

Rochester Conservation Commission

Minutes of June 26, 2019

Members Present:

Barbara Soley	Michael Kirwan	Mike Dionne
Mark Jennings	Meredeth Lineweber	Sheila Lulek

Members Absent: Kevin Sullivan

Staff: Seth Creighton, Chief Planner

Mr. Dionne convened the meeting at 6:32 pm,

1. Minutes: The Meeting Minutes of May 22, 2019 were reviewed with edits suggested by Mr. Dionne. Mr. Jennings motioned to accept the minutes with the discussed edits, Mr. Dionne seconded. The motion passed.

2. Conservation Overlay District:

a) Nantucket Beadboard, 109 Chestnut Hill Road: *Site plan and conditional use permit (wetlands/ wetland buffer impact) to construct a 10,000 sf. light manufacturing & materials storage building.* Project agent/engineer Scott Lawler c/o Norway Plains Associates introduced himself and passed out updated site plans. He explained the existing use of the site and the proposed new building and its use. He explained that the proposed stormwater infiltration/treatment pond/swale will be partially located in the outer 25-foot buffer of the 50-wetland buffer. He explained that the land was very flat and as such it was difficult to avoid this impact.

Mr. Jennings reminded the Commission that most of the members had walked the site a couple years ago when a wetland crossing was before them for review; Mr. Lawler said that the wetland crossing was installed and has been functioning well for the last two years. Mr. Kirwan asked what the maintenance of the stormwater treatment systems will be; Mr. Lawler said that an Operation & Maintenance plan has been drafted, Mr. Kirwan suggested that the impacted wetland buffer area be mowed once or twice a year.

Mr. Kirwan motioned to approve the Conditional Use Permit request with the following conditions:

- 1) The impacted wetland buffer is to be seeded with a conservation seed mix and to be mowed no more than two times per year or left to grow naturally.
- 2) Conservation Area signs be installed along the wetland buffer at 100' intervals.
- 3) Move dumpster to other end of parking lot, away from drainage swales and wetland buffers.

Ms. Soley seconded, all voted in favor, the motion passed.

3. NH Department of Environmental Services Applications:

a) City of Rochester, 10 Hillsdale Road: *Wetlands Permit by Notification to install a seasonal dock for launching canoe/ kayak*

Mr. Creighton explained that the City of Rochester is proposing a seasonal floating dock in the Cocheco River at the end of Hillsdale Drive. He said that this is an initiative of the Riverwalk Committee. The primary purpose of the dock is to provide a public water access point to put in canoes and kayaks.

There was a lot of discussion relative to if the dock is needed, and if this is a safe location because the newspaper had reported that nails and glass were spread on the ground in an attempt to keep

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canoeists and kayakers away. Mr. Creighton said the Police Dept. is investigating the nails, etc...and as such he suggested the Commission focus their review and comments on the environmental aspects of the proposal.

Resident Jeff Winders stood up from his seat in the audience, introduced himself, and asked if he could speak, Mr. Dionne allowed him to. Mr. Winders suggested that the dock is not needed and that the shoreline is flat in this location and thus canoes and kayaks can be put in without a dock. He also said that the Riverwalk Committee doesn't want the dock here. Mr. Creighton corrected Mr. Winders and said that the Riverwalk Committee does want the dock here and they are the ones who chose this location, presented to City Council, and asked the City to make the application for the dock. Mr. Dionne said there is no formal public access into the Cocheco River and this would be the first, in Rochester, and that would be a good thing. Mr. Dionne mentioned that the application included notes about bald eagle nesting areas nearby, but after further discussion it was determined the nearest nesting site is 1/2 mile away.

Mr. Dionne motioned to sign the State of NH Dept. of Environmental Services application; Mr. Kirwan seconded. The motion passed unanimously.

b) Integrity Auto, 415 North Main St: NH DES Shoreland Application

Mr. Creighton said this application was submitted to the City Clerks after the agendas were mailed to the Conservation Commission. He briefly presented the application and informed the Commission that much of the proposed filling had actually already been done without permits.

Mr. Jennings motioned, and Mr. Kirwan seconded to have Mr. Creighton send a letter to NH DES stating that Commission has several questions about this property and proposal and as such withhold comments until the applicant makes a presentation to the Commission and allows the Commission to walk the property; the motion passed unanimously.

4. New Business:

a) Resident Dan Nickerson introduced himself and said he is interested in joining the Commission. He said he has 40+ years' experience as a logger/forester and would like to help the City.

b) Ms. Lineweber stated that Millie Henderson passed away. Millie was one of the family members involved with the Henderson conservation easement.

c) Ms. Lineweber said that a new culvert installed in Highland St near Dunkin Donuts looks very good.

d) Mr. Jennings asked about the status of Highfield Commons Phase 1B. Mr. Creighton said the site was out of compliance with erosion controls, construction sequencing, stockpile areas, building permits, stormwater standards, and likely NH DES Alteration of Terrain approvals. He said that the City has a stop-work-order placed on this phase. Mr. Jennings asked if there is risk to wetlands and conservation land, Mr. Creighton said yes. Mr. Jennings made a motion to have Mr. Creighton send a letter to NH DES requesting them to walk the site and review for and enforce against noncompliance, M. Kirwan seconded, the motion passed unanimously.

5. Old Business:

a) Water Quality Monitoring – Mr. Jennings said that the water quality monitoring equipment is being calibrated by NH DES and upon return he will begin monitoring two locations on the Cocheco River. He also stated he has simplified the 'how-to' instructions.

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- b) Ms. Lulek said the Riverwalk Committee chairperson declined to meet with the Conservation Commission and suggested the Commission request the meeting minutes from Jenn Marsh. The Commission expressed their disappointment over this response.
- c) Ms. Lulek said that she would like to see the ravine on Congress St cleaned up. Mr. Dionne said that the Commission could spearhead this if there was interest to do so.
- d) Ms. Lineweber said that the Farmers Market needs to be better advertised because folks don't know that it's going on.
- e) Mr. Dionne asked Mr. Creighton if there is any news to report on the Gonic Dams; Mr. Creighton said he didn't have any. Mr. Dionne said that he had heard the State determined ownership of the dams.

6. Reports:

- a) Technical Review Group.
- b) Planning Board.

Mr. Creighton said that most of the applications from the June Planning Board meeting had been continued to July.

7. Discussion: None.

8. Non-Public Session pursuant to RSA 91-A:3 II (d): Discussion of acquisition of real property and/or recent site walks and LACE sheets.

At 8:38 pm Mr. Dionne motioned to enter into Non-Public session, Ms. Lineweber seconded, the motion passed.

At 9:16pm the regular meeting convened.

9. Adjournment: Mr. Kirwan motioned to adjourn at 9:16pm; Mr. Dionne seconded. The motion passed.

Respectfully submitted,

Seth Creighton, Chief Planner