

# Conservation Commission Minutes March 14, 2013

TOWN OF NEWMARKET, NH

CONSERVATION COMMISSION

March 14, 2013

7:00PM Council Chambers

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

Members Absent: George Hilton, excused

Called to Order: 7:11 PM

Agenda Items:

1. Pledge of Allegiance

2. Roll Call

Drew Kiefaber nominated Jessica Veysey as a voting member in the absence of George Hilton.

3. Public Comments

There were no public comments.

4. Approval of Minutes

February 14, 2013: Jeff Goldknopf mentioned that he recused himself at two points during the discussion on Moody Point and asked that it be reflected in the minutes.

Action

Motion: Bruce Fecteau made a motion to approve the minutes as revised.

Second: Fred Pearson

Vote: All in favor. Janice Rosa abstained due to absence at the meeting.

## 5. Treasurer's Report

Jeff Goldknopf distributed the financial report for the month and noted that the \$635 amount questioned on the prior month's report was due to an accounting transfer. He will get a copy of the quarterly reports showing those transfers for the Commission members to review in the future.

## 6. Committee and Sub-Committee Reports

- Town Council Report – Dan Wright thanked the voters for passing the warrant articles for the waste water treatment upgrade and the McIntosh well. The Town Council had some questions about the proposed zoning changes and they have been forwarded to a consultant before taking any action on the proposal.

- Planning Board Report – Janice Rosa reported that the proposed zoning changes have been tabled at the Town Council level and that the plan for 13 Water Street has been approved. Upcoming agenda items include Walter Cheney, who will be presenting a proposal for a subdivision at Cushing Road. Chinburg will be submitting an application for a site plan to convert the Riverdale Auto site into an eatery with an attached specialty retail store. Chinburg will also be coming in for a public hearing for an application for a 9600 sq. ft. single story building at the west end of the Newmarket Mills parking area on Spring Street. Drew Kiefaber read from a DES letter stating that the wetlands permit application submitted for 13 Water Street has not been approved since their request for additional information was not received within the timeframes specified.

- Dam Removal Subcommittee – Stephanie Coster reported that they have selected a company to begin the feasibility study. They expect the process to take approximately one year and she will continue to update the Conservation Commission as things progress.

- Sub-Committee Reports

§ Policy and Process – Nothing to report.

§ Land Protection – Nothing to report.

§ Trail Maintenance – Nothing to report.

§ Education and Outreach – Nothing to report.

## 7. Chairman's Report

Moody Point Lot 36-13 – Drew Kiefaber reported on the meeting between Mr. Cheney, residents of Moody Point, and several town representatives that took place after the February Conservation Commission meeting. Mr. Cheney is proceeding with his plan to subdivide the lot along Cushing Road and will be presenting to the Planning Board. The lawsuit between the town and Mr. Cheney is ongoing. Drew Kiefaber summarized the letter he received from Ellen Snyder regarding the wildlife habitat at the lot and her recommendations that it not have public access.

NHFG Turtle Surveys – A request for permission to trap turtles on town-owned conservation properties to get a survey of the turtle population. They are particularly interested in the population of Blanding's Turtles. Drew Kiefaber granted permission to conduct the turtle survey and recommended several other properties that might be of interest to the survey. Discussion ensued around the survey methods and turtle species spotted in the area.

Building at 8 Bay Road – This construction project is on the ZBA agenda for the April 8th meeting and the Conservation Commission has been asked to provide comments on the proposal. In the flooding of 2007, one of the buildings closer to the water was damaged. Under the buildings is a sluiceway that goes under the buildings and into the water, which was damaged as well. The structure that has been reconstructed is in approximately the same footprint but is one building instead of two. Dan Rosa pointed out that the original application states it would be "replaced in kind" for two buildings and asked if the soil was tested to see if it would bear the weight of the new building. Jessica Veysey and Jeff Goldknopf

expressed concern about flood storage and mentioned that an elevation survey would identify potential impacts. Jessica Veysey also mentioned the addition of impervious surface areas and cumulative impacts to the waterways. Janice Rosa commented that most of these questions are zoning issues. Jeff Goldknopf stated that if the Code Enforcement Officer summarized potential violations, then the Conservation Commission could comment specifically on corrective measures. Drew Kiefaber concurred. Jessica Veysey asked if the impervious surface areas and flood storage issues could pertain to conservation but that it might be too early in the project to make an assessment. Drew Kiefaber will attend the ZBA meeting on behalf of the Conservation Commission and state that relative to conservation it seems that the wetlands permit has been exceeded. But relative to the flood plain, other than some increase in impervious surface, we are not sure that there is some substantial conservation impact from this structure. Jeff Goldknopf added that if the developer is in violation of some code outside of the wetlands permit, then the Conservation Commission is willing to look into it further. Jeff Goldknopf suggested proper stabilization is in place such as silt fencing while construction is on hold.

Heron Point potential encroachment – Drew Kiefaber when Heron Point Estates were created, one of the lots (last one on the right) is the gravel driveway to the parking area. The gravel driveway is on the lot that belongs to a homeowner whose property is on the Heron Point property. That home is for sale but

## 8. Old/New Business

Health of Great Bay Estuary Forum – Feb. 19th

CC Scholarship for resident senior

Invasive Species management - Wiggin Farm, Follet's Brook

### - Action Item List

discuss priority conservation parcels before next meeting (meet at 6:30pm) (ALL)

- get feedback from school about possibility to create nitrogen-related education fieldtrips and in what classes this might be appropriate (Drew)

- Complete easement monitoring reports; done no further action
- Create education outreach plans about nitrogen removal from the Great Bay; in process
- Think about creating a trail on the Hayden property in conjunction with Fish and Game; delayed until better weather
- Continue invasive species removal; nothing to report but planning should begin soon for a coordinated effort in the spring
- Continue to investigate the addition of Follett's Brook to the prime wetlands and/or review amended application in Concord (Policy & Process subcommittee); in process pending a trip to Concord
- Develop a process for identifying when land has changed from current use for tax purposes (Policy & Process subcommittee); nothing to report

- Create a Prime Wetlands Map (Jeff); Draft copies of the Prime Wetlands Maps were distributed. Discussion ensued around recommended changes to the formatting and appearance of the maps and whether or not to show the buffers on the maps. Drew Kiefaber asked that we follow standard protocol on whether or not to include the buffers. Jeff Goldknopf will recommend adding the RSA to the index page as well.
- Finish connector trail at Piscassic/Loiselle; delayed until better weather
- Amend Wiggin Farm management plan to move mowing to after Sept 15; the management plan has not been formally changed but the mowing has been getting done after Sept 15
- Remove defective snowmobile bridge from Wiggin Farm & arrange meeting with Snow Rollers to discuss mutual interests (Drew); in process

Stephanie Coster said “delayed” actions will remain on the list so that they do not get lost.

## 9. Adjournment Action

Motion: Bruce Fecteau made a motion to adjourn.

Second: Janice Rosa

Vote: All in favor.  
Meeting adjourned at 8:02PM.  
The next meeting is scheduled for Thursday, 4/11/13 at 7PM.

Respectfully submitted,

Becky LaPense