



City of Rochester Conservation Commission

Meeting Minutes

Wednesday April 24, 2024

Rochester Police Department (2nd Floor)
23 Wakefield Street, Rochester, NH

(These minutes were approved on - , 2024)

Attendance

Presence	Commission Member	Notes	Members of the Public
Present	Mike Dionne, <i>Chair</i>		Scott Lawler Norway Plains Associates, Inc.
Present	Kevin Sullivan, <i>Vice Chair</i>		Barry H. Keith B.H. Keith Associates
Absent	Dylan Dowe	Excused	
Present	Mark Jennings		
Absent	Bryan Karolian		
Absent	Merry Lineweber	Excused	
Present	Dan Nickerson		
Present	Dennis Raymond		
Present	Renée Mclsaac, <i>Planner I</i>		

1) Call to Order:

Mike Dionne called the meeting to order at 6:36pm.

2) Approval of Minutes:

- Review Meeting Minutes of March 27, 2024.
- Review Non-Public Session Minutes of March 27, 2024.

Mark Jennings made a motion to accept the meeting minutes as drafted. Kevin Sullivan seconded the motion; the motion passed unanimously.

Commission Chair motioned to move discussion of the Charles Prescott Estates to the next item of business. There were no objections.

3) New Business:

- Charles Prescott Estates - 984 Salmon Falls Rd 0241-0004-0000; Conservation Easement Consideration

Scott Lawler of Norway Plains Associates, Inc. introduced himself and Barry H. Keith of B.H. Keith Associates, as representatives of the proposal for the Charles Prescott Estates. He provided a brief overview of the project. The mobile home park was originally permitted in the 1980s for 132 dwelling units and approximately 2 miles of road network. The park was never fully constructed, and they are working through the permitting process to add units that were originally approved.

NHDES has determined that the project qualifies as a major wetlands impact permit.

In development of the proposal, Barry Keith re-delineated the wetlands on site. He discovered there were some areas the previous owners had filled. He estimated this was in the 1990s. In some areas the wetland soils were removed, and gravel was placed, in other areas the wetland soils were simply covered. Test pits were used to characterize the site conditions.

Three designs were considered during project design. They selected the option that partially follows the existing tote road and restores hydrologic connectivity that was disrupted by the unpermitted fill. Project proposal development included pre-application meetings with various regulatory agencies (EPA, NHDES, NH Fish & Game, US Army Corps of Engineers).

The proposed roadway would include installation of oversized round culverts, that will be embedded to provide a naturalized bottom. This will restore the hydrologic connectivity and allow for some wildlife passage.

An inquiry to the Natural Heritage Bureau returned a finding for black racer snakes.

Scott Lawler explained that they are initially seeking approvals for the wetlands permit to determine if the project can proceed. Once this approval is received, they will move forward with the other applications necessary for project approval (from the State of New Hampshire and City of Rochester).

Mark Jennings asked for confirmation that the project is proposing fewer homes than what was originally approved.

Scott Lawler confirmed this to be the case.

Scott Lawler explained that as part of the NH Fish & Game review of the wetlands application, it was requested that they consider establishing a conservation easement with the local conservation commission. State agencies also want to ensure that the restored wetland areas are protected in the future.

Scott Lawler displayed a map of the area showing the proximity to conserved lands.

Mike Dionne noted that an additional parcel (not noted) is in the process of being conserved and this directly abuts the subject parcel.

Berry Keith confirmed that approximately 2 acres would directly abut the parcel, and in total the easement area would be approximately 27 acres. This would include both sides of the stream that passes through the subject parcel.

Scott Lawler asked if the Conservation Commission would be interested in retaining an easement on the property. He explained that the State would prefer an easement, but as an alternative they could consider deed restrictions.

Mike Dionne asked if residents were still using the open space for intensive recreation.

Barry Keith responded that it did not appear to be used as described.

Mike Dionne commented that it seemed like it would be relatively easy to monitor for easement encroachments.

Mark Jennings asked if there was City water or sewer at the site.

Scott Lawler replied that the park is serviced by City water and uses onsite septic systems.

Mike Dionne requested a site walk of the property.

Scott Lawler agreed to lead a site walk on Sunday morning.

Mike Dionne, Dennis Raymond and Kevin Sullivan agreed to review the site conditions and report back to the Commission.

4) NH DES Applications:

- a. Alteration of Terrain Permit Application - Torr Pit; Tax Map 207 Lot 1; File Number: 20240405-070

Renée Mclsaac provided an update on the status of the excavation site. She explained that following the Commission's inquiries, site representatives consulted with NHDES and have filed an Alteration of Terrain Permit application for the area determined to be an expansion. She met with property representatives, and they provided clarification for the discrepant figures reported on previous Intents to Excavate. She felt satisfied with the response.

- b. NHDES Wetlands - emergency authorization to replace a utility pole; ROW north of Fillmore Blvd; File Number: 2024-00774

Commission members had no concerns with the above application.

5) Notice of Intent to Excavate:

- a. Intent to Excavate: Tax Map 207 Lot 1; 24-389-02-E (Torr site – Little Falls Bridge Rd)
b. Intent to Excavate: Tax Map 268 Lot 5; 24-389-01-E (Brox site - Rochester Neck Rd)
c. Intent to Excavate: Tax Map 268 Lot 7; 24-389-04-E (Pike site – Rochester Neck Rd)
d. Intent to Excavate: Tax Map 268 Lot 6; 24-389-05-E (Pike site – Rochester Neck Rd)

Commission members had no concerns with the above applications.

6) New Business (Continued):

- b. 2024 Lilac City Fun Festival Planning

Renée Mclsaac presented some ideas for activities or displays that could be included for the Commission's booth during the event. Some suggestions mentioned were making recycled paper, using recycled t-shirt yarn to make bracelets and headbands, recycle t-shirts into tote bags and an impervious surface model.

Kevin Sullivan stated that he felt the impervious surface display used last year was effective and the bird identification books were also very popular.

Renée Mclsaac stated there are still 25 books available to be given away at the event.

Mike Dionne stated including a display about invasive species would also be a good idea.

Commission members agreed to think about ideas for the event and at the next meeting they would make final decisions about what to include. Renée Mclsaac will collect any ideas submitted and present them at the next meeting for consideration.

- c. Additional updates. Renée Mclsaac shared information about the following:
- Don't Trash Rochester is a new Facebook group that has scheduled once a month litter collection walks. For those who might be interested, they meet the 3rd Saturday of each month from 9:00 -10:00 at a designated location.
 - Milton Conservation Commission has posted a Vernal Pool Walk for Sunday May 5th and a Guided Forest Walk for Saturday May 18th.
- d. Renée Mclsaac proposed planning an outreach event with the purpose of providing information about land conservation opportunities to local landowners. She recalled that the Commission had briefly discussed this previously. More recently she was inspired by a headline that the Bennington Conservation Commission had scheduled a similar event.

Renée Mclsaac stated she reached out to Brian Hart, the Executive Director of SELT, about the possibility of facilitating such an event. He has indicated that SELT would be interested in participating. They would be willing to provide a staff member who could give a brief PowerPoint presentation and answer questions. He suggested reaching out to UNH Cooperative Extension, as they may also be able to participate and provide a neutral party's perspective. It was also suggested that the Commission determine which parcels they consider having priority conservation values. Then directly send letters to those property owners. If so desired, SELT could assist with crafting this letter or would be willing to issue a joint letter. Based on current schedules, SELT estimated that they would not be available until the fall. Renée stated she felt the fall would be a good time for the event, it would allow time for planning and outreach.

Mike Dionne expressed support of the proposal.

Kevin Sullivan stated the importance of having a priority list of properties for future conservation efforts.

All Conservation Commission members were all in favor of planning the outreach event.

Renée Mclsaac indicated she would continue this item on upcoming agendas.

7) **Reports:**

a. Technical Review

Renée Mclsaac introduced a preliminary plan for a proposed subdivision and development at 25 Old Dover Road (0132-0039-0000). She indicated that the current lot coverage for the parcel exceeds the allowable coverage for the zoning district. The applicant would like to subdivide the undeveloped portion of the parcel to construct a new commercial building. She pointed to a plan sheet that provided the 150' and 250' shoreland setback distances from the Cocheco River. The Conservation Commission has previously opposed construction of buildings and pavement within these setbacks. The current proposal would significantly increase the amount of impervious surface within close proximity of the Cocheco River.

Commission members did not support the proposed increase of impervious surface, or the proposed structures within the shoreland setbacks.

Renée Mclsaac stated the project will be before the ZBA on May 8th for a variance request to allow for the proposed lot coverage.

Commission members discussed offering public comment opposing the granting of the variance, which would result in increased impervious surface next to the Cocheco River. Dennis Raymond indicated he was available to attend and could speak on behalf of the Commission. Commission members were in agreement with this proposal.

b. Planning Board Review

Recent Planning Board decisions were not discussed.

8) Old Business:

Dan Nickerson expressed a concern over the ownership status of the property located at 886 Salmon Falls Road ((0227-0012-0000) a property under consideration for potential conservation actions).

Renée Mclsaac stated she would investigate the matter.

9) Adjournment.

A motion was made by Mark Jennings and seconded by Mike Dionne to adjourn at 8:16pm; the motion carried unanimously.

Respectfully submitted,
Renee Mclsaac
Planner I