

# Conservation Commission Approved Minutes November 10, 2011

TOWN OF NEWMARKET, NH

CONSERVATION COMMISSION

November 10, 2011

7:00PM Auditorium

Members Present: Drew Kiefaber (Chairman), George Hilton, Jeff Goldknopf, Donald Tucker (Alternate), Stephanie Coster (Alternate), James Bergeron (Town Council Rep), Valerie Shelton (Planning Board Rep)

Members Absent: Fred Pearson, Bruce Fecteau (Vice Chair), Jessica Veysey excused

Called to Order: 7:05PM

Agenda Items:

1. Pledge of Allegiance

2. Roll Call

Drew Kiefaber nominated Stephanie Coster and Donald Tucker as voting members in the absence of Fred Pearson and Bruce Fecteau.

3. Public Comments

None.

In the absence of public comments, Drew Keifaber opened this time up for the discussion of the 32 Huckins Drive Retaining Wall.

Adam Cullinane, owner of Adams Eden Landscape Construction, has been contracted to construct a stone wall on the property at 32 Huckins Drive, which would extend an existing stone wall by an additional 95 feet. He has reviewed the plans with the Town Planner who recommended that he review the plan with the Conservation Commission. The wall is to be constructed of natural stone with no cement. The wall itself will not be in the wetland or drainage easement area, but construction activities and a portion of the wall will be within the 25' wetland buffer to hydric B soils. Discussion regarding the need for a Special Use Permit and possible mitigations followed. Valerie Shelton read from the Wetlands Ordinance regarding Special Use Permits and questioned whether the applicant will be able to meet the conditions if there is no area available to provide mitigation elsewhere on the site. If that is the case, the applicant would need to get a variance from the ZBA. She also suggested that this work may fall under a new State statute and the Conservation Commission may not have a voice in the matter. Valerie Shelton recommended that the Conservation Commission conduct a site walk and provide meaningful comments to the Planning Board, the body that grants the Special Use Permit. The site walk may help determine if the size of the lot will allow for a mitigation proposal. The Conservation Commission agreed to conduct the site walk of 32 Huckins Drive on Sunday, Nov. 13 at 8AM. Valerie Shelton agreed to

get an opinion on the mitigation language in the ordinance from the Town Planner.

#### 4. Approval of Minutes

Oct. 13, 2011: There were no recommended changes to the draft minutes.  
Action

Motion: James Bergeron made a motion to approve the minutes with no changes.

Second: Drew Kiefaber

Vote: All in favor.

#### 5. Treasurer's Report

The balance correction has been made. There was an expenditure on the report for Aubuchon that Jeff Goldknopf questioned as unknown. Jeff Goldknopf will follow up with Bruce Fecteau regarding the Aubuchon debit to see if he has any information about the charge.

#### 6. Committee Reports

James Bergeron reported on the Conservation Commission concerns for the Town Council. The dock in town is being removed and will be repaired or replaced next season. A recycling bin will be placed in the Schanda Park location, as suggested. James Bergeron said he will also propose that the salt/sand pile near the Senior Housing facilities be relocated so that salt does not leech into the pond. Stephanie Coster suggested using silt fencing to help mitigate leeching and James Bergeron agreed to pass that suggestion along. He will also bring up placement of snow piles after plowing.

Valerie Shelton had no report from the Planning Board.

#### 7. Chairman's Report

Presentations related to Shoreland Water Quality Protection Act – Greenland

There will be two presentations in Greenland at the Hugh Gregg Coastal Conservation Center in Greenland on Nov. 18 and Dec. 6. There have been substantial changes to the act and the meetings will discuss these changes and its impact. Drew Kiefaber may be able to attend the 12/6 session and all other members are welcome.

NH Assoc. of Conservation Commissions Membership Dues

An invoice for \$290 has been received and Drew Kiefaber suggested continuance of the current membership. James Bergeron asked for details on the benefits of membership. Drew Kiefaber explained that they lobby on behalf of conservation issues with state officials, and offer online resources for ordinances and contact. Membership also provides an opportunity to connect with Conservation Commissions in other towns throughout the state, with online message boards and discounts to conservation-related meetings and printed resources. The current budget provides for \$250 annual membership and Jeff Goldknopf asked about allocations for the remaining \$40. Drew Kiefaber said that was to be determined.

## Action

Motion: James Bergeron made a motion to renew the Newmarket Conservation Commission's annual membership to the NH Association of Conservation Commissions.

Second: Drew Kiefaber

Vote: All in favor.

## Other

Drew Kiefaber distributed information for review of upcoming meetings on Forest Laws for officials. All members are welcome to attend.

## 8. Old/New Business

GZA Geoenvironmental letter regarding 4 Bay Road Wetlands Permit

The Conservation Commission was copied on GZA's response to DES and was distributed via email by Drew Kiefaber to Conservation Commission members.

Stewardship monitoring – Piscassic River/Loiselle – Oct. 16

Jeff Goldknopf and Drew Kiefaber walked the property on Oct. 16 and Drew Kiefaber is in the process of drafting the report. The only issue found was very minor; there was a small fire pit with ashes and debris located near a vernal pool. Drew Kiefaber stated that they cleaned up the area as best they could and found no other issues. The existing trail is being lightly used.

Nostrom/New Roots Farm – Nov. 13

To be conducted immediately following the site walk at 32 Huckins Drive.

Smith/Audubon

Phil Brown from NH Audubon is interested in joining the Conservation Commission on their site walk of the property. Drew Kiefaber proposed Sunday, Nov. 20 at 9AM. Although the property would be more accessible in winter, the report is due in December. The address of the house in front of the property is 358 Wadleigh Falls Road. There is 50' road frontage for access to the property but there is no parking area in this location. Parking is at the nearby Audubon site of the former Kwaks property. Drew Kiefaber sent a notification letter to the property owner. Phil Brown has also been in touch with the new owner to inform them of the annual monitoring requirement. The walkthrough will take approximately 3 hours, so members are encouraged to bring water, a light snack and boots.

Silverman/Schneer

Drew Kiefaber confirmed that the Conservation Commission must do an annual easement monitoring of that property. One has not been conducted in a couple of years. The site walk will be postponed until the ground is frozen.

## Annual Report – due Dec. 19, 2011

Due to the new time of the town vote, the Town Annual Report will be completed sooner than usual and the due date for the Conservation Commission report is Dec. 19. Drew Kiefaber will update last year's report and distribute it to the members to finalize at the next meeting.

## Request for use of Conservation Commission Land – Gerald Collins, Chicks Weir

Gerald Collins submitted an application for usage of the Conservation Commission land at Schanda Park for a few days in the spring and fall. Stephanie Coster asked if there will be any awareness posting. Drew Kiefaber stated he will revisit this with Mr. Collins when he responds. There is no specific date listed on the application as it will be weather- and tide-dependent. Drew Kiefaber stated he will sign the application, make some notes and return it to Mr. Collins.

## 9. Follow up on Action Items

Daigneault wall repair and rebuild: No update

Change of use tax: Drew Kiefaber sent a request to the Town Administrator who forwarded it to the Town Assessor; he expects a reply in a week or two.

Thank You notes for Heritage Festival: Drew Kiefaber has them and will pass around for signatures after the meeting.

## 10. Other

James Bergeron spoke to resident near Heron Point who asked if the Conservation Commission would consider putting dog waste bags on the kiosk near the entrance. The Commission declined the proposal stating it was the dog owner's responsibility to remove their dogs waste and provide their own bags. Signage was recommended as a viable alternative to educate the public on the importance of removing the waste. Drew Kiefaber suggested that consistent signage be developed and posted at frequently used areas to remind dog owners of their responsibilities. Verbiage will be finalized at a later meeting.

## 11. Adjournment Action

Motion: Valerie Shelton made a motion to adjourn.

Second: James Bergeron

Vote: All in favor.  
Meeting adjourned at 8:39PM.

Respectfully submitted,

Becky LaPense

