

**MINUTES OF REGULAR MEETING – CONSERVATION COMMISSION**  
**September 13, 2023**

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Dana Crossley

The meeting was called to order by S. Orzechowski at 6:01 pm.

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

Corrections:

- P. 2, #3 – change ‘our environmental scientist’ to ‘his environmental scientist’
- P. 4, second to last paragraph of A – Add ‘with’ to ‘industrial uses’
- New Business B, after paragraph 1 – Easement is not under Conservation Easement, placement of bridges is in question.

D. Smith-Kenyon moves to accept as amended, J. Degler seconds. Motion carries 6-0-0

**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.**

Bob Stowell presents on behalf of the applicant. Since the prior meeting, the applicant has met with a soil scientist and wetlands architect to develop a plan. New plan adds 24 high-bush blueberries and a customized seed mix tailored to produce wildlife habitat. The intent is to build a stable meadow for wildlife.

S Orzechowski raises the question of blueberry placement; some of the sites are much drier than others and aren’t likely to support long term survival. J. Degler states that the sites are largely good, with the 2-3 northernmost and 5 southernmost being marginal; replacement with sweet fern would be a good idea. Site prep recommended is a simple rake and plant rather than more intensive tilling.

The plantings proposed would not reach a height that would present an impediment to solar function. Selective cutting of pioneer species (such as the inevitable red maples) would be recommended, but the planted species would not be needed. Periodic reseeding would be recommended to ensure establishment of the meadow.

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J. Rhodes moves to recommend the CUP to planning for approval with the following conditions:

- Landscape plantings as recommended, with the exception that the 5 southernmost and 3 northernmost blueberries be replaced with sweet fern.
- Site prep limited to raking and seeding, per expert recommendation.
- Expert consult performed yearly and reseeding as recommended until the meadow is established.
- No mowing or cutting to take place, with the exception of pioneer species not included in the plans.

D. Smith-Kenyon Seconds. Motion carries 6-0-0

**B. Michael Davis is seeking a conditional use permit for after the fact excavation and alterations within the Riparian and Wetland Buffer on a property located at 25 Otis Road, in the Residential/Single Family (R1) District, Assessor's Map 31, Lot 49, CUP#03-2023.**

Mike Davis, applicant was in attendance to represent the application.; Davis stated court orders are in effect; plans submitted are current state. Applicant does not have a restoration plan complete at this time, and states that he's unsure what needs to be done. Applicant does not have full previous condition plan. Applicant has reshaped the pond edge and performed significant earthmoving; the pond was dug out by a previous owner (in 1958), and he has redistributed the excavated material from that activity to improve the appearance of the site. He had work underway in 2008, and was served a Cease and Desist related to this work; this was not acted on. His original plan was to add fruit trees to the site. The excavated mound was about 14 feet tall on one side, 9 on the other; pond is approximately 1 acre; there is an outlet from the pond, which the applicant placed a culvert in and filled over. Total work done was the removal of the mound, stones added to and reshaping of pond edge, diversion of exit stream to conduit and coverage, and removal of vegetation.

No CUP was in place for the current work, or for the 2011 or 2008 projects. All are tied into the same court order which is current.

The applicant volunteers a site walk; annotated maps are suggested for this activity. In order to determine a path forward, we need to develop a story of the site; a timeline of changes. Applicant will look to develop this timeline for October and we'll set a site walk following.

J. Rhodes moves to table the request until the October meeting; J. Degler seconds. Motion carries 6-0-0.

**C. Central Fence & Deck is seeking a conditional use permit for 5,275 SF of pavement/impervious and 9,645 SF of grading and drainage/pervious impact to the Woodland Buffer on a property located at Willand Drive, in the Commercial/Industrial (C/I) District, Assessor's Map 43 Lot 1I, CUP#04-2023.**

Bob Stowell presents on behalf of the applicant. The buffer on site is in poor condition; no cutting or clearing is required. Stormwater is brought through a swale/forebay/drainage process. No leakage occurs until a 50-year storm. This site abuts a utility easement on the site.

The site is heavily infiltrated with invasives. These can not be moved off site without state consent.

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The outside storage areas are for product only; snow storage will be placed to direct melt to the runoff system.

Landscape plan is in process, shade trees are planned.

J. Degler moves to recommend approval, with the following conditions:

- Trees placed are from the approved list
- No invasives are removed from the site

K. Dodds seconds, motion carries 6-0-0

#### 4. **NEW BUSINESS**

A. **Any new business to come before the Commission.** - None.

#### 5. **OLD BUSINESS**

A. **Easement monitoring** - No Update

B. **Any Correspondence regarding old business**

NH Fish and Game plans to release 10 more New England Cottontail Rabbits at Malley Farm, with another release planned at Sunningdale.

#### C. **MEMBER ITEMS, SUB-COMMITTEE ITEMS, AND REPORTS**

i. **Wildlife management plan for Lily Pond parcel (Scott Orzechowski)**  
No Update.

ii. **Invasives plan sub-committee report (Dale Smith-Kenyon)**  
No Update

iii. **Malley Farm trail subcommittee report (Kevin Dodds)**  
See below

iv. **Exploration of formal conservation of Malley Farm city parcel**  
Report has been received, and appears good. Includes priorities; K. Dodds working to break the report down. Contact has been made with SELT to coordinate land management and handle more permanent conservation status. Land status is the primary concern; trail creation will be looked at afterward. Rollinsford is excited about the prospects of the site as well.

v. **City tree GPS inventory project**

D. Bryar and D. Smith-Kenyon met with Amber Hall and Mike Bobinsky, looking to set scope. The Hilltop was discussed as a sample site. Next step would be to determine which trees are city owned. Mike Bobinsky questioned the aim of this project; looking to Dover for an answer, they provided a large block of information, including a cost breakdown and resources for the project. Long term data owners will need to be set as are action owners. Next step is a survey; D. Bryar and K. Dodds will pilot.

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

Code Compliance is meeting with AJ Dupris for tree replacement.

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### 6. **TREASURER'S REPORT**

Balance forward from 8/9:	\$255,635.56
Interest:	\$900.42
End Balance:	\$256,535.98

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

**Meeting adjourned at 7:39 PM.**

Respectfully submitted:

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Jeremy Rhodes  
Conservation Commission Secretary