

DRAFT

North Hampton Conservation Commission
Meeting Minutes
May 12, 2020

Administrative:

The meeting was called to order at 7:10 p.m. via Zoom and Channel 22 from the Town Hall.

Roll Call:

Members Present: Lisa Wilson (Chair), Kathy Grant (Co-Chair), Lauri Etela, Audrey Prior, Philip Thayer and Andrew Vorkink. **Members of the Public:** David Ciccalone.

Approval of March 10, 2020 Draft Minutes: *After some discussion, a motion was made by Kathy Grant, duly seconded by Audry Prior, to approve the minutes.* Lisa Wilson called the roll vote and the motion carried with Andrew Vorkink abstaining.

A motion was made by Lisa Wilson, duly seconded by Frank Arcidiacono, to change the order of the agenda to address Item B first instead of Item A. Lisa Wilson called the roll vote and the motion carried unanimously.

New Business:

Consideration of Nominations for Appointments to the Conservation Commission: The terms of members Lisa Wilson, Lauri Etela, and Alternate Member Allyson Ryder expire in 2020. The term of Alternate Member Audrey Prior expires in 2022. David Ciccalone who has expressed an interest in serving on the Commission introduced himself to the Commissioners. Mr. Ciccalone currently serves as a Water Commissioner; he has a graduate degree in earth and hydrologic science and is a certified geologist in Maine and New Hampshire. The Commission felt that Mr. Ciccalone's expertise would be an asset to the Commission and recommended that he serve as an Alternate Member with a term to expire in 2022. Audrey Prior, who has been serving as an Alternate Member volunteered to serve the remainder of a vacancy for a regular member position which is due to expire in 2021. ***After some discussion, a motion was made to recommend that the Select Board consider the following appointments to the Conservation Commission:***

David Ciccalone: Appointment as an Alternate Member for a two-years term to expire in 2022

Allyson Ryder: Reappointment as an Alternate Member for a three-years term to expire in 2023.

Audrey Prior: Appointment as a Regular Member for a one-year term to expire in 2021.

Lauri Etela: Reappointment as a Regular Member for a three-years term to expire in 2023.

Lisa Wilson: Reappointment as a Regular Member for a three-years term to expire in 2023.

Lisa Wilson called a roll vote and the motion carried unanimously.

Conditional Use Permit Application: 19-A Pine Road, Tax Map 7, Lot 10, North Hampton, NH. Mission Wetland and Ecological Services, LLC (Mission), on behalf of the applicant, Michael Lefebvre (the "applicant"), has submitted to the Planning Board a *revised* narrative to support the Conditional Use Permit application for construction and "fill" in the Wetland Conservation District (WCD), including the twenty-five (25) foot Vegetative Buffer, as defined in Section 501.3 of the North Hampton Zoning Ordinance (NHZO). The Planning Board has continued this application. The Commission expressed concerns about the project's close proximity

to sensitive wetlands. ***After some discussion the Commission authorized the Chair to draft a letter to the Planning Board and Zoning Board of Adjustment to recommend to the respective boards that they observe the zoning regulations and requirements for wetlands encroachments and that the Town adhere to those requirements. In addition, the Commission noted that the wetlands in the eastern part of Lot B are contiguous to Town owned conservation land and the desirability of having that land in conservation. The Commission recommends the Planning Board and ZBA refer to the "Land Conservation for Water Resource Protection maps when reviewing applications and rendering decisions.*** The Chair called a roll vote and the motion carried unanimously.

SCA NH Corps Little River Conservancy Trail Project Proposal: Commissioners discussed concerns about the project, its cost, and whether to proceed with the project. A member expressed concern about spending funds to complete the proposed LRC trail amidst the Covid-19 pandemic while noting that other trails in town need clearing as well.

A Commissioner pointed out that during the past three years the Commission has incurred approximately \$10,000 in expenses and spent many hours to acquire the donation of the 24 acres parcel and to provide public access to the Little River Conservancy. In addition, the Commission has been offered the opportunity to work with the members of the SCA Corps who have the training, skills, and expertise to construct trails under challenging conditions and through difficult terrain and wetlands — a project that requires trained personnel and expertise – one that is not likely to be completed solely with volunteer labor.

The Commission discussed budgeting for ongoing trail maintenance in the future and noted that the Conservation Commission has the funds to pay for the proposed trail project derived from the Current Use Fund balance which will not burden the tax payers. The Current Use funds are reserved for the purchase of land for conservation, public education, and conservation related projects. The Commission discussed asking the Select Board for help funding the project from any end of year unencumbered funds.

It was noted that the overall cost of the project is a very small percentage of money compared to the approximately \$6 million dollars spent to purchase conservation land with both North Hampton Forever funds and Federal Grants during the past decade. In 2013 the Commission appropriated an additional \$350,000 from its Current Use Fund balance to help purchase the Gov. Dale Farm conservation easement. As land in town is taken out of current use in Town the conservation fund is periodically replenished. The Town was fortunate that the 24 acres parcel that comprises the Little River Conservancy was donated to the Town and that the completion of the proposed trail is a worthwhile community project which will provide additional outdoor recreational opportunities for North Hampton residents and the general public.

The fee for the 10-day hitch is \$10,500 to clear the approximately 1.5 mile trail, to build a 21 feet bridge, and to lay flat stones over an old stone road bed. The approximate cost to construct the proposed 21 feet bridge with railings is \$950; additional expenses include NHDES fees for wetlands crossing permits and possibly the need to rent a Porta Potty for the campers if state bathroom facilities remain closed.

The Commission discussed the need to flag the proposed route to the LRC and discussed project prioritization to include locating property boundaries and water crossings to best determine whether and how wetland areas could be navigated. It was suggested that the SCA Corps might construct a "lumber" built bridge constructed with a railing and wooden slats across the 21 feet wetlands area that has been identified. The Commission discussed the proposal for crossing the old stone road bed which becomes seasonally wet and members expressed concerns that the proposed stone crossing might not be sufficient. One member suggested that adding the flat stones to help cross the road might interfere with the flow of water and impede

the deer from crossing. Zackary Colatch suggested finding flat stones on site for the crossing to provide better footing to avoid the added expense of building a second bridge and the need to schedule a second hitch because he did not believe it was feasible for the crew to build two bridges in 10 days. Zach noted a second bridge could be added in the future after first monitoring the flat stone crossing. It was also noted that it might not be possible to build a bridge over the old stone road because the Town might not own sufficient land so close to the boundary of private property.

Members of the Commission and Zach agreed that to better budget time and resources, the SCA Corps would not be responsible for creating a parking area. Once the proposed trail is completed the Commission will determine whether additional parking is needed and will plan to work with the Town and Public Works Department to perhaps add gravel for parking a few vehicles off Woodland Road near the entrance to the trail.

The Commission then proceeded to schedule a site walk to try to find the northwest boundary pins for the proposed Oliver Brook Trail to the Little River Conservancy (LRC) on Tuesday, May 19, 2020 at noon, (rain date, Wednesday May 20, 2020 at noon). ***A motion was made by Andrew Vorkink, duly seconded by Phil Thayer, to proceed with the project subject to further onsite verification in the northern wetlands area, clarification by SCA Corps of the specifications of the stone water crossing, and to proceed with the appropriate permitting steps, which will not include the construction of a parking area.*** The Chair called a roll vote and the motion carried unanimously.

Old Business:

Conservation Easement Subcommittee Update: Andrew Vorkink reported that Robert Pryne, Rockingham Planning Commission, is updating the conservation land map.

Trail Maintenance Update: Phil Thayer will continue to inspect Town trails to determine which areas need clearing.

Conservation Signage: A North Hampton resident repaired and refurbished the Community Garden sign. Lisa Wilson will draft a letter from the Commission to thank the resident for his fine work and for volunteering to repair the sign. Lisa also reported that she is in the process of ordering more conservation signs including permanent signage for the Dustin-Booker Farm and the Oliver Brook Trail to the Little River Conservancy. Lisa Wilson will forward prototypes of the signs to the Commission prior to placing the order. It was also suggested that kiosks located at the entrance of conservation parcels including the entrance to the proposed Oliver Brook Trail to the Little River Conservancy would be helpful to provide trail information to the public and to acknowledge the donor of the 24 acres parcel that comprises the LRC. ***A motion was made by Andrew Vorkink, duly seconded by Phil Thayer to authorize the expenditure of approximately \$1472 plus the cost of shipping for permanent signage to be ordered in stages—the Dustin Booker Farm as soon as the prototype is approved and the Oliver Brook Trail to the Little River Conservancy at a later date.*** The Chair called a roll vote and the motion carried unanimously.

Philbrick Pond Saltmarsh Drainage Update: Frank Arcidiacono reported that on April 7, 2020 test borings were performed. Pete Steckler, The Nature Conservancy (TNC), has been trying to find a source for funding the construction phase. Frank noted that if the Town were to fund the project, the project would likely need approval from the voters via a warrant article.

Natural Resources Inventory Update: Lisa Wilson suggested to Jenn Rowden, Rockingham Planning Commission, that future work on the NRI be postponed to September due to the Covid-19 pandemic, but she has not yet received a reply.

New Business:

The Commission discussed how to improve coordination between the Planning Board and the Commission on matters involving wetlands. The Commission would like to suggest strengthening this consultative process by requesting that the Commission in the future be copied by the Planning Board, such as through its Planning and Zoning Administrator, on all applications to the Planning Board for waivers of wetlands ordinances or rules so that the Commission can decide to offer its suggestions or comments on such applications.

Where subdivisions have been proposed involving land which is partially wetlands, the Commission suggested placing conservation easements on portions of the land such as the conservation easements placed on privately owned properties that comprise the Winterberry, Mill Place, and Ridgemont Estates subdivisions. It was discussed that conservation easements might be considered on portions of the land for the recent Pine Road and Woodland Road subdivision applications.

The Commission is not requesting that the Planning Board delay its own processing of such applications after the Commission has received a copy as it does not intend to hold up the Planning Board process. If the Commission does not have a regularly scheduled meeting after receiving a copy of the waiver application, it would be up to the Commission to decide whether to hold a special meeting if it felt the application raised particularly relevant conservation issues. Andrew Vorkink will draft a letter for the Chair to send to the Planning Board to suggest strengthening this consultative process between the Commission and the Planning Board.

After some discussion, a motion was made by Andrew Vorkink, duly seconded by Phil Thayer, for the Chair to draft a letter to the Planning Board to suggest strengthening the consultative process between the Commission and the Planning Board on all applications to the Planning Board for waivers of wetlands ordinances. The Commission would also like to encourage the Planning Board to be proactive when reviewing subdivision applications where significant areas of wetlands are involved by suggesting placing conservation easements on portions of the land to better protect the wetlands and aquifers. The Chair called a roll vote and the motion carried with Kathy Grant abstaining.

Correspondence:

Letter dated February 28, 2020 from Southeast Land Trust (SELT) to the Planning Board: Pertaining to the Site Plan Application for Governor Dale Farm to help clarify the terms of the easement.

Letter dated March 17, 2020 from Southeast Land Trust (SELT) to the Conservation Commission: Pertaining to a new easement stewardship manager. Amanda Hollenbeck is SELT's newest Easement Steward Manager; in 2020 Amanda will monitor Forest Hills Farm and the Little River Conservation Land.

Letter dated March 26, 2020 from Aquarion Water Company: Pertaining to a NHDES Application to replace the municipal well located behind Dearborn Park with a new well to be sited adjacent to the existing well. *The Letter includes a questionnaire to be returned to Geosphere regarding the State's replacement of wells. Lisa Wilson will forward the letter to the Water Commission to see whether its members wish to complete the Water Well questionnaire survey.*

Letter Dated April 24, 2020 from Eversource: Pertaining to inspection of transmission structures. Inspection will take place on Timber Swamp Road to NH Route 101 in North Hampton.

Received May 2020 a publication from NHDES and New England Interstate Water Pollution Control Commission titled: *Wetlands Best Management Practice Techniques for Avoidance and Minimization*. The publication is a valuable reference tool which offers comprehensive examples of ways to protect wetlands. The publication is available online.

There being no further business to discuss, ***a motion was made by Lisa Wilson, duly seconded by Phil Thayer, to adjourn the meeting.*** The Chair called a roll vote; the motion carried unanimously and the meeting was adjourned at 9:36 p.m.

Respectfully submitted,
Beverly Moore
Recording Secretary

“These minutes were prepared within five (5) business days as required by NH RSA 91-A:2, II. They will not be finalized until approved by the majority vote by the Commission.”