

Lee Conservation Commission Minutes of Meeting of February 4, 2013

Present:

Members: Laura Gund, Antoinette Hartgerink, Bill Humm (Chair), David Shay, Anne Tappan, Richard Weyrick, Emeritus Member

Alternate Member: Catherine Fisher

Visitors: Don Quigley, Turtle Pond Road; Chuck Cox, Tuckaway Farm; Chris Nadeau, Nobis Engineering; Scott Holman, Zaremba Group

Approval of Previous Minutes: Minutes of meeting held on January 7, 2013, approved as written.

Updates and Announcements:

B. Humm met with Caren Rossi and others of the Town of Lee Hazard Mitigation Planning Committee to provide input regarding Lamprey River flood plains protection.

Conservation Lands Management:

“Unclassified Lands” Update: Protecting the quarter acre of wetlands in a 3.18 acre town-owned property fronting Wheelwright Pond was discussed. Options included: doing nothing, putting the wetlands portion of the parcel under conservation easement, subdividing the quarter acre from the sale of the parcel, or using deed restrictions to protect the quarter acre. Deed restrictions were deemed the best way to go. B. Humm will continue the discussion with town attorney, Bill Tanguay.

Ellis Oyster River Reserve oak blowdown: In the course of determining the diameter and length of the oak, D. Quigley and R. Weyrick discovered that its butt section had internal rot; so while the tree can be processed for use as firewood (approx. 2 cords), it is of limited value as lumber. It was decided to let the tree decompose in place.

NEW BUSINESS:

Maud Jones Memorial Forest: D. Quigley spoke about building a trail as promised in town literature, and with that aim, last spring he and his students mapped out some trails. He asked that those LCC members interested meet with him on Saturday morning, February 9, to provide direction, assist with ideas, and perhaps flag out a trail.

The Management Plan for MJMF divides the property into three units (Northern, Middle, and Southern), and timber harvesting in the first, northernmost, unit (16 acres) was discussed, with group selective harvesting proposed for late summer, fall or winter of this year. The 2nd (Middle) unit is largely heath - labrador tea and blueberry - which would benefit from the creation of openings. The 3rd (Southern) unit is to be left natural and no trail through it is proposed.

Currently, the corners of the property are marked with permanent monuments, while the boundaries are flagged; blazing of boundaries with paint is proposed for a later date to be preceded by a public session to inform abutters and other interested parties.

Campbell/Heine wetland crossing: The proposed wetland crossing above Turtle Pond was discussed, with D. Quigley, a neighbor, expressing concern that property owners were considering hiring a logging contractor without first having a licensed forester mark trees to be cut. His concern was that, without a licensed forester's input, a logging contractor might not leave an adequate forested buffer to safeguard the wetlands. He noted, too, that the property owners indicated that they planned to remove the harvested timber out across wetland that was not sufficiently frozen, or across the wetland on too narrow a road; either scenario raising concerns for Turtle Pond. B. Humm suggested that now that there is a permit application it would be appropriate ask the property owner(s) how they plan to proceed in regards to obtaining a contractor. Logging in this area will require a forester's input, who could also recommend a good logger.

Tuckaway Farm Easement: C. Cox provided an update on a proposed land swap: three acres of land that is part of the Tuckaway Farm property in exchange for 3 acres owned by the Fernertys, their neighbors on Snell Road. The Tuckaway Farm easement prohibits the sale or trade of land, however, it does permit leasing the

three acres; thus it is proposed that the 3 Tuckaway acres be leased (long-term) to the Fernertys, while the three Fernerty acres will become part of Tuckaway Farm. The three acres to be leased by the Fernertys are largely woodlot which may be opened up a little for gardens. It was noted that the LCC will need to ensure that the Fernertys are aware of the terms and restrictions of the easement.

N.E. Cottontail Habitat Update: C. Cox has received an NRCS grant to create over 11 acres of “rabbittat” at Tuckaway Farm. Habitat creation will entail clear-cutting and thinning..

Proposed Dollar General development on Rte 4: Chris Nadeau of Nobis Engineering and Scott Holman, Development Manager for the Zaremba Group which represent Dollar General Stores, presented information on the proposed construction of a Dollar General store on 1.3 acres on Rte. 4, east of Dunkin Donuts on the traffic circle in Lee’s commercial district. At present a single family dwelling occupies the property. Development plans include cleaning the site (used autos, auto parts). An existing dug well may be used by the development, or a new well dug. Testing has revealed contamination (byproducts of MTBE) in the groundwater which may be residual from Lee Mobil gas station, although tests have revealed that levels of the contaminant have actually risen in the dug well, and DES is checking to see if there has been additional contamination to the site beyond that attributable to Mobil.

The proposed 9100 sq. ft. store was described as a low generator of traffic. Plans include a lot accommodating 33 parking spaces. A storm water management plan (capture, treatment and relocation to DOT storm system under Rte. 4) will be incorporated in the site development. Asked about the use of pervious pavement, S. Holman stated Zaremba Group was reluctant to incorporate pervious paving due to both the material’s tendency to degrade in winter and the need for heavy pavement to support trucks.

The building plan falls within the 75 foot wetlands setback. Also of concern is its proximity to the Oyster River with its existing storm water runoff problems. B. Humm noted that anything that can be done to minimize the effect of storm water on the river will facilitate approval from the LCC and other boards. The application goes before the ZBA on 2/20/13.

A site walk with the Nobis Engineering wetland scientist and members of the LCC was scheduled for 2/7/13 at 10:00 a.m.

Reflections on Deliberative Session: It was agreed that the low turnout was discouraging. B. Humm was thanked for his thoughtful, laudatory words regarding Laurel Cox’s retirement.

Laurel Cox Recognition: The LCC passed a motion to present L. Cox with a framed map of lands protected from 2003-2012, using the Dave Allen fund to cover costs.

Strafford Regional Planning Commission proposed technical assistance re: new flood data in Lamprey watershed: In response to an email from Kyle Pimental to work with SRPC to “provide input on land use planning and mitigation efforts for flooding and public safety,” B. Humm reported that he forwarded the email to Alan Dennis, Director of Zoning Administration and Caren Rossi, Assistant Emergency Management Director and that the proposal was more of a Planning and Zoning issue. The Town is interested, and the LCC will be involved, but not as the primary contact.

Camp Sponsorship: L. Gund has received a letter from the Fish & Game Dept. and 4-H for sponsoring a Lee resident to the Barry Conservation Camp. An applicant from last year will be contacted to see if he is still interested in becoming this year’s recipient; otherwise a notice will be posted in the Ecrier.

Update on Proposed Eagle Scout Project: Eagle Scout candidate Wade Belanger came before the LCC last September with a proposal for upgrading the markers on the trails within the Town Forest. A. Hartgerink suggested that a kiosk showing the trail systems and placed near the baseball field or/and beside the library would be a useful addition to his project. She will get in touch with him about this possibility.

Next Meeting March 4, 2013

Submitted by _____

Catherine Fisher, with input from Anne Tappan, Laura Gund and T. Hartgerink