

Conservation Commission Approved Minutes November 8, 2012

TOWN OF NEWMARKET, NH

CONSERVATION COMMISSION

November 8, 2012

7:00PM Council Chambers

Members Present: Drew Kiefaber (Chairman), Bruce Fecteau (Vice Chair), Jeff Goldknopf, Stephanie Coster (Alternate), Jessica Veysey (Alternate), Fred Pearson, Janice Rosa (Planning Board Rep)

Members Absent: George Hilton, Dan Wright (Town Council Rep), excused

Called to Order: 7:02 PM

Agenda Items:

1. Pledge of Allegiance

2. Roll Call

Drew Kiefaber nominated Stephanie Coster as a voting member in the absence of George Hilton.

3. Public Comments

There were no public comments.

4. Approval of Minutes

October 11, 2012: There were multiple edits. Jessica Veysey requested that line numbers be placed on future minutes to make referencing easier. Edits will be sent to the recording secretary and voting to approve the October minutes will take place at the December meeting.

5. Treasurer's Report

Jeff Goldknopf distributed the financial report and reviewed the activity for the month. Fred Pearson submitted \$62 payment for one sold rain barrel.

6. Committee and Sub-Committee Reports

- Town Council Report – Nothing to report.

- Planning Board Report – Janice Rosa reported that the Rosa gravel pit will be coming up at the next meeting, as well as the developer of 13 Water Street. Some proposed zoning changes will be presented on 11/13/12 for future development that encourages positive growth for Newmarket. They are encouraging public comments and input. Jeff Goldknopf inquired about the golf course development proposal and Janice Rosa reported that it is no longer being considered. The skyway bridge for the Newmarket Mills has encountered some funding issues which may change the design of the bridge. The meeting on the 15th will delve into this project in more detail.

- Dam Removal Subcommittee – Nothing to report.

- Sub-Committee Reports

§ Policy and Process – Drew Kiefaber reported that the budget requests have been submitted and are pending review and approval. The document listing of properties with conservation easements that the Conservation Commission is responsible to monitor has been drafted and edits are in process.

§ Land Protection – Jessica Veysey reported that conversations with Southeast Land Trust are ongoing to gather more information about expenses for their services.

§ Trail Maintenance – Jeff Goldknopf reported that he and Drew Kiefaber joined Brett Bergeron and the Boy Scouts for their trail project. They worked on the connector trail from Piscassic River-Loiselle to the property line of the Audubon property and estimate that there may be another day's worth of work to complete the project.

§ Education and Outreach – Nothing to report.

7. Chairman's Report –

Drew Kiefaber reported that Donald Tucker has resigned from his position as an Alternate on the Conservation Commission. Drew Kiefaber thanked him for his service to the community. As such, there is an opening for an Alternate on the Conservation Commission and interested parties should contact Kathy Castle. Drew Kiefaber will bring a “thank you” note to the next meeting for members to sign and deliver to Donald Tucker.

8. Old/New Business

Rosa Gravel Pit Site Walk

Janice Rosa and Jeff Goldknopf recused themselves. A joint site walk was conducted with the Planning Board. Drew Kiefaber referenced Stephanie Coster's notes from the site walk to draft a letter to the Planning Board for their meeting on 11/13/12. Stephanie Coster observed that everything appeared to be conducted using best practices with visible vegetation and no erosion evident. Drew Kiefaber reviewed the draft letter in detail concluding that the Conservation Commission has no objection to the renewal of the permit at the site. Discussion ensued around testing of standing water on the property and how to best communicate that in the letter. Drew Kiefaber will contact Diane Hardy to clarify the town's previous testing requirements of the standing water and reference those results to support the conclusion that the Conservation Commission has no concern about the standing water present. Jessica Veysey suggested that the letter state “appears to be” using best practices. She also recommended adding explanatory comments about potential contaminants on the site for informational purposes. Drew Kiefaber will create a second draft with these edits and send it out via email for final review.

Action

Motion: Bruce made a motion to send this letter to the Planning Board with recommended edits.

Second: Fred Pearson

Vote: All in favor.

Stephanie Coster recommended that two additional things be considered by the Conservation Commission. She noted that there are several abutting gravel pits that are not under the purview of the town and suggested asking the state to inspect those gravel pits. Janice Rosa explained that those pits are grandfathered so do not have to go through the permit renewal process but they still have to adhere to same rules and regulations as the Rosa Gravel Pit. However, the Code Enforcement Officer has inspected all of the gravel pits in town within the last two years. The second concern was regarding protecting the water in the aquifer and the current regulations do not require any testing of the loam being deposited and should this be considered by the town. Janice Rosa commented that it could prove burdensome on the business owners. Stephanie Coster reiterated that the state does not have any regulations regarding the importation of loam in place regarding gravel pits over aquifers and suggested that it might be something for the commission to consider recommending. Drew Kiefaber explained that this would require a town ordinance and the Planning Board would need to determine if it were necessary or feasible. Jessica Veysey mentioned that it might be possible to require the companies who are depositing fill to test it at the source instead of at the pits. Discussion ensued around the feasibility and need for source testing of materials prior to being deposited. This question will require additional consideration and will be taken up at a future Conservation Commission meeting.

Easement Monitoring

Piscassic River-Loiselle site walk was conducted on 10/21/12 and overall looked very good. On the Trotter Park side there appeared to be some tree cutting and brush piling from an abutter. Drew Kiefaber will draft a letter to the abutter to notify them of the issue. Joint easement monitoring with the state will be conducted on Friday, 12/7/12 at 1:00pm at Wiggin Farm. The Audubon property easement monitoring will be conducted on 11/18/12 at 9am starting at the Audubon parking area. Drew Kiefaber will contact the owner of the front parcel to notify him that they will be there. Monitoring of the Smith Sisters, Silverman-Schneer and Nostrum Farm properties have yet to be scheduled.

Status of Newmarket Prime Wetlands

Jeff Goldknopf reported on his research thus far. The planning department has a CD of files prepared by the Strafford Regional Planning Department. It pre-dates the first application to the state and Follett's Brook is included in the prime wetlands listing there. The state informed him that it was approved in 2006 but could not offer any other information. The state website has been very recently updated and it also covers Follett's Brook. There was a letter on file requesting that the application be delayed but it was submitted "as amended" in August 2005. He has not been able to obtain a copy of the amended application but he requested a copy or more details from Mark West of West Environmental who does not recall specifically excluding Follett's Brook but agreed look into the matter to see if he has a copy of the amended application. Jeff Goldknopf was informed by the state and Mark West that if the application was approved before 2007 then there would be no state buffer around those wetlands. Thus far, he has found no indication that Follett's Brook has been excluded from the state's prime wetlands designation. Jessica Veysey offered to make a trip to Concord to research the Newmarket Prime Wetland applications but they require 2 days notice. She advised that she can do it but it would be several months from now. In the meantime, Jeff Goldknopf will email the map directory path to Strafford Regional Planning Department to create the PDF files for the town website. He was advised that the cost would be minimal, if anything.

Schanda Park usage for Weir removal

A letter from Jerry Collins was submitted requesting approval to remove the Chick's Wier.
Action

Motion: Bruce Fecteau made a motion to approve the use of Schanda Park for the removal of the wier.

Second: Janice Rosa

Vote: All in favor.

NH Assoc. of Conservation Commissions Membership

An invoice for membership dues of \$290 is due April 2013 was received. In addition to the invoice, they included a listing of membership services provided by the NH Association of Conservation Commissions that Drew Kiefaber reviewed in detail, which he will email to the Commission members for their reference.

Action

Motion: Bruce Fecteau made a motion to approve the expenditure of \$290 for the Newmarket Conservation Commission to provide annual membership to the NH Association of Conservation Commissions.

Second: Fred Pearson

Vote: All in favor.

Action Item List

- Write letter to the planning board about the recommendations for 13 Water St. (Jessica)
 - o The letter has been drafted and distributed for review and comments. She will send to the Planning Board in time for the 11/13/12 meeting.
- Start process of adding Follet's Brook back into the Prime Wetlands Inventory of Newmarket.
 - o In process.
- Encourage Conservation Commission sub-committees to meet
 - o With Donald Tucker's resignation, Jeff Goldknopf is looking for help on the Trail sub-committee.
 - o Stephanie Coster suggested that the Trail sub-committee look into improving public access at the Hayden property off Bald Hill Road where Fish & Game have already protected some land.
- Discuss the flag light at Schanda Park with Rick Malasky (find out about complaints, changing the bulb, etc.) (Drew)
 - o Initial contact has been made but response is pending Rick Malasky's return from vacation. Drew Kiefaber mentioned that DPW is using large cement blocks to keep the sand and salt piles contained, which will also make it easier to tarp.
- Write a letter to Wiggin Farm abutters about reasons why ATVs are prohibited (Jeff & Jessica)
 - o In process.
- Resolve Wiggin Farm encroachment issue: Thank Mr. Russell for complying and ask him if he wants a boundary line clarification (Drew)

- o A draft letter has been written and reviewed; edits will be made and letter mailed shortly.
- Amend Wiggin Farm management plan to move mowing to after Sept 15 (Jeff)
- o No further action.
- Remove snowmobile bridge from Wiggin Farm & arrange for Snow Rollers to meet with CC to discuss mutual interests.
- o Drew Kiefaber is still researching a contact for the Snow Rollers to make this happen.

Bruce Fecteau stated that he received a bill for \$306.67 from Fay's Boat Rental for the pontoon boat rental during the Heritage Festival and he has requested that it be submitted for payment.

9. Adjournment Action

Motion: Janice Rosa made a motion to adjourn.

Second: Drew Kiefaber

Vote: All in favor.
Meeting adjourned at 8:47PM.
The next meeting is scheduled for Thursday, 12/13/12 at 7PM.

Respectfully submitted,

Becky LaPense