



TOWN OF
NEWMARKET
NEW HAMPSHIRE

Conservation Commission

January 11, 2024, at 7:00 PM

Town Hall Auditorium

AGENDA

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Public Comment**
- 4. Approve Meeting Minutes: December 14, 2023**
- 5. Non-Public Meeting Minutes – Guidelines and Motion**
- 6. Financial Summary**
- 7. Master Plan Update – Natural Resources, Water Resources, Open Space Chapter**
- 8. Committee/Board Reports**
 - **Town Council**
 - **Planning Board**
 - **Riverfront Advisory Committee/Schanda Park**
 - **Other Committee Reports**
- 9. Chair's Report**
- 10. Conservation Easement Monitoring**
- 11. Land Stewardship**
- 12. Other Items**
- 13. Adjourn**

Town of Newmarket, New Hampshire					
Conservation Commission -- Conservation Fund FY24 4Jan2024					
Items (date of motion)	Date of CC Approval -- Discussion	Date of Debit, Revenue, or Balance	Conservation Commission Fund	Richard Schanda Fund	TOTAL
		8/1/23	\$133,527.18	\$4,621.11	\$138,148.29
		8/28/23	\$132,271.97	\$4,621.11	\$136,893.08
		9/11/23	\$130,265.26	\$4,621.11	\$134,886.37
		10/5/23	\$133,347.19	\$4,621.11	\$137,968.30
		12/6/23	\$134,536.83	\$4,621.11	\$139,157.94
		1/4/24	\$134,710.21	\$4,621.11	\$139,331.32
CREDITS					
Interest		7/31/23	\$201.29		
Interest		8/31/23	\$375.79		
Interest		9/30/23	\$351.53		
Interest		10/31/23	\$384.88		
Interest		11/30/23	\$453.23		
Interest		12/31/23	\$173.38		
Land Use Change Tax (LUCT)					
Other Contributions					
LRAC Sliding Rock grant - second payment		8/15/23	\$3,156.93		
DEBITS THIS FISCAL YEAR					
Piscassic River-Loiselle entrance sign (added \$300 12/8/22; \$150 7/10/23)	11/10/22	7/18/23	\$1,462.50		
Sliding Rock kiosk panels graphic design - Cathy Arakelian	7/10/23	8/15/23	\$877.50		
Sliding Rock kiosk panels printing - Portsmouth Sign	7/11/23	8/15/23	\$1,050.00		
Sliding Rock property map - Greg DiSantos	7/12/23	8/15/23	\$455.00		
APPROVED TO BE SPENT					

Town of Newmarket, New Hampshire					
Conservation Commission -- Conservation Fund FY24 4Jan2024					
Items (date of motion)	Date of CC Approval -- Discussion	Date of Debit, Revenue, or Balance	Conservation Commission Fund	Richard Schanda Fund	TOTAL
Wiggin Farm kiosk - materials	5/11/23		\$500.00		
Wiggin Farm kiosk - property map - Greg DiSantos	10/12/23		\$700.00		
Wiggin Farm kiosk - panel graphic design - Cathy Arakelian	10/12/23		\$800.00		
Wiggin Farm kiosk panel printing - Portsmouth Sign	10/12/23		\$250.00		
NEW REQUESTS					

Newmarket Conservation Commission Funds						
FY24		General Fund: 014611				
General Fund Budget 4Jan2024		\$4,520.00				
	Date of motion or debit	Part-Time Salary	Contracted	Dues/ Subscriptions	General Supplies	Postage
BUDGETED		\$3,470.00	\$400.00	\$450.00	\$200.00	\$0.00
EXPENDED		\$933.41	\$0.00	\$450.00	\$0.00	\$0.00
BALANCE		\$2,536.59	\$400.00	\$0.00	\$200.00	\$0.00
General Fund total balance (6Dec23)		\$3,136.59				
Part-time salaries - minute taking	7/13/23	\$142.56				
Part-time salaries - minute taking	7/27/23	\$26.73				
Part-time salaries - minute taking - correction	7/13/23	-\$13.37				
Part-time salaries - minute taking	8/10/23	\$26.73				
Part-time salaries - minute taking	8/24/23	\$166.06				
Part-time salaries - minute taking	9/21/23	\$121.62				
Part-time salaries - minute taking	10/19/23	\$159.04				
NHACC Annual dues	10/19/23			\$450.00		
Part-time salaries - minute taking	11/16/23	\$149.68				
Part-time salaries - minute taking	12/14/23	\$102.91				
Part-time salaries - minute taking	12/28/23	\$51.45				
NEW REQUESTS						
Contract with SELT for easement monitoring	9/14/23		\$1,000.00			

Conservation Commission Annual Report

In 2023, Conservation Commission members included Ellen Snyder (Chair), Melissa Sharples (Vice-Chair), David Bell, Cris Blackstone, Sam Kenney, Julianna Tyson, Tom Jones (Alternate), Colin Lawson (Alternate), Jessica Cann (Alternate), Jeffrey Goldknopf (Planning Board Representative), and Colin White and Brian Ward (Town Council Representatives).

We hosted educational programs at our monthly meetings that included: UNH Research Professor Stephen Jones--Tracking Bacterial Contamination in the Lamprey River Watershed; UNH Graduate Student Cody Crytzer--Access to Nature in New Hampshire: Ensuring Equity and Quality of Life for All; UNH Sea Grant Specialist Gabriela Bradt--Microplastics on the Beach; NH Invasive Species Coordinator Doug Cygan--Japanese Knotweed; and Xerces Society's Aaron Anderson--Saving Beneficial Insects. In January we welcomed our new Town Engineer, Lyndsay Butler, learned about her new position, and looked forward to collaborating on town projects. The public could join us for these programs, either in person or watching live or later on Channel 13.

The Conservation Commission continued to steward town-owned conservation lands and monitor town-held conservation easements. This year we updated a contract with the Southeast Land Trust to have them conduct the annual monitoring of two town conservation easements: Hilton and Nostrom. Conservation Commission members monitored five other easements, while the State of New Hampshire conducted the annual monitoring of two town properties: Wiggin Farm and Dearborn. As the holder of conservation easements, the Town is responsible for ensuring that the conditions set forth in the Conservation Easement Deeds are upheld by the landowner with no third-party violations. The Commission also helped finalize a driveway Right-of-Way easement across the Dearborn conservation area.

We completed several stewardship projects on town lands with the help of volunteers. In celebration of Earth Day, 12 volunteers (including a first grader, third grader and a 3-year-old!) met at Wiggin Farm to repair the pedestrian bridge, install 54 feet of new boardwalk, and clean and move the entrance sign. Two new trail signs and a beautiful new entrance sign were installed at the Piscassic River-Loiselle Conservation Area. Thanks to a \$6,325 community grant from the Lamprey River Advisory Committee, we made several improvements to the Sliding Rock Conservation and Recreation Area: installed a new kayak/canoe rack, assessed the trail for accessibility, removed dead trees at the trailhead, added signage about boat storage, and created new informative and welcoming signs for the kiosk. For Newmarket Cares Day in May, ten students and High School teacher Silas Richards assisted the Commission at Schanda Park by resetting bricks in the walkway, cleaning the patio and walkway, and installing new posts and fencing. For four days in June, the Commission hosted three UNH Nature Groupie interns who helped clear brush and invasive plants at several conservation areas.

Sam Kenney continued to serve as our representative on the Riverfront Advisory Committee. Juli Tyson served as our representative on the Energy and Environment Committee. Brian Ward provided updates from the Town Council, including the Council supporting our recommendation to reclassify Old Lee Road as a Class A Trail. Jeff Goldknopf and Planning Director Bart McDonough continued to keep the Commission abreast of planning issues. In partnership with the Planning Office, we launched the Pathways for People and Nature Initiative to further land

conservation, improve trail connectivity, and protect water quality. Late in 2023, we embarked on the update of the Open Space Chapter as part of a major update to the Town Master Plan.

The Commission adopted new Operating Principles. This and other information about the Conservation Commission and Town Conservation Areas is available on the Newmarket Town website. In partnership with The Nature Conservancy, we established a seasonal community oyster garden at Schanda Park and participated in the annual Newmarket OysterFest. This and other Commission educational activities engaged the community in appreciating and stewarding our shared open spaces.

We greatly appreciated the collaboration with DPW and their help on various projects: seasonal trail mowing at Wiggin Farm and Piscassic River-Loiselle, annual fall field mowing at Wiggin Farm, plowing conservation area trailheads, posting the Turtle Crossing signs at several key places on town roads, and providing supplies, guidance, and support. Thanks also to other Town staff in Recreation, Planning, Admin, Finance, and others for continued support in carrying out our Conservation Commission responsibilities and programs.

Respectively Submitted,
Ellen Snyder
Conservation Commission Chair

Non-Public Session Process and Minutes Newmarket Conservation Commission

Date:

Members Present:

Motion to enter Nonpublic Session made by _____, seconded by _____

Specific Statutory Reason cited as foundation for the nonpublic session:

____ RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

____ RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

____ RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

____ RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*

____ RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

____ RSA 91-A:3, II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

____ RSA 91-A:3, II (l) *Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.*

Roll Call vote to enter nonpublic session:

Entered nonpublic session at PM

Motion made to invite the following people into this meeting was made by _____, seconded by _____

VOTE: Yes: _____ No: _____ Abstain: _____

Other persons present during non-public session:

Description of matters discussed, and final decisions made:

*Note: Under RSA 91-A:3, III. Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, **taken in public**, it is determined that divulgence of the information likely would affect adversely the reputation of any person **other than a member of this board**, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply. The Commission should review sealed minutes once a year to determine if such minutes should remain sealed.*

Motion to leave non-public session and return to public session was made by _____, seconded by _____

VOTE: Yes: _____ No: _____ Abstain: _____

Public session reconvened at _____ PM

Motion made to seal these minutes? If so, was motion made by _____ to seal minutes indefinitely, seconded by _____ because it is determined that divulgence of this information likely would.....

- _____ Affect adversely the reputation of any person other than a member of this board
- _____ Render a proposed action ineffective
- _____ Pertains to preparation or carrying out of actions regarding terrorism

Roll Call Vote to seal minutes:

Motion: PASSED or FAILED

These minutes recorded by:

Sealed Non-Public Meeting Minutes are to be stored as hard copies and digital files in the Town Manager’s Office. The Conservation Commission Chair shall maintain a spreadsheet of non-public meeting minutes – the dates and the RSA reasons for entering non-public and for sealing the minutes.



Conservation Commission

Date: January 3, 2024

To: Newmarket Conservation Commission

From: Ellen Snyder, Chair

Re: Motion to make public a suite of non-public meeting minutes and to keep sealed another suite of non-public meeting minutes

WHEREAS: Governor Sununu signed into law House Bill 321 which require public bodies and agencies to review sealed minutes no later than 10 years after they were last sealed. This law took effect October 3, 2023.; and

WHEREAS: The Conservation Commission delegated review of the non-public minutes to Ellen Snyder, Commission Chair and Commission Member Jeff Goldknopf to make a recommendation on which minutes shall remain sealed; and

WHEREAS: This review has been completed, the following motion is put forward to the Conservation Commission for approval:

MOTION: The Newmarket Conservation Commission hereby reseals the following minutes for the reasons stated:

August 28, 2014	No Release – Reputation
November 12, 2015	No Release – Reputation
December 10, 2015	No Release – Reputation
February 14, 2019	No Release – Reputation
June 13, 2019	No Release – Reputation
September 12, 2019	No Release – Reputation
January 14, 2021	No Release – Reputation
June 8, 2023	No Release -- Reputation

MOTION: The Newmarket Conservation Commission hereby unseals the following minutes for the reasons stated:

January 22, 2004	Release – Project Completed
February 26, 2004	Release – Project Completed
February 24, 2005	Release – Project Completed
March 24, 2005	Release – Project Completed
February 8, 2007	Release – Project Completed
July 12, 2007	Release – Project Completed
April 9, 2008	No reason to stay as non-public
June 12, 2008	No reason to stay as non-public
June 11, 2009	Release – Project Completed
September 8, 2016	Release – Project Completed
October 13, 2016	Release – Project Completed
April 12, 2017	Release – Project Completed
November 9, 2017	Release – Project Completed
January 11, 2018	Release – Project Completed
February 8, 2018	Release – Project Completed
March 15, 2018	Release – Project Completed
March 14, 2019	Release – Project Completed
July 8, 2021	Release – Project Completed