)

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