

**MINUTES OF REGULAR MEETING – CONSERVATION COMMISSION**  
**June 14, 2023**

**MEMBERS PRESENT:** Doug Bryar  
Jeremy Degler  
Scott Orzechowski  
Jeremy Rhodes  
Dale Smith-Kenyon

**MEMBERS ABSENT:** Sarah Childs  
Kevin Dodds

**STAFF PRESENT:** Dana Crossley

The meeting was called to order by S. Orzechowski at 6:06 pm.

**1. APPROVAL OF MINUTES FROM PREVIOUS MEETING(S)**

Corrections:

- CUP A: Commission voted to continue (Unanimous)

D. Smith-Kenyon moves to accept as corrected; D. Bryar seconds.  
Motion passes 5-0-1 (J. Degler)

**2. PUBLIC COMMENT (five minutes per person and subject to closure in interest of time)**

None

**3. CONDITIONAL USE PERMIT REQUESTS**

**A. Packy's Investment LLC is seeking a conditional use permit for 12,235 SF impact to the Riparian and Wetland Buffer as part of a commercial development on a property located at 363 Route 108, in the Commercial Industrial (CI) District, Assessor's Map 48 Lot 22B, CUP#14-2022.**

Applicant has requested to continue to July 12<sup>th</sup> meeting.

J. Degler moves to continue to July 12<sup>th</sup> ; D. Smith-Kenyon Seconds.  
Motion passes unanimously.

**B. Norway Plains Associates, Inc. on behalf of ROSO Soccer Club is seeking a conditional use permit for 8,225 SF impact to the Riparian and Wetland Buffer as a part of a recreational field development on a property located at 23 Tates Brook Road, in the Residential/Single Family (R1) District, Assessor's Map 32 Lot 6F, CUP#02-2023.**

**Hilary Badger** presents for Norway Plains on behalf of the applicant. The site currently houses a baseball field and a softball field. The proposal is to remove the current baseball field and associated structures and replace with 2 soccer fields (one full size, one youth). This will also involve relocating the current gravel parking area. Most work in the buffers is in already disturbed space; total impervious cover on the site is reduced by this work. All proposed work is outside the tree line with the exception of approximately 2000 square feet located near an existing cemetery. A 25' minimum buffer will exist around the cemetery.

An Alteration of Terrain permit is required for leveling work; this is currently in progress. All fill to be used is currently on site; some fill is expected to be removed as part of this project.

The Commission discussed concerns regarding vehicles parking in the buffer area on the north side of the roadway; an earthen berm with native grasses in place to stabilize is proposed to discourage this, as well as 'No Parking' signage. Concerns are also raised around parking beyond the east edge of the designated parking area; rock emplacements (repurposing of material on site) could be used to discourage this.

The Commission requested that no disturbance of vegetation on site beyond that required for the project be made.

The wells on site were discussed; the purpose of these is uncertain, but believed to be private irrigation supply.

The location of seating for the youth field was discussed, as it directly borders the wetland buffer; the buffer in this area is wooded, so bleachers would necessarily be placed away from the buffer.

The location of portable toilets onsite is not known, but will not be placed near wetland. Runoff from the fields is channeled to a stormwater area, then through a buffer before entering the wetland; all fertilizers and soil treatments are non-synthetic/slow release, reducing impacts.

J. Degler moves to recommend approval of the CUP request, with the following recommended conditions:

- Placement of an earthen, vegetated berm at the north side of the roadway
- No parking signs to be placed in same area
- Rock barrier to be placed to the east of the parking area
- Soil scientist stamps to be placed on plans prior to final submittal
- Portable toilet locations to be marked on site, and to be placed away from wetlands
- No fill with invasive species is to be transported off site (in accordance with state law)
- No cutting of vegetation beyond that indicated on the plan to be undertaken

D. Smith-Kenyon seconds. Motion carries unanimously.

4. **NEW BUSINESS**

**A. Any new correspondence**

None

**B. Any new business to come before the Commission – None**

5. **OLD BUSINESS**

**A. Easement monitoring**

Frasier site was visited, and the site walk report submitted; the site was noted as being remarkably clean, and a border stone in place and carved at the junction point of Somersworth, Dover, and Rochester lines.

**i. Sarah Childs resignation**

Sarah Childs is moving away from the City, and therefore needs to resign from the Commission; in her time on the Commission, she's contributed greatly to the Commission, particularly in her work on easement monitoring and her work as the Commission's treasurer. The Commission thanks her for her service.

**B. iNaturalist and Community Wildlife Habitat items for City newsletter**  
iNaturalist item in City newsletter in June; wildlife habitat will be submitted for July.

**C. Any Correspondence regarding old business-** None

**D. MEMBER ITEMS, SUB-COMMITTEE ITEMS, AND REPORTS**

i. **Wildlife Management plan for Lily Pond parcel** (S. Orzechowski)

No update

ii. **Invasives plan sub-committee report** (D. Smith-Kenyon)

No update

iii. **Malley Farm trail subcommittee report** (K. Dodds)

K. Dodds, A. Ficco, D. Bryar, Michelle Mears Director of Planning and Community Development, and Kristen Davenport Recreation Supervisor visited Malley Farm with 2 representatives of ConservationWorks. Next step is written report; this will entail expense of \$90/hr., with a 4-hour minimum. There is currently \$500 remaining of the amount allowed for the initial visit.

J. Rhodes moves to repurpose the remaining \$500 and allocate an additional \$220, allowing up to 8 hours of billed work, for the purpose of completing a written report of the visit. D. Smith-Kenyon seconds; motion carries unanimously.

**E. Any other old business that may come before the Commission.**

- No update on City trees item; D. Crossley will follow up and get next steps.
- S. Orzechowski followed up regarding City properties under easement; restrictive covenants could be added, but deed restrictions can only be attached on transfer of deeds. Properties in which the Conservation Commission is called on the deed can not be sold off. Deeds without this note would need covenants added in order to ensure that the properties are protected. The Lily Pond property references the NHDES, but Malley Farm is not currently restricted. We would need legal assistance to add covenants to this deed. S. Orzechowski will investigate relevant firms.

**6. TREASURER'S REPORT**

Starting Balance: \$194,109.91  
Income: \$978.25 (interest)  
Disbursements \$978.25 (ConservationWorks)  
Final: \$193,965.04

A Current Use Fee of \$60,000 for Terrascope Park is expected.

J. Rhodes moves to nominate J. Degler as treasurer; D. Smith-Kenyon seconds. Motion carries unanimously.

- D. Smith-Kenyon moves to adjourn; J. Rhodes seconds. Motion carries unanimously.

Meeting adjourned at 6:48 PM.

Respectfully submitted:

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Jeremy Rhodes, Conservation Commission Secretary