

# OFFICIAL CONSERVATION COMMISSION MEETING MINUTES

January 12, 2015

S. Couture called the meeting to order at 4:00 p.m.

**Attendance:** Steve Couture, Chair; Cindy Robertson, Vice-Chair; David Hess, member; Phil Fitanides, member; JoCarol Woodburn, member

**Excused:** Todd Lizotte, Town Council Rep.; Frank Kotowski, Planning Board Rep.

## Public Input

None.

## Meeting Minutes

*C. Robertson motioned to approve the meeting minutes for December 8, 2014. Seconded by P. Fitanides. Motion passed. J. Woodburn abstained.*

## Non-Public Meeting Minutes

*S. Couture motioned to approve the non-public meeting minutes for December 8, 2015 with corrections. Seconded by C. Robertson. Motion passed. J. Woodburn abstained.*

## Appointments

- a. **Kent Brown, Brown Engineering, Ridgeback Self Storage, 1461 Hooksett Rd., DES Wetlands/Culvert Application**
  - **Ridgeback Self Storage, 1461 Hooksett Rd, Map 18, Lot 49-D: Dredge and fill 2,693 SF of wetlands for the construction of a 13' wide x 3.6' high x 27' run open bottom box culvert with a natural stream bed to provide access to proposed self-storage facility, office, parking, utilities and storm water detention and treatment structures (total land disturbance is approximately 89,000 SF) on a 3.36 acre lot. Wetland impact is 2,693 SF. Project has been designed to pass the 100-year storm.**

K. Brown: I'm here today with the owner, Dave Grappone. The project was approved back in 2009 with the dredge and fill permit. It was just a bookkeeping error that we didn't renew the permit, and it slipped through the cracks and expired. Nothing has changed on the plan. It's to dredge and fill 2,693 square feet of wetlands crossing at the back of the property.

S. Couture: My concern would be the modelling for the runoff that was done 5 years ago.

K. Brown: Right we will address that. We are asking DES to go through this because of the fact that we simply didn't ask for an extension. If they ask us to resubmit the drainage calculations then we will.

S. Couture: So are you running the new drainage calculations or are you waiting for DES to ask you?

K. Brown: If they ask us, then we will run the new drainage calculations.

S. Couture: This is pretty far along at DES?

K. Brown: They are reviewing comments at this point.

S. Couture: Just for background, regarding the drainage calculations: in the past most people used NOAA published information. There was a change around 2011. A center based at Cornell published a new precipitation atlas that showed a 1-inch increase in the 100-year precipitation event for this part of the state.

K. Brown: Yes, it was a result of the Mother's Day flood. We have a lot of applications that straddle that. Running the new calculations depends on the magnitude of the project.

S. Couture: Do you have the analysis with you from the first time?

K. Brown: I don't have that with me now.

S. Couture: Do you have to go back to the Planning Board?

K. Brown: No, just this Commission.

P. Fitanides: Where it says 12' by 4' spillway. Is that the spillway that goes under the road that comes from Maidstone Pond?

K. Brown: That's the spill out of the detention area.

S. Couture: My only thought is that we recommend that DES request the updated drainage analysis so that there are no future issues.

***P. Fitanides motioned to make a recommendation that DES request the updated drainage analysis. Seconded by C. Robertson. Motion passed.***

S. Couture: We will send a letter. We appreciate you coming back, thank you.

**b. Nick Golon, TFMoran, GE Expansion, Industrial Park Dr., DES Wetlands Application**

D. Coburn: Good afternoon, my name is Dave Coburn and I'm an employee of GE on Industrial Park Drive. I'm here with Nick Golon from TFMoran and Tracy Tarr, Certified Wetland Scientist, and Ron Breton, PE, from GZA Associates. We are here to talk about a 55,000 square foot addition to the current facility. I will turn it over to Nick now.

N. Golon: I've just handed out a graphic of what is on the easel. It will look familiar because it is the same graphic we showed you last month. We were here in December in regard to the Zoning Board Special Exception application for the impact to the wetland and wetland buffer areas. There have been no changes as far as what is being proposed for those impacts. Relative to the expedited wetland application that is before you for a potential signature, the impacts are expressed in a report prepared by GZA. We give you the opportunity to go over the components of the impacts and we give you a handout so you know that the impacts are the same. We are here if you have any questions.

S. Couture: What is the status with the Zoning Board?

N. Golon: We are on the agenda for a public hearing tomorrow night. We had the opportunity to meet with them and there didn't appear to be any significant concerns. We had a site walk. We have a recommendation from you as well as the Planning Board to see the application approved. We will see where it goes tomorrow night.

S. Couture: Are there any other questions? This is the same as last time. We have the wetlands application which we can choose to sign or not. Either way it still goes through the process. If we sign it, it gives an indication that we have no objection to the project.

*S. Couture motioned to sign the wetlands application to indicate that the Conservation Commission has no objections. Seconded by D. Hess. Motion passed.*

N. Golon: If you have a copy in front of you to sign, we can take it and drop it off to DES. Thank you.

**Other**

**a. Town Council Meeting – January 14, 2015**

S. Couture: We have a few items on the agenda at this upcoming Town Council meeting.

**i. Merrimack Riverfront Trails**

S. Couture: We should hear about the DOT grant application sometime this week or next week.

## **1. Recreational Impact Fee -- \$100,000**

S. Couture: This is on the agenda for Town Council. Leo was in favor. The Parks and Recreation Advisory Board were in favor and they held an additional meeting just to be sure.

## **2. Warrant Article -- \$100,000**

S. Couture: We have draft warrant article language here for discussion.

D. Hess: I'm concerned about asking for \$100,000 of impact fees and then asking for another \$100,000 on a warrant article. I think we may be pushing our luck. Also, I think the language of this warrant article is problematic. It says, "To see if the Town will raise and appropriate \$1,050,000 to develop the System. It is anticipated," not "conditional upon" that the Town will receive \$950,000. That means if this warrant article is as written, the Town is responsible for \$1,050,000 even if we don't get any grants. The "anticipation" is not binding. I'm concerned about going in twice for money and the perception of that. Legally, I don't know what the wording should be, but politically, in my opinion, I believe the wording should be "to raise the amount of \$1,050,000 conditional upon the Town receiving grants in the amount of \$950,000" so that you know that only \$100,000 of it is being put up by the Town. The way it's currently worded it sounds like the taxpayers could be up for the total, not \$100,000.

J. Woodburn: Where does the \$950,000 come from?

S. Couture: That number was based on the impact fees, Current Use funds, private funds, and the rest from our grant applications (DOT and DRED). The phrasing is from an administrative standpoint, and I think it has to be presented that way.

P. Fitantes: Will the tax rate go away after the money is raised or is it permanent?

S. Couture: It's just to raise the money for the fiscal year and then it goes away.

P. Fitantes: Could it say that in the warrant article?

S. Couture: I don't know if it's ever been stated that way before.

D. Hess: I can ask someone at the DRA to look at this language.

C. Robertson: Technically if we don't raise that \$950,000 by 2016, they shouldn't be collecting that money. So how does that work?

S. Couture: That's what I asked, and I like the idea of stating that it is conditional upon us doing our job to get the rest of the funds.

C. Robertson: Do you think we will raise that amount?

S. Couture: If we get the DOT grant, then yes.

J. Woodburn: Just so you know, the DOT received \$17 million in grant applications and only has \$5 million to give out.

C. Robertson: Maybe we should make sure we get all of our money in place first before we ask for the warrant article.

S. Couture: Let's wait to do anything with the warrant article language until Dave talks to the DRA. We should know about the DOT next week and then we will go from there.

## **ii. Clay Pond Stewardship Plan**

S. Couture: It's on the Town Council agenda. JoCarol and Carolyn helped put together an executive summary. I got the legal document from Mark Dunn on gates and bars. It's really the gates and bars that they will be voting on.

## **iii. Hanscom & Lambert Easement Closing**

S. Couture: We closed on the property so that's on the Town Council agenda too.

J. Woodburn: We will need to get back to Moosewood Ecological after the meeting and let them know how it went.

## **b. Peter's Brook Conservation Area Deficit**

D. Hess: We have \$63,000. My thought would be the 4 parcels near Bow next to Summit View. That goes a long way towards flushing out that area, which is one of our goals. That gives us \$46,000 in assessed valuation.

S. Couture: We would need an easement holder.

D. Hess: An easement holder or an executory interest

S. Couture: Maybe we should talk to Dan Kern from Bear Paw to see what he thinks about them. Is everyone in agreement?

D. Hess: Sure, I will talk to Dan.

**c. Conservation Land Stewardship Fee**

S. Couture: I modified the LCHIP guidelines to meet our needs. When there are deed restrictions, there needs to be follow up on the conservation land. We would monitor it like an easement, though not as often, and we would need money to do that. It would be 3.5% and not to exceed \$40,000.

C. Robertson: I like it because the applicants coming in will know up front what the fee will be.

S. Couture: I put a cap in case there is some really big development. Are people OK with this? The Planning Board would have to approve this.

***D. Hess motioned to submit the stewardship fee calculation to Community Development for submittal to Planning Board for consideration. Seconded by C. Robertson. Motion passed.***

**d. Other Business: Invoices, Correspondences, Etc.**

**i. Stantec Invoice**

S. Couture: There is a Stantec invoice for \$395.50 for work on the DRED Recreational Trails Program grant application.

***C. Robertson motioned for payment of an invoice from Stantec dated December 5, 2014 for MRCA Engineering Services in the amount of \$395.50. Seconded by J. Woodburn. Motion passed.***

C. Robertson: Something to note, Bear Paw's Annual Meeting is Saturday, January 24th in Hooksett at the Library and they are actually walking Clay Pond. It begins at 8:30am. I plan on being there. If a quorum of us shows up, do we have to post it?

D. Hess: Yes, we should.

S. Couture: The only other item is an update on the conservation internship possibility.

C. Cronin: I've done some research into other conservation easement internships, so I have some examples. I have a phone meeting scheduled Wednesday morning with Malin Clyde who works

for UNH with the Stewardship Network, which offers all kinds of conservation and natural sciences internships. I'm going to chat with her about hours, compensation, job description details, and she has some insight into the unique challenges and opportunities of an intern. I need to talk to Dean and Donna from a Human Resources perspective to see what we need to do administratively. I should have a lot more information by the end of the week.

S. Couture: We would need to prioritize what properties we want them to look at. We need to get all our conservation easement information up to date. Maybe they could also do a display for Old Home Day.

***C. Robertson motioned to adjourn at 5:15 pm. Seconded by P. Fitandes. Motion passed.***

Respectfully submitted,

Carolyn Cronin

Assistant Planner/Conservation Commission Staff Support