

TOWN OF NEWMARKET, NH
CONSERVATION COMMISSION
 October 13, 2016

7:00 PM Council Chambers

Members Present: Jeff Goldknopf (Chair), Drew Kiefaber (Vice Chair), Andrea Sellers (Treasurer), Marianne Hannagan, Ann LaFortune, Julia Sinclair (Alternate), and Ezra Temko (Planning Board Rep)

Members Absent: Patrick Reynolds, Bob Gazda (Alternate), and Phil Nazzaro (Town Council Rep - Ex-Officio) excused

Called to Order: 7:05 PM

Agenda Items:

1. **Pledge of Allegiance**

2. **Roll Call**

The Chair appointed **Julia Sinclair** as a voting member for this meeting. The Conservation Commission welcomes **Ann LaFortune** as a new member and thanked her for volunteering her time to the Town.

3. **Public Comments**

There were no public comments.

With speakers present in the audience, the Chair asked to move the agenda forward to items under Old/New Business. There was no objection.

8. **Old/New Business**

Old Business:

Boulder Heights Subdivision M/L U2-297 & 320: Jim Gove, Gove Environmental, and Mike Garrepy, Tuck Reality, were present to answer any questions that CC may have and to request a letter supporting the project. The Planning Board (PB) would specifically like feedback from the CC on the 100 ft. buffer prior to their next meeting on November 15. Mark West, West Environmental Inc., was hired to review the wetland buffers and make his comments on the proposed project specific to the boundaries. The memorandum from Jim Gove to Mike Garrepy which includes the review comments from Mark West, is attached (pgs. 5-8). The CC may perform site walks at any time, with proper notice to the HOA, should concerns arise. The Town Code Enforcement Office would be tasked to maintain compliance. The Chair mentioned the concerns of the CC about how the total area of developable land (from the yield plan) was derived. Mike Garrepy brought a calculation chart for the CC to show how the developable land was derived for this project. The chart is on page 9. The CC went through the calculations and they found that there are 13.3 acres of developable land and only 11.3 acres will be utilized in this project.

Action

Motion: **Jeff Goldknopf** moved that the Conservation Commission prepare a letter for the Planning Board as required. The letter will show support, as the CC previously discussed, with regard to the wetland impact. The CC will recommend to the PB that 1) the distances from to the buffer lines to the rear of the lots be added to the plans, 2) the exterior limits

of the conservation area should be tagged along the westerly and southerly boundaries, and 3) make a recommendation to mark the westerly boundaries of proposed lots 5-11. Based on the recommendations of Mark West and the steps taken by the developer, the CC will support the reduction in the 100 ft. buffer.

Second: Drew Kiefaber

Vote: Approved 7-0-0

Mike Garrepy was asked if the land is mostly in 'current use'. It is and the penalty is likely to be approximately \$45,000. Jim Gove suggested that we contact the NHANRS regarding the Wetland Buffer Scientific Workgroup for helpful information (<http://nhanrs.org/nhanrs-wetland-buffer-scientific-workgroup/>). The CC thanked both Jim Gove and Mike Garrepy for attending the meeting this evening and providing beneficial information.

The meeting returned to the agenda.

4. Approval of Minutes

September 8, 2016:

Action

Motion: **Drew Kiefaber** moved that the minutes of September 8, 2016 be approved as drafted.

Second: **Ann LaFortune**

Vote: Approved 4-0-3

September 8, 2016 - Notes from the Non-Public Session:

Action

Motion: **Drew Kiefaber** moved that the notes of the non-public session of September 8, 2016 be approved as drafted.

Second: **Jeff Goldknopf**

Vote: Approved 4-0-3

5. Treasurer's Report

Andrea Sellers reported that three checks cleared the ledger this month: 1) Ellen Snyder, Ibis Consulting, 2) Boudreau Surveying, and 3) the Mill Space for The Caterpillar Lab. \$12,500 was deposited this month for current use (\$13,235 YTD). The majority of the current use was from Honeycomb Way and Tucker Way. The CC had a net increase of \$10,000.

6. Committee and Subcommittee Reports

Planning Board: **Ezra Temko** was unable to attend the last meeting of the PB, but he will report to the CC at the next meeting in November.

Trails Subcommittee: **Jeff Goldknopf** reported that he recently clipped the overgrown trail at Piscassic-Loiselle.

7. Chairman's Report

Mowing Agreement for Wiggin Farm: The Chair is working hard to set a meeting to finalize the agreement for mowing. This agreement must be signed as quickly as possible before the OEP monitoring this fall.

The Caterpillar Lab: Several members of the CC attended and found this program to be particularly exciting and well worth the financial support from the CC.

Town Council Resolution: The Town Council held the first reading of the resolution to accept the Dearborn property. The resolution will have a second reading at the next TC meeting and CC members are encouraged to attend and speak in favor of the resolution.

Stage 4 Water Conservation in Newmarket: The Chair wanted to recommend that everyone in Newmarket on Town water as well as private wells be as conservative as possible in their use of water both inside and outside their homes and apartments.

8. Old/New Business (continued)

Old Business:

Schoppmeyer Park: The Town Council held a public hearing on Resolution #2016/2017-04 – Relating to Accepting Gifts for the Christian Schoppmeyer Park. The Resolution passed by a 7-0 vote. The Subcommittee and the Conservation Commission should now actively seeking donations and they held a meeting earlier this evening. A mailing list is being compiled, the printing for the flyers (which outlines the establishment of the Subcommittee and generous financial support already received and a copy of Chris' obituary) has been donated by Staples, and the CC will cover the postage. The text of the flyer may be found on pgs. 10-11. They discussed asking the Town Administrator to put donation information on the Town website, the DCAT channel, and the Newmarket Rec web page. The Subcommittee is still moving forward to identify the best property to purchase.

Piscassic-Loiselle Kiosk Map: **Julia Sinclair** has agreed to take over this task. The CC wants to have a map prepared showing the entire property, the trails, and connections to the abutting property (Smith Sisters Audubon). **Drew Kiefaber** believes that the CC should put a map at both kiosks and we should reach out to the NH Audubon to discuss this possibility. It was suggested that Ellen Snyder may be willing to prepare this map for the CC. The Chair thought that we should get a cost estimate for this mapping from Ellen Snyder.

Easement Monitoring Schedule: The CC must complete the monitoring of Piscassic-Loiselle, Smith Sisters Audubon, New Roots Farm, and Silverman-Schneer. The Chair briefly described the process – walk the boundary and notate any changes in the natural character of the land. Those completing the monitoring use the previous report as a basis for any possible changes.

Piscassic-Loiselle: Scheduled for October 30 at 8:00 am. **Jeff Goldknopf, Drew Kiefaber, and Andrea Sellers**

Smith Sisters Audubon: Scheduled for November 6 at 8:00 am. **Drew Kiefaber, Ann LaFortune, and**

Marianne Hannagan

Silverman-Schneer: Scheduled for November 1 (time TBD). **Jeff Goldknopf and Andrea Sellers**

New Roots Farm: **Drew Kiefaber** will email the owner to set a convenient time for monitoring.

Invoice from the New Hampshire Association of Conservation Commissions: The invoice for annual dues to the NHACC for \$363.00 was received.

Action

Motion: **Drew Kiefaber** moved that the CC continue membership in the NHACC and pay dues in the amount of \$363.00.

Second: **Ann LaFortune**

Vote: Approved 7-0-0

The Annual Meeting of the NHACC is scheduled for Saturday, November 12 at Pembroke Academy. Any members interested in attending will have registration costs reimbursed by the CC. More information is available at: <http://www.nhacc.org/annualmeeting46/>

Non-Public Session:

A motion to go into non-public session to discuss confidential matters related to real estate, pursuant for RSA 91-A:3, II(c) , was made by **Jeff Goldknopf**, seconded by **Andrea Sellers**, and approved without discussion 7-0-0.

A motion to end the non-public session at 9:15 pm was made by **Jeff Goldknopf**, seconded by **Marianne Hannagan**, and approved without discussion 7-0-0.

A motion to seal the notes of the non-public session was made by **Drew Kiefaber**, seconded by **Ann LaFortune**, and approved without discussion 7-0-0.

9. **Adjournment**

Action

Motion: **Jeff Goldknopf** moved that the meeting be adjourned.

Second: **Drew Kiefaber**

Vote: Approved 7-0-0

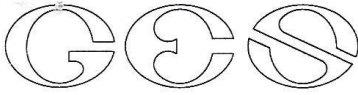
The meeting was adjourned at 9:17 PM.

The next meeting will be held on Thursday, November 10, 2016.

Respectfully submitted,

Sue Frick, Recording Secretary

Attachments – Next 7 Pages:



GOVE ENVIRONMENTAL SERVICES, INC.

Memorandum

Date: Wednesday, July 27, 2016
Revised: Thursday, October 13, 2016

To: Michael Garrepy
Company: Tuck Realty
From: Jim Gove

GES # 2015169

Re: Boulder Heights Subdivision, Dame Road, Newmarket
Subject: Upland Buffers

Subdivision Regulations for Newmarket, New Hampshire.
Section 3.14 (A) (4) Residential Open Space Design:

Maintains or creates an upland buffer of natural native species vegetation of a depth sufficient to protect and maintain the ecological stability of adjacent wetlands and surface waters, including creeks, streams, springs, lakes and ponds. The sufficiency of a buffer shall be set at 100 feet unless waived by the Planning Board. The waiver request shall be completed by a qualified environmental professional using the guidance and framework laid out in the document entitled "Buffers for Wetlands and Surface Waters: A Guidebook for New Hampshire Municipalities". Available from Newmarket Town Hall or online at:
<http://www.nh.gov/oep/resourcelibrary/documents/buffershandbook.pdf>

On the above referenced subdivision, there are proposed impacts to the 100-foot upland buffer. Those impacts are located at the road entrance and includes a storm water management area. In addition, the individual lots 1, 2, 3, 4, and 5 have the 100-foot buffer traversing portions of the lots.

Isolating the impacts for the purpose of analysis would be as follows:

1. Road and Storm Water Management Area: Grading for the road entrance, approximately 110 lineal feet of impervious road surface, and a management area of 220 feet by 100 feet. The management area grading is virtually at the edge of the wetland.

① REVISED PER MARK WEST REVIEW: STORMWATER MANAGEMENT AREA WILL NO LONGER BE A WET POND. IT WILL BE A DETENTION BASIN THAT WILL HAVE LESS IMPACT ON THE WILDLIFE.

2. (a) Lot 1 will have potentially a portion of the septic system, a house, a well, and a rain garden. The house septic system and well will be outside the 25-foot Setback to Poorly Drained Soils.

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✓ REVISED PER MARK WEST REVIEW: NATURAL WOODLAND BUFFER OF 40 TO 60 FEET WIDE TO REMAIN. SIGNAGE TO INDICATE PROTECTED AREA.

2. (b) Lot 2 will have potentially a portion of the septic system in the 100-foot buffer, a house and a well. There will be no encroachment into the 25-foot setback.

✓ REVISED PER MARK WEST REVIEW: NATURAL WOODLAND BUFFER OF 80 FEET TO REMAIN. SIGNAGE TO INDICATE PROTECTED AREA.

2. (c) Lot 3 will have the septic system, house and well in the 100-foot buffer. There will be no encroachment in the 25-foot setback.

✓ REVISED PER MARK WEST REVIEW: NATURAL WOODLAND BUFFER OF 80 TO 90 FEET TO REMAIN. SIGNAGE TO INDICATE PROTECTED AREA.

✓ 2. (d) Lot 4 has a small portion of the 100-foot buffer on the lot. Virtually no structures will be placed in the buffer.

REVISED PER MARK WEST REVIEW: NATURAL WOODLAND BUFFER OF 80 TO 100 FEET TO REMAIN. SIGNAGE TO INDICATE PROTECTED AREA.

2. (f) Lot 5 has just a thin strip of the 100-foot buffer at the rear of the lot. Virtually no structures will be placed in the buffer.

✓ PER MARK WEST REVIEW: THERE WILL BE NO IMPACT TO THE 100 FOOT BUFFER.

The wetlands that are being protected by the 100-foot buffer are a roadside ditch and a wetland meadow. The functions (based upon the buffer book) of the ditch and wetland meadow are as follows:

1. Both function to convey and control water from rain events.
2. Neither have recreational or aesthetic value as they currently exist.
3. The ditch has no wildlife habitat value, but the wet meadow does show signs of wildlife use.
4. Neither the ditch nor the wet meadow provide aquatic habitat, but the stream to the rear does have limited aquatic habitat. However, the stream is over 100 feet from any development activity.
5. While the ditch does not provide water quality renovation, the wetland meadow does. The dense vegetation and diffuse flow patterns allow for sediment trapping and nutrient attenuation.

The functions of the upland buffer (based upon the buffer book) to the ditch and wet meadow, are as follows:

1. Food – There are some food sources in the upland buffer to the wet meadow. There is a small amount of upland meadow buffer, but the majority of the buffer is woodland. Mature forest land is not an especially high source of food. The wetland meadow itself, with grass grains and berry producing shrubs, is a greater source of food. There is no food source in the ditch.



2. Cover – The forested buffer does provide cover and nesting locations in some of the dead trees. A denser understory would provide more cover. However, it was observed that nesting does take place in the upland buffer. There is virtually no cover in the ditch.
3. Travel Corridors – The edge of the forest to the wet meadow is a typical travel corridor. The edge effect is well known as an attractive place for animals to move. There is not travel corridor associated with the ditch.

According to the buffer book, the major rationale for 100-foot wide buffers are the benefits for water quality. The 100-foot buffer provides an acceptable level of water quality protection if no other water quality protections are utilized. While the 100-foot buffer does provide some food, cover and breeding habitat for some species, the primary benefit of the buffer is to provide water quality protection to the wetland.

As we look to the impacts of the subdivision on the upland buffer, what is being lost?

The placement of a road in the buffer could have a negative impact of water quality, however, the impervious surface is being directed into a storm water management area. There will be a loss of some upland meadow habitat, but mostly forested habitat. The majority of the disturbance in the 100-foot buffer will be the replacement of existing habitat with a wet pond habitat (REVISED TO DETENTION BASIN).

On Lot 1, the impacts to the upland buffer are the greatest of any of the lots. While there is no encroachment into the 25-foot setback, the house, well and septic will need to utilize virtually the rest of the buffer to create a viable lot. The loss will be upland forested buffer habitat. REVISED TO PRESERVE OVER SLIGHTLY LESS THAN HALF OF THE WETLAND BUFFER.

On Lot 2, the impacts to the upland buffer will be for the house, well and septic. The house and septic can be restricted to the front portion of the lot. This would allow 50 feet of undisturbed buffer to the wetland versus 100 feet of forested buffer. There would need to be a small encroachment into the 50 feet for a well head, which has minimal impact of upland buffer functions. The loss will be the reduction of the upland buffer from 100 feet to 50 feet. REVISED TO PRESERVE 80 FEET OF THE WETLAND BUFFER. A 20 FOOT REDUCTION IN THE WETLAND BUFFER.

The same holds true for Lot 3. Again the loss will be the reduction of upland buffer from 100 feet to 50 feet. REVISED TO PRESERVE 80 OR MORE FEET OF THE WETLAND BUFFER. A 10 TO 20 FOOT REDUCTION IN THE WETLAND BUFFER.

Lots 4 and 5 can be configured such there will be no impact to the undisturbed forested upland buffer. REVISED TO INCLUDE SIGNAGE ON LOT 4. NO LOSS OF WETLAND BUFFER TO 20 FEET OF WETLAND BUFFER REDUCTION ON A PORTION OF LOT 4.



The wetland meadow is not a particularly sensitive wetland system, as opposed to a system such as a bog, marsh or vernal pool. The encroachments will mean a loss of cover. However, the water quality aspects will be handled by the storm water management area that will renovate the runoff from the largest source of impervious surface and pollutants, which is the actual road.

The maintenance of a forested area adjacent the wetland meadow on Lots 2, 3, and 4 will allow the continued use of that area as a travel corridor. Typically, when animals reach a road, they look to the narrowest location that has a spot to cross that does not end in the front yard of a house on the other side of the road. The most obvious crossing points on Dame Road would be the area more to the east, where it is forested. Therefore, they would be veering away from Lot 1 at that point to go toward the east and a crossing point on Dame Road.

Given the protection and large buffers being placed over the other wetlands on the site, this would appear to be a reasonable request for relatively minimal encroachment into the 100-foot upland buffer.

PER MARK WEST REVIEW, EVEN MORE OF THE WETLAND BUFFER WILL BE MAINTAINED. OVERALL, ON THE 4 LOTS IN QUESTION, AN AVERAGE 80 PERCENT OF THE WETLAND BUFFER WILL BE PROTECTED.



DAME ROAD, NEWMARKET, NH

LOTS 297 & 320

28.1 ACRES

10/11/2016

TOTAL AREA OF DEVELOPABLE LAND (FROM YIELD PLAN)	22.5 ACRES
CONSERVATION LAND REQUIRED (50% of TOTAL DEVELOPABLE AREA)	11.3 ACRES

CONSERVATION LAND CALCULATIONS (ZONING SECTION 6.03 E)

STEP 1: NOT INCLUDED

A) OPEN WATER	0.0 ACRES
B) VERY POORLY DRAINED SOIL	0.2 ACRES
C) SLOPES EQUAL TO OR GREATER THAN 25%	2.0 ACRES

TOTAL AREA EXCLUDED	2.2 ACRES
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SUB-TOTAL DEVELOPABLE AREA IN CONSERVATION LAND	19.0 ACRES
25% OF DEVELOPABLE AREA IN CONSERVATION LAND	4.7 ACRES

STEP 2: INCLUDED UP TO 25% OF DEVELOPABLE LAND BASE

A) POORLY DRAINED SOIL	10.1 ACRES
B) LAND WITHIN UTILITY EASEMENTS	0.3 ACRES
C) LAND IN 100-YEAR FLOODPLAIN	0.0 ACRES

SUBTOTAL STEP 2	10.4 ACRES
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TOTAL DEVELOPABLE LAND (NOT STEEP OR WETLAND)	8.6 ACRES
PLUS 25% OF DEVELOPABLE AREA IN CONSERVATION LAND	4.7 ACRES

TOTAL DEVELOPABLE AREA IN CONSERVATION LAND	13.3 ACRES
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CONSERVATION LAND PROVIDED	21.2 ACRES
PERCENTAGE DEVELOPABLE AREA IN CONSERVATION LAND	62.9%

SCHOPPMAYER CONSERVATION PARK

The Schoppmeyer Park Committee was established early this year, with the approval of the Newmarket Conservation Commission, with the goal of accepting donations for the purpose of securing suitable land to honor Chris Schoppmeyer for his years of dedication to the Town of Newmarket and its children.

So far, the fund-raising has procured a generous donation from The Moody's Point Company in the amount of \$50,000, with the promise of an added donation of \$50,000 to come in the near future. This has enabled the Committee to move forward in securing land for all the citizens of Newmarket to enjoy for years to come.

Donations may be made to further this project to honor Chris' dedication and commitment to the Town's conservation endeavors and to the children of Newmarket. Please make checks payable to the Newmarket Conservation Commission, Schoppmeyer Park, Town Hall, Finance Dept., 186 Main Street, Newmarket NH 03857.

Schoppmeyer Park Committee Members:
Richard C. Shelton, Dennis Abbott, Val Shelton, Ellen Snyder, Jim Hilton,
Bruce Fecteau, Marianne Hannigan, Rich Heidt

Christian "Chris" J. Schoppmeyer

(January 28, 1957 - February 27, 2016)

Newmarket — Christian "Chris" J. Schoppmeyer, 59, of Riverbend Road, died peacefully on February 27, 2016, at his home.

Born January 28, 1957, in Queens, NY, he was the son of Frederick Freyer and Helen Grace (Eisinger) Schoppmeyer.

Chris was raised in New York by his mother Helen and stepfather William Schoppmeyer. He was a graduate of Unity College in Maine.

His law enforcement career spanned over 35 years, beginning with the NH Fish and Game Department. Following that he worked with the US Fish and Wildlife Service, first as a Wildlife Inspector at JFK Airport and later as a Refuge Officer at the Parker River National Wildlife Refuge. In 1987 Chris began working for NOAA Fisheries Service as a Special Agent, retiring in January 2014. Following his retirement, Chris continued his work with the Federal Law Enforcement Officer's Association (FLEOA) as Vice President of Agency Affairs.

Chris was a dedicated member of his community, serving as a member and chairman of the Newmarket Conservation Commission, cofounder of the Newmarket Fishing Derby, an active participant with the Newmarket School to Career program are just some of the many ways he enriched the lives of those around him.

Chris was foremost a family man. He loved fishing with Travis, hunting with Erin, walking with Shadow, going to baseball games, spending time as "Pop-pop" and sharing his life with Terri. He loved family celebrations and gatherings, earning him the title of "Captain Fun."

