



TOWN OF
NEWMARKET
NEW HAMPSHIRE

Conservation Commission

April 13, 2023, at 7:00 PM

Town Hall Auditorium

AGENDA

1. Pledge of Allegiance
2. Roll Call
3. Elect Chair and Vice Chair
4. Public Comment
5. Guest Speaker: Dr. Shannon Rogers, UNH Department of Natural Resources and the Environment, "Nature & Economy: Making Connections and Building Bridges"
6. Acceptance of Minutes, March 9, 2023
7. Financial Summary
8. Committee/Board Reports
 - Planning Board and Town Planner
 - Riverfront Advisory Committee/Schanda Park
 - Town Council
 - Naming of Places and Memorials Ordinance
 - Energy and Environment Committee
 - Newmarket 300th Steering Committee
9. Initiatives
 - Pollinator Pathways – Melissa Sharples
 - Connect to Protect – Tom, Ellen, Bart
 - Stream and Wildlife Crossing Enhancement Project – Colin Lawson
10. Conservation Commission Operating Guidelines
11. Conservation Easement Monitoring
12. Land Stewardship
 - Sliding Rock Recreation and Conservation Area: LRAC grant
 - Piscassic River–Loiselle: entrance sign
 - Wiggin Farm: April 22, 2023 volunteer work day
 - Dearborn: Driveway ROW easement
13. Adjourn



TOWN OF
NEWMARKET
NEW HAMPSHIRE

Conservation Commission

March 9, 2023 at 7:00 PM

Town Hall Auditorium

DRAFT MEETING MINUTES

Members Present: Ellen Snyder (Chair), Cris Blackstone, Jeffrey Goldknopf (Planning Board Rep.), Tom Jones (Alternate), Sam Kenney, Colin Lawson (Alternate), and Julianna Tyson

Members Absent: Melissa Sharples (Vice-Chair), David Bell, and Colin White (Town Council Rep- *ex officio*)

The Chair called the meeting to order at 7:00 PM.

[time on DCAT 2:42]

1. Pledge of Allegiance

2. Roll Call

The Chair appointed alternates **Tom Jones** and **Colin Lawson** to serve as voting members this evening.

3. Public Comment

No members of the public were present this evening to speak.

[time on DCAT 3:45 - 54:20]

4. Guest Speaker: Dr. Stephen Jones, UNH “Tracking Sources of Fecal Contamination in the Lamprey River Watershed: 2021-2023”

The Chair introduced Dr. Stephen Jones, Research Associate Professor of Natural Resources and the Environment at UNH. His main focuses of research are: 1) ribotyping *Escherichia coli* to identify sources of fecal contamination in surface waters; 2) microbial cycling of mercury in estuarine and marine environments; 3) monitoring for toxic chemicals in the marine environment; and 4) stormwater-related pollution of estuarine waters. He detailed the work he was hired to undertake for the Lamprey River Advisory Committee (LRAC). He presented his report to LRAC in December 2022 and you may view it at : [2022 bacterial tracking FINAL report.pdf \(lampreyriver.org\)](https://www.lampreyriver.org/2022_bacterial_tracking_FINAL_report.pdf) His research focused on fecal contamination in the Lamprey River watershed in specific areas of interest to LRAC where recreation is the focus. Notable fecal/sewage borne

38 pathogenic microorganisms include bacteria, viruses, and protozoa. The main goal of
 39 this project is to initiate monitoring at several key sites in the Lamprey River Watershed
 40 (LRW) to provide essential data for assessing water quality, public health risks and
 41 contamination. NH and ME currently use 'Fecal Indicator Bacteria' including *E. Coli* (for
 42 fresh water), enterococci (for marine water), and fecal coliforms (for shellfish growing
 43 waters) to help assess and monitor water quality. After a three year study at multiple
 44 sites from 1993-1996, stormwater runoff was found to be a significant source of
 45 bacteria in the estuary. Microbial Source Tracking (MST) describes a suite of methods
 46 developed over the last 30 years to clean up impaired water. He described the scientific
 47 method his lab uses to amplify a specific piece of DNA to identify the source (bird,
 48 human, animal, etc.). They selected sites in consultation with LRAC. They send out
 49 teams eight times per year between May and November for collection. They prefer to
 50 do the sampling at low tide. Moonlight Brook (at the mouth - site #1) exceeded the State
 51 standards in 2022 on 7 of 8 testing days. LRAC has requested that the findings be
 52 reported to NHDES as they are compiling their two year report on water quality. Dr.
 53 Jones will be chairing a session and presenting his findings at the 115th National
 54 Shellfish Association Meeting in Baltimore, MD from March 26 - 30, 2023
 55 <https://www.shellfish.org/>. His research group hopes to spend more time in 2023 on
 56 Moonlight Brook to identify where the human contaminants are originating. He has
 57 spoken with Sean Grieg, Town Environmental Service Director, about the
 58 contamination. Both **Jeff** and **Sam** have helpful ideas about how to access Moonlight
 59 Brook and will keep in touch with Dr. Jones to help with this process.

61 **5. Acceptance of Minutes**

[time on DCAT 55:48]

62 **February 9, 2023**

63 **Action**

64 **Motion:** **Sam Kenney** moved to approve the draft minutes of February 9, 2023

65 **Second:** **Colin Lawson**

66 **Discussion:** none

67 **Vote:** **Approved 5-0-2 (Cris Blackstone and Julianna Tyson abstained)**

69 **6. Finance Report**

[time on DCAT 56:57]

70 The Chair gave the finance report on the Conservation Fund. The balance is
 71 \$126,453.30 with \$4,764.46 in the Richard Schanda Fund for a total of \$131,217.76. A
 72 small amount of interest was accrued. LCHIP will be depositing \$600 for the annual
 73 easement monitoring of the Piscassic-River Loiselle and the Smith Sisters Audubon
 74 properties. The General Fund currently has a balance of \$1,769.97. The budget put
 75 forward for 2023 is \$4,520 (up from 2022 - \$4,185.00), The Town budget voting will be
 76 held on March 14 and will take effect on July 1, 2023 (if approved).

78 **7. NH Waste Management Council – Cris Blackstone**

[time on DCAT 59:06]

80 The Chair announced that **Cris Blackstone** has been appointed by the Governor for a
 81 three year term on the NH Waste Management Council and asked **Cris** to report on the

82 Council activities. <https://www.nhec.nh.gov/waste-management-council> Congratulations
 83 Cris! RSA 21-O:9 establishes a Waste Management Council composed of 13 members
 84 representing business and industry, municipalities, public health, academia and
 85 conservation commissions. There are four different councils: 1) Air Resources, 2) Waste
 86 Management, 3) Water and 4) Wetlands. The Waste Management Council typically
 87 meets on the third Thursday of the month from 10 a.m. to 12 p.m. in Conference Rooms
 88 112 and 113 at the New Hampshire Department of Environmental Services, 29 Hazen
 89 Drive, Concord. These meetings are open to the public and the Waste Management
 90 Council welcomes public attendance. **Cris** has attended three meetings so far. They
 91 have speakers at each meeting. The meetings have included current waste
 92 management issues like the appropriate way to dispose of mattresses and box springs.
 93 They have also discussed PFAS which are found in water, air, fish, and soil at locations
 94 across the State. Scientific studies have shown that exposure to some PFAS in the
 95 environment may be linked to harmful health effects in humans and animals. They have
 96 also discussed the siting of landfill locations and the closing and capping of these
 97 locations. She also mentioned that they hear official appeals of decisions. **Cris**
 98 suggested that perhaps we could invite Casella Waste Systems back to give us another
 99 opportunity to highlight recycling efforts in Newmarket. Where does our 'stuff' go? The
 100 Chair suggested inviting them for a meeting in the summer.

101

102 **8. Committee/Board Reports**

[time on DCAT 1:11:28]

103 **Planning Board:** **Jeff** had nothing to report from the last meeting. They will meet again
 104 on March 21.

105 **Riverfront Advisory Committee/Schanda Park:** **Sam** reported that the next meeting
 106 will be on Monday the 13th at 4:00 PM if anyone is interested in attending. Last month
 107 Kyle Pimental from the Strafford Regional Planning Commission and Lisa Wise who is
 108 the Lead Extension Program Manager at UNH and is also part of the NH Coastal
 109 Adaptation Workgroup attended the meeting. They focused on their willingness to help
 110 Newmarket lay the groundwork for the funding of the Riverfront projects. We would like
 111 to thank them in advance for helping the Town. The committee is still working on laying
 112 the groundwork for a charrette (most likely to occur in the fall) to help the Town define
 113 the future vision for the riverfront area. The Coastal Resiliency Grant deadline has just
 114 been announced and a letter of support may be of benefit for the application when
 115 submitted. [NH Online Forms System - 2023 Coastal Resilience Grant Application.](#)
 116 [Version 2.1](#) The Chair has agreed to write a letter in support of the grant from the
 117 ConCom by the end of March.

118

Action

119 **Motion:** **Sam Kenney** moved that the Chair write a letter supporting the
 120 application for the Coastal Resiliency Grant for the Town of Newmarket on behalf of the
 121 Conservation Commission.

122 **Second:** **Tom Jones**

123 **Discussion:** None

124 **Vote:** **Approved Unanimously 7-0-0**

125

126 **Town Council:** There was no report this evening.

127 **Energy and Environment Advisory Committee:** Julianna reported on the recent
 128 EEAC meetings and projects. The EEAC is finishing the draft of the Energy Plan update
 129 which will be submitted to the Planning Board for possible inclusion in the updated
 130 Master Plan. The Town has said that they hope to be energy independent by 2030 and
 131 entirely fossil fuel independent by 2050. The EEAC has been working with the
 132 Community Power Coalition of New Hampshire (CPCNH) [Home | Community Power
 133 Coalition of New Hampshire \(cpcnh.org\)](https://www.cpcnh.org) . The EEAC is working on the plans for the
 134 different energy sources i.e. wind, solar, and hydropower. This is one of the benefits of
 135 having CPCNH being our primary supplier for Newmarket...we can choose the mix.
 136 The Public Notice has been posted:

137 *Wednesday March 29, 2023 at 7:00 PM at the Newmarket Town Hall auditorium,*
 138 *the Energy and Environment Advisory Committee will hold a public hearing on*
 139 *the Newmarket Community Power Electric Aggregation Plan. Under NH RSA 53-E,*
 140 *New Hampshire municipalities may develop “Community Power” plans and*
 141 *programs to become the default electricity providers for their residents and*
 142 *businesses. Newmarket Community Power will create opportunities to lower*
 143 *electricity rates while expanding clean energy options for Newmarket residents.*
 144 *Newmarket is a founding member of Community Power Coalition of New*
 145 *Hampshire, a nonprofit power agency created and governed by New Hampshire*
 146 *cities and towns to operate Community Power programs. This public hearing is*
 147 *the first of two public hearings that will be held on the Newmarket Community*
 148 *Power Electric Aggregation Plan before it is considered for adoption by the*
 149 *Newmarket Town Council.*

150 No second date has been announced as yet. Julianna was asked about any future
 151 plans for a solar farm in Newmarket. She said that the Town may need to join with
 152 Durham on such a project.

153 **Newmarket 300th Steering Committee:** The Chair reported that the Town has put
 154 together a 300th Anniversary Steering Committee. Melissa Sharples has agreed to
 155 serve as the ConCom representative and will let the members know when events are
 156 being planned. Melissa and Michael Provost, Board Member of the New Market
 157 Historical Society, have been emailing about the committee. The celebration will be in
 158 2027.

159

160 **9. Initiatives**

[time on DCAT 1:24:28]

161 **Pollinator Pathways:** Melissa Sharples

162 The Chair updated the members on the new program that has been created this year
 163 called the ‘Pollinator Garden Stepping Stones Seed Kits - Mini Grant Opportunities’. As
 164 a partnership community, we will receive five seed kits to distribute which will include
 165 native seeds and instructions for converting a 4’ x 6’ patch of lawn into a native
 166 pollinator habitat. New Hampshire Fish & Game has just created a NH butterfly
 167 monitoring network. [Butterfly Monitoring | Surveys | New Hampshire Fish and Game
 168 Department \(state.nh.us\)](https://www.nh.gov/fish-and-game/butterfly-monitoring) They are recruiting citizen scientists and holding training
 169 sessions.

170 **'Connect to Protect': Tom Jones**

171 **Tom** reported that he, **Ellen** and Bart met with the folks from the Great Bay National
 172 Estuarine Research Reserve and Emma Tutein. They are looking to do more land
 173 conservation in the area, in particular, wetland migration corridors. They are interested
 174 in trail corridors to connect commuter options. They wanted to know how the Town
 175 targets properties for conservation. He, **Ellen** and Bart met on March 2 with Duane
 176 Hyde, Land Conservation Director for SELT, to discuss how SELT prioritizes lands for
 177 conservation, any tools that they might use, and how to seek grant funding. Duane was
 178 extremely helpful to our team. The first step is to target lands and the 'Connect to
 179 Protect' group is able to provide GIS services to make maps for us. Collaboration is the
 180 key!

181 **Stream and Wildlife Crossing Enhancement Project: Colin Lawson**

182 **Colin** reported that he has a meeting with his friends at Trout Unlimited tomorrow to
 183 look at some of the maps and information available on the NHDES website. Someone
 184 has come through Newmarket and assessed almost all of the culverts in Town. It is not
 185 a complete survey, but there are pictures on the NHDES site. The 'Connect to Protect'
 186 maps could be overlaid on the culvert crossing maps and possibly lead to different
 187 funding opportunities. Pete Steckler, professional lead for Northeast Conservation
 188 Services, is the GIS specialist working with 'Connect to Protect'. [Home](#)
 189 [\(northeastconservation.com\)](#) The Conservation Commission will collaborate with the
 190 DPW and the Town Engineer on all aspects of this project as well. Collaboration is the
 191 key again!

192
 193 **10. Conservation Easement Monitoring** [time on DCAT 1:37:25]

194 **Jeff** received the report from **Melissa** on the monitoring of Piscassic River-Loiselle and
 195 is ready to add his pictures and text. The full report will be ready shortly.
 196 The Chair reported that the Hilton Easement monitoring will wait until spring when the
 197 weather is better. The Hilton Easement is an active tree farm and is undergoing a timber
 198 harvest right now. Charlie Marino prepared the forestry management plan is currently
 199 doing the harvesting. [About Us | Moreno Forestry](#)

200
 201 **11. Land Stewardship** [time on DCAT 1:38:49]

202 **Sliding Rock Recreation and Conservation Area – LRAC Grant**

203 **Ellen** reported that she is working on the kiosk content, but the rest of the work is
 204 delayed until the weather permits.

205 **Wiggin Farm – kiosk design; bridge boardwalk; April work day**

206 **Sam** worked on the budget for the boardwalk materials (\$1,100). The Chair believes
 207 that April 22 (Earth Day) might be the best day to set a work day for Wiggin Farm. The
 208 members agreed and she will prepare a list and post it on Nature Groupie to get
 209 volunteers. [Wiggin Farm Conservation Area Work Day | Nature Groupie](#)

210 **Action**

211 **Motion:** **Cris Blackstone** moved to expend funds up to \$1,100.00 from the
 212 Conservation Fund for the materials needed for the Wiggin Farm repairs/construction.

213 **Second:** **Julianna Tyson**

214 **Discussion:** None
 215 **Vote:** **Approved Unanimously 7-0-0**

216
 217 **Ellen** mentioned the kiosk condition. She and her husband will take it apart shortly and
 218 ask DWP to haul away the heavy pieces.

219 **Dearborn – Driveway ROW easement:**

220 **Ellen** reported that the Dearborn ROW easement language has been completed and is
 221 with the Town Attorney right now. Once he reviews the deed language, it will go back to
 222 the abutter and then, if all goes as planned, it will be filed.

223
 224 **10. Other Business** [time on DCAT 1:44:29]

225 **Jeff** mentioned a bill currently under consideration in the NH House. HB655-FN is
 226 legislation that would do away with the need to be a certified wetland scientist, certified
 227 soil scientist, and certified foresters. They are also considering the need for licensed
 228 Landscape Architects. You can find your Representatives at : [The New Hampshire](https://www.state.nh.us/leg/)
 229 [House of Representatives \(state.nh.us\)](https://www.state.nh.us/leg/) and you are urged to contact them.

230
 231 **9. Adjourn** [time on DCAT 1:51:51]

232
 233 **Action**

234 **Motion:** **Tom Jones** moved to adjourn the meeting at 8:50 PM.

235 **Second:** **Colin Lawson**

236 **Discussion:** None

237 **Vote:** **Approved Unanimously 7-0-0**

238
 239
 240 Respectfully submitted,

241
 242 Sue Frick, Recording Secretary

243
 244
 245
 246
 247 **DCAT:**
 248 https://videoplayer.telvue.com/player/XSekkdEeRsk0JHQVHAvKJVka7_5VjxKP/videos
 249

250

Town of Newmarket, New Hampshire					
Conservation Commission -- Conservation Fund (4April23)					
Items (date of motion)	Date of CC Approval -- Discussion	Date of Debit, Revenue, or Balance	Conservation Commission Fund	Richard Schanda Fund	TOTAL
		8/1/22	\$129,846.64	\$4,764.46	\$134,611.10
		10/5/22	\$129,084.24	\$4,764.46	\$133,848.70
		11/3/22	\$129,233.55	\$4,764.46	\$133,998.01
		12/2/22	\$129,226.83	\$4,764.46	\$133,991.29
		1/5/23	\$128,888.83	\$4,764.46	\$133,653.29
		2/3/23	\$126,792.88	\$4,764.46	\$131,557.34
CREDITS					
Interest		7/31/22	\$18.04		
Interest		8/31/22	\$44.56		
Interest		9/30/22	\$80.61		
Interest		10/31/22	\$139.29		
Interest corrections		10/31/22	\$8.80		
Interest corrections		10/31/22	\$29.73		
Interest		11/30/22	\$135.15		
Interest		12/31/22	\$118.46		
Interest		1/31/23	\$364.51		
Interest		2/28/23	\$412.30		
Interest		3/31/23	\$239.58		
Land Use Change Tax (LUCT)					
LUCT - 17A Cushing Rd balance		9/12/22	\$443.84		
Other Contributions					
LRAC Heron Pt Community Grant - final payment		10/18/22	\$639.12		
LRAC Sliding Rock Comm Grant- 1st payment		11/30/22	\$3,162.50		
LCHIP annual easement monitoring		3/1/23	\$600.00		
DEBITS this FY					
Heron Point kiosk trail map (Martin Forestry) LRAC grant	3/10/22	7/21/22	\$690.00		
Heron Point kiosk panel design (Cathy Arakelian) LRAC grant	3/10/22	8/9/22	\$825.00		

Town of Newmarket, New Hampshire					
Conservation Commission -- Conservation Fund (4April23)					
Items (date of motion)	Date of CC Approval -- Discussion	Date of Debit, Revenue, or Balance	Conservation Commission Fund	Richard Schanda Fund	TOTAL
Heron Point kiosk panels printing (Portsmouth Sign) LRAC grant	3/10/22	9/14/22	\$581.00		
NHACC annual subscription (\$300 from general fund)	10/13/22	10/20/22	\$150.00		
Oct 15th Conservation Connections event - PR-L workday	9/8/22	11/8/22	\$131.61		
Wiggin Farm invasive plant control RCCD	2/10/22	11/8/22	\$3,190.00		
Piscassic River - Loiselle - bridge materials	11/10/22	11/30/22	\$220.46		
Piscassic River-Loiselle trail signs	11/10/22	12/20/22	\$236.00		
Sliding Rock Consr Area--hazard tree removal	12/8/22	1/4/23	\$2,000.00		
Piscassic River-Loiselle entrance sign--down payment, 1/2	11/10/22	1/11/23	\$1,187.50		
Piscassic River-Loiselle PT wood for trail signs	1/12/23	1/24/23	\$24.84		
Sliding Rock Consr Area - -- assessment of trail	12/8/22	3/23/23	\$500.00		
Approved to be spent:					
Piscassic River-Loiselle entrance sign (added \$300 12/8/22)	11/10/22	1/11/23	\$1,187.50		
LRAC Sliding Rock Community Grant - \$6,325:					
Sliding Rock Consr Area - -- kayak rack and lock	12/8/22		\$1,300.00		
Sliding Rock Consr Area - -- kiosk panels/other signs	12/8/22		\$2,000.00		
Sliding Rock Consr Area - -- fencing	12/8/22		\$100.00		
Wiggin Farm bridge boardwalk extension	3/9/23		\$1,100.00		
To be Considered:					

Newmarket Conservation Commission Funds						
FY23		General Fund: 014611				
General Fund Budget		\$4,185.00				
	Date of motion or debit	Part-Time Salary	Contracted	Dues/ Subscriptions	General Supplies	Postage
BUDGETED		\$3,335.00	\$300.00	\$350.00	\$200.00	\$0.00
EXPENDED		\$1,837.75	\$360.00	\$350.00	\$76.67	\$0.00
BALANCE		\$1,497.25	-\$60.00	\$0.00	\$123.33	\$0.00
General Fund total balance (4April2023)		\$1,560.58				
Part-time salary, recording secretary	7/14/22	\$137.04				
Part-time salary, recording secretary	7/28/22	\$162.74				
Part-time salary, recording secretary	8/11/22	\$9.87				
Part-time salary, recording secretary	8/25/22	\$218.30				
Recording Secretary - supplies (10/14/21)	8/31/22				\$52.41	
Part-time salary, recording secretary	9/22/22	\$66.83				
Supplies - notebook, files	9/20/22				\$17.24	
NHACC dues	10/20/22			\$350.00		
Part-time salary, recording secretary	10/6/22	\$4.46				
Part-time salary, recording secretary	10/20/22	\$26.73				
Part-time salary, recording secretary	11/3/22	\$427.68				
Part-time salary, recording secretary	11/17/22	\$57.92				
Part-time salary, recording secretary	12/1/22	\$178.20				
Part-time salary, recording secretary	1/12/23	\$111.38				
Part-time salary, recording secretary	1/26/23	\$173.75				
SELT - Hilton Easement monitoring	1/31/23		\$360.00		\$5.88	
Postage - monitoring letters	1/31/23				\$1.14	
Part-time salary, recording secretary	2/23/23	\$53.46				
Part-time salary, recording secretary	3/9/23	\$80.19				
Part-time salary, recording secretary	3/23/23	\$129.20				
Notes:						
NHACC annual subscription is \$500, \$150 of which from Conservation Fund						
Contractor line item is for SELT monitoring of Hilton easement						

TOWN OF NEWMARKET, NEW HAMPSHIRE

BY THE NEWMARKET TOWN COUNCIL

ORDINANCE NO. 2 – 2022/2023

**AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF THE TOWN OF
NEWMARKET, NEW HAMPSHIRE; NAMING OF PUBLIC LAND AND FACILITIES
AND PLACEMENT OF MEMORIALS**

THE TOWN OF NEWMARKET ORDAINS:

1. Purpose

The purpose of this ordinance is to formally adopt the Town Seal of the Town of Newmarket pursuant to NH RSA 41:11-a

2. Amendment

Chapter 22 is hereby amended by adding the following article:

Chapter 22

Article IV

**NAMING OF PUBLIC LAND AND FACILITIES AND
PLACEMENT OF MEMORIALS**

Sec. 22-59. Purpose.

This ordinance provides the basis for acceptance and approval of proposals for commemorative naming and placement of memorials in or on public land and facilities located within the boundaries of the Town of Newmarket.

The naming of Town facilities, fields, parks or entity is an honor which is to be bestowed upon citizens who contributed to the progression of our community through countless hours and years of self-sacrifice and dedication for the greater good.

The naming of such facilities, fields, parks, or any other entity of the Town is to fit the historical intent and honor of the community as a whole and the passage of time assists with evaluating our past efforts.

Sec.22-60. Authority.

Under the authority granted by NH RSA 41:11-a:

- a. The Town Council shall be responsible for the naming (or renaming) of any Town owned land or facility. A facility shall be defined as a building, portion of a building, driveway, or other parcel or portion of a parcel of land and places or natural features contained therein. Once a facility has been named, renaming will be approved only by the Town Council.

b. The Town Council shall be responsible for approval of the placement and design of memorial objects, artwork, signs, sculptures, banners, benches, trees or other plantings, fountains, detached structures, and walls (hereinafter "a Memorial") in or on any Town owned land or facility, as defined above.

Sec. 22-61. Criteria.

A. Except under extraordinary circumstances:

- a. No Town facility, field, park, or entity shall be named after any current town official until one year after their employment from said service.
- b. No Town facility, field, park, or entity shall be named after any citizen who currently holds local, state, or federal office, until one year after leaving office.
- c. No Town facility, field, park, or entity shall be named after any citizen who was not an employee of the town, or who did not hold local, state, or federal office unless such said citizen has been recognized for exceptional service to the community.
- d. No Town facility, field, park, or entity shall be named after any local, state, or federal official or private citizen without first having been held a public hearing.
- e. When a memorial or naming of a facility is proposed, at least one (1) calendar year shall expire from the date of the event, or in the case of a person their death, before the Town Council may consider a proposed Memorial.

B. If a memorial will require the Town to expend funds or services to maintain, the Town Council may condition acceptance on the provision by the proponent of a fund sufficient to meet that obligation.

- a. The Town Manager or their designee shall establish an application process and associated fees for any Memorial.

C. This ordinance may be suspended by six (6) affirmative votes of the Town Council.

Sec. 22-62. Duration.

A. Once the Town Council assigns a name to land or a facility, the name shall remain unchanged for twenty-five (25) years, unless changed by a vote of the Town Council.

B. Once the Town Council accepts a memorial, the memorial may remain installed for up to twenty-five (25) years. The Council may extend the period of installation once the initial term expires.

3. Takes Effect

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

First Reading: February 1, 2023

Second Reading/Public Hearing: February 15, 2023


Final Action by Council: February 15, 2023

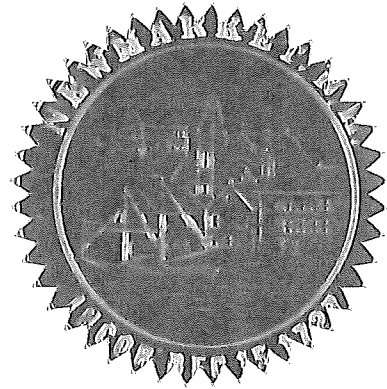
VOTING RECORD			
Date of Vote:	YES	NO	ABSTAIN
Councilor Megan Brabec	✓		
Councilor Joseph LaMattina	✓		
Councilor Colin White, Sr.	✓		
Councilor Scott Blackstone	✓		
Councilor Brian Ward	✓		
Vice Chair Katanna Conley	✓		
Chair Toni Weinstein	✓		
Total Votes:	7	0	0
Ordinance: <input checked="" type="radio"/> Does <input type="radio"/> Does Not pass.			

Approved:


Toni Weinstein, Chair Newmarket Council

A True Copy Attest:


Terri Littlefield, Town Clerk





TOWN OF NEWMARKET, NH **CONSERVATION COMMISSION**

Conservation Commission Operational Guidelines

ADOPTED

**By the Newmarket Conservation Commission
XXXX XX, 2023**

(This replaces the Conservation Commission By-Laws last amended 4-12-2007)

I. Purpose

In accordance with NH RSA 36-A:2 the Newmarket Conservation Commission was established in 1971 by Town Warrant "for the proper utilization and protection of the natural resources and for the protection of watershed resources in town."

II. Responsibilities

- Maintain an inventory of all open space, natural, aesthetic, or ecological areas, including all wetlands.
- Care for town-owned conservation areas.
- Annually monitor town-held conservation easements.
- Review and comment on wetlands permit (dredge and fill) applications.
- Review sand and gravel excavation permit applications and renewals.
- Partner with other community entities as needed, including Scouts, Newmarket schools, Town Departments, and other Town Boards and Committees to steward lands, complete projects, conduct assessments, and identify solutions to conservation issues.
- Create interpretive materials for conservation area kiosks, trails signs, and other venues and host conservation-related educational programs.
- Work with interested landowners and partners to conserve land that protects drinking water, wildlife habitat, wetlands and streams, and other critical resources in the community.
- Maintain accurate records of meetings and actions.
- Create subcommittees or launch other initiatives to fulfill purpose and responsibilities.
- Refer to the New Hampshire's Municipal Conservation Commissions Handbook by the NHACC for further guidance.

III. Composition of the Conservation Commission

- The Conservation Commission shall consist of no less than three (3) and not more than seven (7) term members appointed for staggering three (3) year terms by the Town Council.
- One Commissioner shall serve as a representative from the Planning Board.
- One member of the Town Council shall serve as ex-officio, non-voting member.

- The Conservation Commission shall consist of up to three (3) alternates appointed for staggering three (3) year terms by the Town Council.
- Conservation Commissioners shall be residents of the town.
- Members must be sworn in by the Town Clerk prior to starting their term.

IV. Officers

- The Commission shall elect a Chair and Vice Chair by a majority vote of the Conservation Commission members at the first monthly meeting following the Town Council Organizational Meeting that appoints members. Vacancies in office shall be filled immediately at the next meeting by a majority vote of the Commissioners in attendance, providing a quorum is present.
- Responsibilities of the Chair:
 - Prepare and distribute the monthly meeting agenda and Chair the monthly meeting. In the absence of the Chair, the Vice Chair shall run the monthly meeting.
 - Serve as the primary contact person with the Town Council, Town Manager, Town Planner, and Other Department Heads
 - Ensure that town-held conservation easements are monitored annually, and copies of the monitoring reports are filed with partners, where required, and a hard copy kept in the Conservation Commission files at the Town Hall.
 - Ensure that the Conservation Commission webpages on the Town Website are maintained with accurate and up-to-date information.
 - Ensure an accurate list of town-owned conservation areas and conservation easements is maintained.
 - Work with the Town Finance Office to prepare a monthly finance report for presentation at the monthly Conservation Commission meeting.
 - Submit an annual report for inclusion in the Town's Annual Report.
 - Respond to information requests, permit requests, and other correspondence.
 - Delegate any of the above responsibilities to other members of the Commission, as needed.

V. Meetings

- All meeting shall be open to the public. Notice of all monthly meetings shall be posted in two places at least four (4) days in advance and in accordance with all applicable local, state and federal laws.
- The Conservation Commission shall hold monthly meetings on the second Thursday of every month in the Newmarket Town Hall.
- A Recording Secretary shall take the minutes at the monthly Conservation Commission meetings. Draft minutes shall be approved at a subsequent meeting. Final approved meeting minutes shall be submitted by the Recording Secretary to the Town Manager's Office for filing with the Town Clerk and posting to the Town website.

- Business may be conducted with any number of members present, but should a quorum not be present, all business requiring a vote, shall be deferred until the next regularly scheduled monthly meeting or emergency meeting. If the next regularly scheduled meeting fails to have a quorum, a favorable vote by a majority of the members present shall decide for the Conservation Commission, all such deferred business.
- In the absence of a term member at a given monthly meeting, the Chair shall appoint an alternate to vote in their place for the duration of that meeting.
- These Conservation Commission Operational Guidelines can be amended at any time by a majority vote of the Commission.

VI. Finances

- The Conservation Commission has sole authority to expend from the Conservation Fund, a non-lapsing fund that can accumulate year-to-year and which can receive both private and public funds.
- The allocation of 50% of the Land Use Change Tax (LUCT) to the Conservation Fund was approved at the 1989 Town Meeting. LUCT is paid by a landowner to the municipality when land that was enrolled in the Current Use assessment program is removed from current use.
- The Commission also receives an annual allocation from the General Fund budget. The Commission submits a budget request to the Town Planner and Town Manager for consideration during the annual budget process. These funds are used for operating expenses such as personnel (recording secretary, consultants), membership dues, postage, and supplies.
- The Commission approves expenditures from the Conservation Fund at a monthly meeting and submits payment requests to the Town Finance Department, which manages the Conservation Commission accounts.
- The Commission must hold a public hearing before using money from the Conservation Fund to acquire any interest in real property. The meeting notice must be posted in two places and published in a local newspaper at least ten (10) days prior to the hearing. The Town Council must also approve the acquisition of any interest in land.
- At the 2009 Newmarket Town Meeting, voters passed a warrant article that "...adopts the provisions of RSA 36-A: 4-a, I (b) allowing the Conservation Commission to expend funds for contributions to qualified organizations (such as land trusts) for the purchase of property interests, or facilitating transactions related to thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property." At the same town meeting, voters did not approve provisions related to RSA 36-A: 4-a, I (a), which would have authorized the Conservation Commission to expend funds to purchase interest in land outside the boundaries of Newmarket.

CONSERVATION COMMISSION
E-MAIL - NEWMARKET1@AOL.COM
WEBSITE - WWW.NEWMARKET-NH.COM



INCORPORATED
DECEMBER 15, 1727
CHARTER JANUARY 1, 1991

CONSERVATION COMMISSION BY-LAWS

ADOPTED - SEPTEMBER 25, 1998

***REVISED - 2001, 2003 &
AMENDED - 1-22-2004
AMENDED - 8-10-06
AMENDED - 4-12-07***

***BY THE NEWMARKET CONSERVATION
COMMISSION***

TOWN OF NEWMARKET NEW HAMPSHIRE

I. Purpose

In accordance with NH RSA 36-A:2 the Newmarket Conservation Commission is established "for the proper utilization and protection of the natural resources and for the protection of watershed resources in town."

II. Composition of the Conservation Commission

- The Conservation Commission shall consist of no less than three (3) not more than seven (7) term members appointed for staggering three (3) year terms by the Town Council.
- One Commissioner will serve as a representative on the Planning Board.

TOWN HALL
186 MAIN STREET, NEWMARKET, NEW HAMPSHIRE 03857
TELEPHONE (603) 659-3617 • FAX (603) 659-8508

- The Conservation Commission shall consist of up to three (3) alternates appointed for staggering three (3) year terms by the Town Council.
- Conservation Commissioners shall be residents of the town.
- Conservation Commission membership shall be advertised per town provisions. All applications/resumes shall be reviewed by the Conservation Commission and recommendations made to the Town Council.

III. Election of Officers

- Officers shall be elected by a majority vote of the Conservation Commission Members at the first monthly meeting following the Town Council Organizational Meeting that appoints members. Officers shall serve for two (2) years. Officers can be re-elected for successive terms. Vacancies in office shall be filled immediately at the next meeting by a majority vote of the Commissioners in attendance, providing a quorum is present.
- Conservation Commission Officers are: Chair, Vice-Chair, Treasurer, Secretary and Planning Board Representative.
- The Chair serves as the primary contact person with the Town Council, Town Administrator, Other Department Heads in Local government and State Agencies. The Chair sets the meeting agenda and chairs the monthly meeting.
- The Vice-Chair serves as a primary contact for Commission committees. IN the absence of the Commission Chair, the Vice Chair shall run the monthly meeting.
- The Treasurer tracks commission expenditures and incomes, as provided by the Finance Office of the Town of Newmarket and works with the Town Clerk to track change of use tax revenues. The Treasurer shall track the conservation fund which is allowed to accumulate from year to year and expended by the Conservation Commission. The Treasurer shall provide a monthly report of account balances.
- The Secretary shall review monthly meeting minutes, distribute draft and final draft of minutes to appropriate Town Officials and Commission Members as provided by the Recording Stenographer. A copy of the minutes shall also be filed in the Conservation

Commission office. The original copies of the minutes are to be filed with the Town Clerk. If the recording secretary is not a Conservation Commission member, the recording secretary only functions as stated above.

- The Planning Board Representative will facilitate communication and input on land use planning activities that impact the Town's natural resources.

IV. Committees

- The Commission will create committees to help with the Commission's goals and responsibilities.
- The Conservation Commission will actively recruit volunteers to participate on committees and sub committees to be chaired by a term member and to be involved in conservation projects.

V. Meetings

- All meeting shall be open to the public. Notice of all monthly meetings shall be posted in two places at least four (4) days in advance and in accordance with all applicable local, state and federal laws.
- The Conservation Commission shall hold monthly meetings on the second Thursday of every month.
- Monthly meetings of the Conservation Commission will normally be held at the Newmarket Town Hall in the Council Chambers or the Conservation Room.
- The Commission Chair is responsible for developing the agenda for the monthly meeting. Agenda items should be to the chair at least two (2) weeks prior to the monthly meeting. The agenda will be distributed by conventional and/or electronic mail to all Commission Members and other identified individuals at least four (4) days prior to the meeting.
- Robert's Rules of Order will govern the proceedings at the regularly scheduled meetings.

- The Commission must hold a public hearing before using money from the conservation fund to acquire any interest in real property. The meeting notice must be posted in two places and published in a local newspaper at least ten (10) days prior to the hearing.
- The Secretary shall keep monthly meeting attendance records. If a Conservation Commission Member is absent from three (3) or more unexcused regular scheduled meetings the Chair may request the Conservation Commission to vote on the termination of that member and request, in writing, that the Town Council consider appointment of a new member to replace the former member.
- Each term member shall be entitled to one (1) vote and each member shall be present to vote. A quorum shall consist of a majority of voting members, but at anytime shall be no less than four(4).
- Business may be conducted with any number of members present, but should a quorum not be present, all business requiring a vote, shall be deferred until the next regularly scheduled monthly meeting or emergency meeting. If the next regularly scheduled meeting fails to have a quorum, a favorable vote by a majority of the members present shall decide for the Conservation commission, all such deferred business.
- In the absence of a term member at a given monthly meeting, an alternate shall be appointed to vote in their place for the duration of that meeting.
- The Conservation Commission By-Laws can be amended at any time by a majority vote of the Commission.

VI. Permit Application Review Process

- The Conservation Commission shall encourage developers, landowners and others applying for dredge and fill permits to meet with the Commission during their permitting process.
- The Conservation Commission shall request a site visit with permit applicants or their agents to discuss and determine natural resource impacts of proposed development or other land use change.
- The Commission shall submit a formal report of its findings on dredge and fill permit applications to the Wetlands Bureau within

fourteen (14) days of the filing date (the date of signing by the Town Clerk) or within forty (40) days if extension is needed and requested by the Commission.

- The Commission can request a forty (40) day delay in consideration of an application by the Wetlands Bureau to give the Commission more time to investigate the application.
- The Commission shall receive a copy of all excavation permits and provide comments on applications to the local decision-making board.

VII. Conservation Commission meetings will adjourn at 10:00 p.m. unless a vote to continue is approved by the Conservation Commission Members.