

Town of Newington, NH
CONSERVATION COMMISSION

Meeting Minutes, Thursday, June 14, 2018

- Call to Order:** Co-Chair Jim Weiner called the June 14, 2018 meeting at 6:30 p.m.
- Present:** Co-Chair Jim Weiner; Commissioners Liz Durfee and Jim Tucker; Alternate Bill Murray; Jane Kendall and Town Planner, Gerald Coogan
- Absent:** Co-Chair Jane Hislop; Commissioner Ann Morton and Alternate Sandra Devin
- Public Guests:** Town forestry consultant, Mike Powers; Steve Haight with Civil Works New England; Vicky Martel with Woodburn and Company Landscape Architecture; Mark West with West Environmental; Jim Nelson

1) **Discussion:** with Town Forester Regarding Needle Cast and other Forestry Matters

Co-Chair Jim Weiner informed the Commission that he and Co-Chair Hislop had met with the Board of Selectmen to discuss the contagious needle cast disease that had been spreading on white pines in town. Co-Chair Weiner said that Town Administrator, Martha Roy had informed them that Town forester, Mike Powers, stated that while the blue spruce disease was killing spruce completely, a white pine with needle cast might recover from a period of defoliation.

Co-Chair Weiner went on to share a discussion he had with arborists that suggested removing and disposing of affected limbs would reduce the spread of the disease. Mr. Powers responded that he had talked with the University of New Hampshire Cooperative Extension and he hadn't heard of such management techniques being successful. Mr. Powers also expressed concern that limbing could cause more harm than good as trees were only as healthy as the crown.

Alternate Commissioner Bill Murray asked if the disease was native or invasive. Mr. Powers replied that it was widespread and had increased significantly as of 2016. Mr. Powers added that it seemed the disease was worse during the increasingly wet springs and early summers on the Seacoast than it was in the western part of the state where he lived. He suggested that anyone having a tree with the disease watch to see if

Town of Newington, NH

CONSERVATION COMMISSION

Meeting Minutes, Thursday, June 14, 2018

it improved after the wet season and then consider what to do if it continued next season.

Alternate Commissioner Jane Kendall asked if there was an additional risk of trees contracting the disease based on its proximity to a diseased tree. Mr. Power replied that he didn't think distance made any difference because it was a spore driven disease, but he thought trees might do better during drier years.

Commissioner Kendall asked Mr. Powers what his recommendation would be for homeowners that had diseased white pine that they wanted to cut and were concerned with the remaining trees being more vulnerable to blow down during heavy winds. Mr. Powers replied that pine were usually the first to go in high winds, but vulnerability would depend on soil and exposure.

Town Planner, Gerald Coogan asked if limited or large-scale sprays would work. Mr. Powers replied that while there were systemic insecticide for insects, but he was not aware of any sprays for the airborne needle cast spores.

Commissioner Liz Durfee commented that they had done some spraying and thinning out of the sickest trees in the Midwest. Commissioner Jim Tucker also commented that his son worked for Piscataqua Landscaping and that there was a spray, but that it was not very effective by the time needle cast was identified.

Mr. Powers commented that there hadn't been a lot of documentation on the mortality of needle cast, but he recommended a more conservative approach until further observation.

2) Landscape Review: Continuation of proposal by **Riverside Pickering** Marine regarding property located at 34 Nelson Lane, Tax Map #, Lot #

Co-Chair Weiner opened the discussion by noting that the applicant was returning after they had presented some changes to the number of tree species and placement of the plantings on the berm.

Steve Haight with Civil Works New England stated that they originally intended to put up a fence, but steel for fencing costs was prohibitive and because site regulations prohibited the removal of native top soils, they decided that a berm would be a better barrier solution. He added that they were still waiting for their amended Alteration of Terrain Permit.

Mr. Haight explained that Woodburn and Company Landscape Architecture had revised the landscape plan to include a third species as previously requested by the Conservation Commission.

Vicky Martel with Woodburn and Company Landscape Architecture continued with the presentation, stating that she had talked with Mr. Coogan regarding concerns with planting a mix of species that would be deer, disease, pest and wind hardy and decided to use "Giant Green" arborvitae, Norway spruce, and white spruce that would be deer and disease resistant.

Town of Newington, NH

CONSERVATION COMMISSION

Meeting Minutes, Thursday, June 14, 2018

Commissioner Kendall asked how tall the arborvitae would grow and if it would be able to handle snow load and wind. Ms. Martel replied that they had used single stemmed "Giant Green" arborvitae that grew 40 feet tall before and were confident that they would be sturdy. She said they were staggering 14 trees and would stake them until their roots were established to prevent blow downs.

Jim Tucker moved to recommend the landscaping proposal by Riverside Pickering Marine regarding property located at 34 Nelson Lane, Tax Map #, Lot #. Bill Murray seconded the motion and all were in favor.

3) NHDES Permit Request: for Major Impact by **Jim Nelson** at property located at 84 Little Bay Road, Tax Map #, Lot #

Co-Chair Weiner stated that abutter Brian Haberstroh copied him on an email he sent to Newington Building Inspector, Kevin Kelly regarding the requirement for him to appear before the Conservation Commission during his permit requests and the expectation that Mr. Nelson would do the same. The applicant, Jim Nelson of Little Bay Road stated that he sent out abutter notifications with his Department of Environmental Services (DES) application.

Wetlands scientist, Mark West with West Environmental stated that they were only doing a preliminary review, but he and Mr. Nelson had been working together and with another abutter. He said they typically didn't send abutter information until the day before they filed their permit request.

Mr. Coogan asked if they would return to next month's meeting and Mr. West replied that they could. Co-Chair Weiner informed Mr. West that abutters had the right to hear permit requests and ask questions. Mr. West replied that he was fully aware of land use board procedures and added that abutters could also write letters or send them directly to DES.

Mr. Nelson stated that their project and permit was based on the same plan for stabilization as recommended by experts for the other two abutting properties that appeared before the Commission and had been approved by DES. Mr. West stated that they were required to request a sign off from the abutters and an abutter could object, but DES could still grant a waiver.

Commissioner Kendall asked if the Haberstrohs were doing anything to prevent erosion of their property. Mr. Nelson replied that they had not done any erosion control on the immediate abutting property that they were renting out except for some old metal piping and stone that was there.

Mr. West said in addition to the the major impact for the tidal zones, there would be a temporary impact for getting the equipment in to use on the other sites, as well as another temporary impact that was restricted to low tide, a permanent impact from the wall on the high tide line, an impact for restabilization and revegetation, and for

Town of Newington, NH

CONSERVATION COMMISSION

Meeting Minutes, Thursday, June 14, 2018

rebuilding the deck and stairs in the last six months with a total impact of 4,200 square feet. Mr. West added that there was no requirement for a shoreline permit, however.

Mr. West said he had delineated the highest observable tide line and there was mostly exposed sand beach that went to mudflats. He said he also recommended a tree count according to Shoreline Protection guidelines.

Mr. Nelson went on to explain that a five-foot rock wall made up of two-foot boulders would be installed so that waves could move in and out of the barrier because plants wouldn't last more than two years and walls weren't allowed by DES.

Commissioner Murray asked what the difference was between stones and riprap. Mr. Nelson replied that large boulders were recommended over smaller stones in riprap because ice would wash them out.

Commissioner Durfee asked what would happen between the lot line of the abutter and the slope line. Mr. Nelson replied that the Hiatts would be putting up a five-foot wall of boulders too.

Mr. Nelson passed out tree counts and photos to show the steep grading. Mr. West added that there would be native shrub vegetation above the wall to further protect the shoreline and that they could also take out invasives.

Commissioner Kendall reminded everyone that Jay Orbe with Shoreline Protection stated at the Commission's Spring for the Bay community education presentation that home owners weren't required to apply for permit to limb trees that were overhanging and pulling the shoreline down so long as the roots were left behind.

4) A.R.M. Funding Proposal for Fox Point Stabilization

Mr. Coogan stated that he had received feedback from Lori Summers with DES regarding the many Aquatic Resource Mitigation grant applications they had received. He said the Board of Selectmen also stated that they weren't very interested in funding Fox Point restoration now because of a lack of funding.

Co-Chair Weiner commented that grants were difficult for Newington to obtain because of its size, but the Town still had to pay consultants so they needed to consider a more conservative in approach.

Commissioner Kendall asked Mr. Coogan again if he would inquire whether Eversource would consider another mitigation project if the initial proposal fell through.

5) Mitigation and Conservation Easements: Negotiation of Easement with John and Meg Ripley regarding their property located at 50 Old Post Road, Tax Map #, Lot #

Mr. Coogan stated that he had received an email regarding test pits that the Ripley's had asked Rockingham County to do for them and five passed and six had failed so it sounded as if they were considering the possibility of other options for the six

Town of Newington, NH
CONSERVATION COMMISSION

Meeting Minutes, Thursday, June 14, 2018

acres of their property that they had proposed putting into conservation easement if the Eversource mitigation funds had not become delayed.

Minutes: *Bill Murray moved to approve the Minutes for the May 10, 2017 meeting. Jim Weiner seconded, and all were in favor.*

Adjournment: *Bill Murray moved to adjourn. Liz Durfee seconded the motion and the meeting adjourned at 7:45 p.m.*

Next Meeting: July 12, 2018

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

These Minutes were approved and adopted at the July 12, 2018 Conservation Commission Meeting.