

Conservation Commission Minutes January12, 2012

TOWN OF NEWMARKET, NH

CONSERVATION COMMISSION

January 12, 2012

7:30PM Auditorium

Members Present: Drew Kiefaber (Chairman), Bruce Fecteau (Vice Chair), Jeff Goldknopf, Fred Pearson, Jessica Veysey, Donald Tucker (Alternate), Stephanie Coster (Alternate), James Bergeron (Town Council Rep), Valerie Shelton (Planning Board Rep)

Members Absent: George Hilton excused

Called to Order: 7:41PM

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

Dec. 8, 2011: There was a review of recommended changes to the draft minutes.
Action

Motion: Fred Pearson made a motion to approve the minutes as revised.

Second: Valerie Shelton

Vote: All in favor.

5. Treasurer's Report

Jeff Goldknopf noted that the balance sheet is still not updating correctly and he will follow up a second time with the Finance Office. Outstanding items needing further clarification include: an Aubuchon expense from the November report; the payment for the Heritage Festival boat rental; payment of Current Use Funds (50%). Valerie Shelton asked about allocation of the Recording Secretary's wages and Drew Kiefaber advised this was being allocated to the Town Office budget.

6. Committee Reports

Valerie Shelton provided a report from the Planning Board. Conceptual plans for the space that formerly housed Joyce's Kitchen are under review and the new construction would be exempt from the shoreline regulations. Proposed landscaping regulations were also reviewed in presentation only, no action has been taken on the proposal at this time.

Jim Bergeron provided a report from the Town Council. The public hearing for the proposed use of Open Space Bond funds to acquire land for a new Jr/Sr High School was held. The Town Council Chairman requested that the Conservation Commission render an opinion on the proposal but have taken no other action on the proposal as of yet. The Dam Removal Study Committee is still being formed and they have several confirmed members. There have been no meetings yet but they are progressing. Valerie Shelton asked if the committee would require the participation of a riverfront land owner and Jim Bergeron said he did not think it was a requirement. Bruce Fecteau suggested that a member of the Conservation Commission participate and Stephanie Coster volunteered to represent the Conservation Commission on the Dam Removal Study Committee. Jim Bergeron explained that this would be a permanent position appointed by the Town Council.

7. Chairman's Report

Hilton Easement Monitoring invoice from Southeast Land Trust

Drew Kiefaber presented an invoice from Southeast Land Trust for 2011 monitoring of the Hilton Easement in the amount of \$290.77.

Action

Motion: Bruce Fecteau made a motion to pay \$290.77 to Southeast Land Trust.

Second: Jim Bergeron

Vote: All in favor.

Lamprey River Watershed Association Membership

Drew Kiefaber presented an invoice from Lamprey River Watershed Association for the 2011 membership dues in the amount of \$100.

Action

Motion: Jim Bergeron made a motion to pay \$100 to Lamprey River Watershed Association.

Second: Bruce Fecteau

Vote: All in favor.

112 Bayview Drive – Wetlands Permit

Drew Kiefaber received a call from a resident who stated she was a neighbor of this property and that she was not notified of the approval of this permit. Drew Kiefaber advised her that all property abutters were notified via certified mail and referred her to the Town Clerk's office for follow up.

Other

The Conservation Commission received notification of approval for the Newmarket Mills wetlands permit for tidal floating dock structure behind the mills. The permit was approved on 10/19/11.

The Conservation Commission received notification that the request for a wetlands permit for the construction of the building above the dam has been granted.

The Conservation Commission received a letter from the town of Newington stating their position on nitrogen in the Great Bay and their intent to meet the new EPA requirements. The letter encourages all other surrounding communities take part.

The Conservation Commission received an application from Loco Sports requesting the use of Schanda Park on 04/07/2012 for a post-race celebration of the Great Bay Half Marathon. The commission agreed to approve the application.

8. Old/New Business

Discussion of School Administration Request for Open Space Bond Funds

At the Town Council public hearing on the use of the bond funds to purchase land for future school site, the Town Council Chairman asked that the Conservation Commission make a recommendation on the proposal to use the remaining \$380,000 in the Open Space Bond Fund to purchase land for a future Jr/Sr High School.

Dr. Jim Hayes, Superintendent of Schools, presented the proposal to purchase a parcel of land across the street from the current Jr/Sr High School that would enable the school district to construct a new facility. The total cost of the purchase is estimated at \$1.2-\$1.5 million. The school district has access to special funds but they are insufficient to cover the total cost of the purchase. The request is to allow the district, should the voters approve it, to use the remaining \$380,000 in the Open Space Bond fund combined with existing funds, to pay for the land and conduct continuing work on the project.

The initial plan is to demolish the existing school building, except for the gymnasium and cafeteria/kitchen which would be renovated and used as SAU offices. The remaining space would be converted to parking and tennis courts, which would be available for public use. Across the street, a new Jr/Sr High School would be constructed to include an athletic field (not competition size) to be used for athletic practice and physical education. The project would open up accessibility of existing open space that is now landlocked and inaccessible. This area could be used for natural education in addition to public access. If approved by the Conservation Commission and Town Council, the school will be required to present a vote to the public for the transfer of the funds to the school district for the purchase of the land.

Discussion ensued around the original intent of the voters when approving the Open Space Bond funding and if this proposal fits the original intent behind establishing the fund. Further debate centered on the best use of the available land and the practical reality of it being developed for other public uses. Drew Kiefaber explained that during his membership on the Open Fields Commission they were not successful in identifying open spaces that could be used for recreational fields. At that time, the commission concluded that the open fields would need to be realized as part of a

school project. The proposal argues that this project would provide some new recreational public space, as well as remove the parcel from residential development. Jessica Veysey stated for the record that she believed this particular pool of money would be better used to protect the rural character, natural resources and public recreation of the town and would prefer to put it out to the voters to raise the money separately.

Jim Bergeron asked that the Chairman draft a summary of the Conservation Commissions discussion and opinions stated and to make clear that if the Conservation Commission were to approve the use of the Open Space Bond funds, that it does not necessarily support the proposed development of the school.

Action

Motion: Valerie Shelton made a motion to recommend that the Town Council allow use of remaining Open Space Bond funds to purchase Tax Map U-4 101 for public purposes as defined under Article 3 of the 2002 Town of Newmarket warrant based on the objective to take land away from residential development in an effort to stabilize and reduce the operating costs of the town.

Second: Jim Bergeron

Vote: Jessica Veysey and Bruce Fecteau objected, all others in favor.

Stewardship Monitoring:

Silverman-Schneer easement monitoring scheduled for February 11 at 8AM with Donald, Jeff and Drew.

Wiggin Farm easement monitoring scheduled for January 21 at 8:30AM with Bruce, Jim and Jessica. Drew Kiefaber will send Bruce Fecteau a copy of last year's report.

The monitoring report for the Piscassic River/Loiselle property should be completed shortly. The Audobon monitoring report is almost done as well.

Action Items:

- Landscaping ordinance: There has been no further action.
- Adding Drew Kiefaber to ZBA Notices: Valerie Shelton recommended this to Planning Board.
- Recommendations to Planning Board on mitigation funding: Valerie Shelton will bring this up at the next Planning Board meeting.
- Cease & desist letters: There has been no further action.
- Hunting and tree stand policy of the Audobon Society: Drew Kiefaber reported that they do not have a specific policy. However, NH Fish & Game regulations require that tree stands not damage the tree; from that perspective at least two of the tree stands found are okay; one of the tree stands had cut branches and that is prohibited; Drew has been in discussion with Audobon about how to address that.
- Dog waste signage: There has been no further action.

- Distributing dog waste fact sheets with dog registrations: There are approximately 1000 registered dogs in Newmarket and the Town Clerk has agreed to distribute them with registrations. Staples quoted \$70 for copying, which would be less expensive than having the copies made in the Town Offices.

Action

Motion: Valerie Shelton made a motion to spend \$70 at Staples for the copying of the Dog Waste Fact Sheets to be distributed to residents when they register their dogs with the town.

Second: Bruce Fecteau

Vote: All in favor.

- Missing easement marker at Audobon property: Jeff Goldknopf replaced the marker, no further action necessary.
- Repairs at Schanda Park: Bruce Fecteau made an initial inquiry to Daignault but has not heard back yet.
- Light fixtures at Schanda Park: There has been no further action.
- Sand/salt pile near the senior center: Jim Bergeron reported that the Public Works Administrator put a tarp over the pile, which is the best solution at this point.
- Check for the NH Conservation Commissions: Submitted to the Finance Department; no further action necessary.
- Request from Strafford Planning Commission related to properties in the Route 4/108 corridor; any comments about it should be forwarded to Drew Kiefaber.

Other

Drew Kiefaber brought a copy of the Open Space Conservation plan and will lend to interested parties.

Heron Point – Fred Pearson reported that he discovered trash and other discarded items were illegally dumped at Heron Point; Public Works was notified and cleaned the area, also reported to PD; the police make regular rounds of that area.

9. Adjournment

Action

Motion: Fred Pearson made a motion to adjourn.

Second: Drew Kiefaber

Vote: All in favor.
Meeting adjourned at 9:51PM.

Respectfully submitted,

Becky LaPense

