

MINUTES OF REGULAR MEETING – CONSERVATION COMMISSION
December 13, 2023

MEMBERS PRESENT: Sean Collins
Kevin Dodds
Scott Orzechowski
Jeremy Rhodes

MEMBERS ABSENT: Doug Bryar
Jeremy Degler
Dale Smith-Kenyon

STAFF PRESENT: Dana Crossley

The meeting was called to order by S. Orzechowski at 6:05 pm.

1. APPROVAL OF MINUTES FROM PREVIOUS MEETING(S)

Minutes of Regular Meeting (November 8, 2023)

Corrections/additions:

3A: add ‘ribbed’ to ‘sewage pipe.’

Paragraph 3: Note stream as also dug by previous owner.

Page 2, paragraph 3: ordinance, not ordnance. Replace ‘prior’ with ‘contemporaneous.’

Paragraph 4: replace ‘was’ with ‘may have been’

5C, iii: Followup with land surveyor.

S. Collins moves to accept as amended, K. Dodds seconds. Motion carries 4-0-0

Minutes of Workshop Meeting (November 21, 2023)

Corrections/additions:

1A, Paragraph 2, Sentence 2: Add S. Orzechowski indicated this would require a new CUP; future plans would also include material in pond.

Page 2, Paragraph 2, Sentence 2: Note no recent outflow is evident.

Paragraph 3: Add ‘and trees’ to last sentence.

Paragraph 6: Add at end – ‘with the possible exception of aquatics’.

Last Paragraph, Sentence 3 ‘stated that cattails that had been removed had been reestablished’

Page 3, Paragraph 2, Sentence 3: add ‘however, the commission was shown an outlet at the other end of the pond; the entire disturbed area was covered with fill and there was no noted healthy soil. Grading at the north end of the property has an 8–10-foot drop-off due to fill that appears to fill an intermittent stream, and there are also four large boulders placed at the edge’

K. Dodds moves to accept as amended; Sean Orzechowski seconds. Passed 2 – 0 – 2 (S. Collins, J. Rhodes abstaining)

2. **PUBLIC COMMENT** (five minutes per person and subject to closure in interest of time)-None

3. **CONDITIONAL USE PERMIT REQUESTS**

- A. **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.**

Mr. Davis is present; S. Orzechowski recaps the site walk meeting on Nov 23, 2023, and notes the items from the minutes. The suggestion is made to address noted items as a list of requirements to bring to an engineer for draft; Mr. Davis states his agreement.

S. Orzechowski notes that the first topic is the replacement/redirection of outlet streams. Mr. Davis notes that he has considered removing the last twenty feet of conduit to return it to a ravine. This is of particular concern as it impacts what seems to be an intermittent stream. There doesn't appear to be much (if any) flow here, potentially due to the southern outlet taking this outflow. This appears to have major impacts on the wetland due to redirection of flow.

Recommendation would be removal of the pipe and regrading to create outflow into the streambed. K. Dodds notes that there was interest in revegetating the slope; this would be critical to resetting the bank. Mr. Davis is interested in removing the pines and replanting for appearances' sake there. K. Dodds notes that this area is highly disturbed, and that this impact has significantly degraded the area. The degree of restoration needed would require expert input.

Mr. Davis states that the culvert has also been breached by one of the test pits he was required to dig. This will need repair or removal in order to permit water flow to this area.

S. Orzechowski notes that an engineer-driven plan would be necessary in this area, with an environmental engineer's input needed to inform restoration and a civil engineer's to properly execute the plan.

The applicant requests that the commission provide a list of change recommendations, as he does not believe he is in a position to respond sufficiently at this time.

S. Collins moves to continue the discussion to the January 10, 2024 meeting of the commission, K. Dodds seconds. Motion carries 4-0-0

- B. **Michael Davis is seeking a conditional use permit for tree removal 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 46 CUP#07-2023**

J. Rhodes moves to continue to the January 10, 2024 meeting of the commission, K. Dodds seconds. Motion carries 4-0-0

4. **NEW BUSINESS**

A. Review of Rules of Procedure

D. Crossley reviews, noting that there aren't issues here, but that the previously distributed rules dated to 2005. The ones distributed here date to 2018. The meeting time here is listed as 7PM and would require update. Other notes:

- Nominations section restricted ability to nominate to the mayor (with simple majority of council confirming); a previous version had included the ability of an at-large councilor to nominate (with 2/3rds confirming). D. Crossley will check for an external reason for this change.
- Alternates as listed doesn't seem to match the RSA; seek confirmation.
- Section on Associate members was removed in 2018. Would this be indicated as needed, as it's included in RSA.
- E4: Note the uses of May and Must here; Must statements are called for in many cases here.
- F: Should the funding source be specified as current use taxes?
- J: S. Orzechowski suggests striking 'at any...majority vote' with 'by a 2/3rds majority vote'
- K. Dodds notes that we could add invalidating criteria for committee membership.

J. Rhodes notes that the document should retain enough detail to stand on its own; S. Orzechowski suggests we should renew it approximately every 2 years. D. Crossley suggests adding this to the rules. D. Crossley will collect edits and provide a redline for the next meeting.

B. GPS – for monitoring

D. Smith-Kenyon had suggested acquiring a standard GPS for Commission use. The Commission discussed this approach and rested on the use of a single GPS app, preferably with an internal workshop to standardize use.

C. Any new business to come before the Commission.

None at this time

5. OLD BUSINESS

A. Easement monitoring

No Update

B. Any Correspondence regarding old business

Letters received from Code Compliance Officer, Shane Conlin, regarding City tree list. We'll go through a species check at the next meeting, with a focus on the Plaza trees.

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

- i. Wildlife management plan for Lily Pond parcel (Scott Orzechowski)
No Updates.
- ii. Invasives plan sub-committee report (Dale Smith-Kenyon)
No Updates

- iii. Exploration of formal conservation of Malley Farm city parcel
S. Orzechowski will provide legal contact to K. Dodds. No response has been received from SELT at this time. Contact has been made with NHSPF; they have shifted generally away from cities but may have interest in this parcel given its connections across municipal lines. Funding streams were discussed. K. Dodds will plan to meet with them in the new year, with a look to a plan in early 2024.
- iv. City tree GPS inventory project
No updates.

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

Lily Pond report emailed. There is some debris around one property that needs cleanup; this isn't new, and we'll need to coordinate this cleanup. This debris dates back 5 or more years.

6. TREASURER'S REPORT

Treasurer not in attendance tonight.

S. Collins moves to adjourn, K. Dodds seconds. Motion carries 4-0-0

Meeting adjourned at 7:34 PM.

Respectfully submitted:

Jeremy Rhodes
Conservation Commission Secretary