

Rochester Conservation Commission
Minutes of the August 28, 2013 Meeting
(Approved September 25, 2013)

Members Present:

Deborah Shigo, Chair
Michael Dionne, Vice Chair
Meredeth Lineweber
Jack Hackett
Mark Jennings
Jeff Winders (arrived 6:52pm)

Staff: Caroline Lewis; Seth Creighton.

The Chair convened the meeting at 6:33 p.m.

Minutes: The regular and non public meeting minutes of July 24th were reviewed. Meredith Lineweber made a motion to accept both meetings minutes with changes suggested by Mark Jennings, seconded by Michael Dionne. The motion passed unanimously.

Discussion:

There were no discussion topics.

Conservation Overlay District - Conditional Use Review:

None to discuss.

Dredge and Fill Applications:

None to discuss.

Violations:

The Commission discussed the practice of spreading horse manure, including spreading it in ditches/swales along Gear Rd; Deborah Shigo said she has discussed this with the Code Enforcement office.

Correspondence:

- a) NHDES Letter/American Used Auto Parts/40 Little Falls Bridge Road
- b) NHDES Letter/Waste Management/Map 267 Lot 2 & Map 262 Lot 22
- c) Strafford County Conservation District Summer Newsletter 2013
- d) NHDES Letter/Request for more Information/Map 121 Lot 19/River Street
- e) The Source Newsletter
- f) NHDES Letter/Complete Forestry Notification (see first item under # 6)

The members reviewed the correspondence and noted that NH DES is handling the follow up with each property, and they decided that they do not need to become involved at this time. Meredith Lineweber noted that there really is no "Strafford County Conservation District" and longer, any was a bit leery of the "Summer Newsletter" from them that was included in the Con Com packets.

Notice of Intent to Cut Wood or Timber:

Map 264 Lot 45 & Map 263 Lots 25, 25-1, 25-2, 25-3, 25-4, 25-5/Blackwater Rd/Lucas Lane

Map 261 Lots 9 & 11/Rte 11 Farmington Road
Rte 202 Right of Way
Map 237 Lot 6-2 Rte 202/Washington Street/Park & Ride

The members reviewed the intent to cut forms and discussed the locations. Mark Jennings reminded the members that they had discussed a snowmobile bridge replacement on 264-45 & 263/25 previously; there were no concerns with this Intent to Cut.

The members noted that the Intent to Cut for 261-9&11 was part of Granite Ridge Development, but cutting was for the property at the front of the lot- far away from the easement area at the rear of the property(s).

Reports:

Monitoring Easements Completed – Smith/Berube and LeClair:

Smith/Berube property: Deborah Shigo and Jack Hackett finished and submitted their easement monitoring report for the Smith/Berube land, the report was submitted to staff.

LeClair property: Deborah Shigo and Michael Dionne have worked on the easement monitoring report for the LeClair property. Shigo has to make a change to the 'hunting blind' section before turning in the report.

Old Business:

Spaulding students: Meredith Lineweber stated that she doesn't have anything to present to the students at this time. Lineweber explained that the hope is to get local students involved, she has also talked with Kerr at the Rochester Library and a school guidance counselor about this too.

Great Bay Community College: Mark Jennings will be emailing Dave Wilson at Portsmouth Great Bay and ask for a copy of his syllabus; Jennings will send the syllabus to Shigo. The syllabus will show what the students will be studying, and this will give the Con Com members an idea of how to reach out to the students to get them involved with the Commission.

Deb Shigo suggested that the students could become associate/junior members.

Jeff Winders suggested that UNH Natural Resource students could be used to carry out natural resource reviews of potential acquisition lands; the Con Com members decided that this could be looked at in the future, but not right now because they need to focus on Spaulding and Great Bay.

New Business:

Membership: Deb Shigo said that another full member and associate/alternate member are needed, and asked the members to recruit qualified members. Shigo asked Seth Creighton to also work on recruiting members.

Zoning Board of Adjustment Variance Application Review for Proposed Wetland Buffer Encroachment 221-48-17 (89 Ebony Ln):

In accordance with Zoning Ordinance 42.19(m) the above application was reviewed.

The members discussed their non-support of the proposal to build a deck in a wetland buffer at 221-48-17. They expressed how they do not support wetland buffer impacts, and that

because this is a newer development with clearly marked buffers that the owner should have known that his proposed house and deck wouldn't fit on the lot. Jeff Winders wanted to know if the openspace rules permitted this deck, and in general wanted to know what the openspace rules said. Mike Dionne explained that the deck proposal is not inside the openspace area and as such the openspace rules do not affect this proposal. Dionne suggested that the proposed house should be located closer to the road, to allow the deck to be built outside of the buffer.

Mike Dionne motioned to **NOT** support the proposed wetland buffer encroachment, and suggested that the proposed house be located closer to the road and would support the resulting front yard setback encroachment because it is at the end of a cul-de-sac, Mark Jennings seconded, all voted in favor. The motion passed unanimously.

The members agreed that the Planning Board shouldn't have approved this lot because the buildable area was too small to practically build a house and yard once the vernal pool and wetland buffer setbacks are applied. The members talked about how the wetland ordinance in general is inadequate for wetland protection because it allows the outer 50% of the buffer to be converted to grass.

Other Business:

Emmanuel Advent Church – Eastern Avenue – Map 117 Lot 51

Meredeth Lineweber explained that the Church is still looking for input on what they can/cannot do with the swale on their property. It was explained that the Church now knows not to mulch the drainage area, and that any clogging of the drainage from mulch needs to be cleaned up by the Church. Jeff Winders explained which the direction water flowed in this swale. Lineweber said the Church wants to know what vegetation can be removed and what they can/cannot do in the swale. Deborah Shigo said that she can stop in and a take a look. Seth Creighton offered that he can look into this as well.

**Non-Public Discussion Pursuant to RSA 91-a:3 II (d):
Discussion of acquisition of real property.**

At 7:22 p.m. Mike Dionne made a motion to go into non-public session. Mark Jennings seconded the motion. The motion passed unanimously.

At 8:38 p.m. Mike Dionne made a motion to come out of non-public session and seal the minutes. Mark Jennings seconded the motion. The motion passed unanimously.

Adjournment:

At 8:39 p.m. Mike Dionne made a motion to adjourn, seconded by Mark Jennings. The motion passed unanimously.

Respectfully submitted,

Seth Creighton, Staff Planner