Members Present: Not Present:

Michael Dionne, Chair Deborah Shigo

Kevin Sullivan Jack Hackett

Merry Lineweber Michael Kirwan

Mark Jennings

Staff:

Seth Creighton, Chief Planner

**The chair convened the regular meeting at 6:37 p.m.**

**Minutes**: The regular and nonpublic meeting minutes of October 26, 2016 were reviewed. Mr. Dionne noted one needed revision, Mr. Jennings noted a second revision. A motion was made by Mr. Jennings to accept the minutes with revisions and seconded by Mr. Sullivan, all voted in favor.

**1. Discussion:** 60 Farmington Rd (The Ridge Marketplace Phase 2) request to cut trees prior to obtaining State / Federal Permits.

Engineer Ken Mavrogeorge c/o Tighe & Bond explained that the Planning Board approval states there is to be no cutting or land disturbance prior to obtaining all State and Federal permits. He then explained that the State of NH Dept of Environmental Services, Department of Transportation, and US Army Corp. of Engineers approvals have not yet been obtained, but the applicant is asking the City to allow tree clearing and placement of erosion controls in areas outside of State and Federal jurisdiction. The Conservation Commission stated they understood the applicants desire to start work, but stated land alterations, including cutting, are questionable at this time because there is no indication of what the approved lot layout will be. Mr. Dionne asked for staff’s opinion. Mr. Creighton stated that no formal Planning Board application had been submitted yet, and that the plans being presented to the Commission tonight were different than the draft plans he had seen, and because of those reasons he wasn’t able to offer a definitive opinion; however, he said that he agrees with the Commission comments and will suggest that the Planning Board carefully consider this request and advise that they don’t put the cart before the horse. The Commission and Board should be aware that the layout will likely change based on State and Federal regulations, and as such it is unknown what the development will be and where mature vegetation should remain. Mr. Jennings made a motion to not support the application; Mr. Sullivan seconded the motion for discussion purposes. Mr. Sullivan suggested they amend the motion to state, “The Conservation Commission understands the applicant’s position and the amendment is request is a good idea, but it is premature and thus can’t be supported by the Conservation Commission.” Mr. Jennings agreed to amend his motion to reflect this language, all voted in favor of the revised motion.

**2. Dredge and Fill Application/Wetland Permit Application:** NH Army National Guard, 106

Brock St (Map-Lot: 129-15).

Engineer Jeff Read c/o Colby Co. Engineering introduced a new proposal to the Conservation Commission. The proposal is to build a multi-bay garage/repair shop at the National Guard property on Brock St, with associated parking areas and stormwater treatment. There’s approximately 1,100 sq ft of wetland impact proposed; this impact is limited to grading (fill).

The Commission reviewed this proposal and voted to sign off on the proposed impact with the condition that the developers try to save existing mature trees along Hurd Brook. These trees provide shade necessary for maintaining cool water temperatures, particularly relevant to the wild Eastern brook trout which use this brook and are sensitive to water temperatures above 68 degrees Fahrenheit.

Mr. Sullivan made a motion to approve, Mr. Jennings seconded all voted in favor. Mr. Dionne said he’s available tomorrow to sign the NH DES applications or a letter that Staff will prepare for NH DES.

**3. Notice of Intent to Cut Wood or Timber / Intent to Excavate:** a) Notice of Intent to Cut: 106 Ten Rod Rd (Map-Lot 220-26), Grant Myhre

The Commission had no concern with this.

**4. Old Business:** a) Spaulding High School – environmental class’s request to have Conservation Commission be a guest speaker.

The High School’s environmental teacher and two students were present and had a discussion with the Commission about each other’s roles and responsibilities. The two parties are interested in working with each other and shared their meeting schedules.

**5. Non-Public Session pursuant to RSA 91-A:3 II(d):** At 8:19 pm Mr. Dionne motioned to move into Non-public session, with Mr. Sullivan seconding, and all voting in favor.

At 8:58 pm the public session resumed.

 **6. Reports:** a) Technical Review Group update. Mr. Jennings gave a brief update about newly submitted applications.

b) Planning Board update. Mr. Creighton gave a brief update on the status of PB items that had been approved or continued at the November 7th PB meeting.

**7. New Business:** a) The Commission discussed Matt Scruton’s interest in requesting money back from the City, money that he paid during the process of the City buying a conservation easement from his Ten Rod Rd property. Mr. Sullivan motioned to not support such a request, Mr. Jennings seconded, the Commission voted unanimously to not support this request and that such a letter be sent to City Council.

**8. Other Business:** a) Mr. Jennings said that he and Mr. Kirwan had attended a “plan reading” workshop at the Great Bay Discovery Center. He reported back that the session was very helpful and said he would encourage others, in all land use boards, to attend a future session.

b) Mr. Dionne, who is also a NH Fish and Game employee, questioned why his work received an application from the City for a new bridge over the Cocheco River from Dewey St to Hanson Pines, but that the Commission hadn’t been made aware of this proposal. Mr. Creighton stated that he was not privy of this application or bridge, and apologized on behalf of the City. The Commission discussed the need to be more involved in City applications and asked Mr. Creighton to make DPW aware of this.

**9.**  **Adjournment:** At 9:21 pm a motion was made by Mr. Dionne

 to adjourn, and Ms. Lineweber seconded; the motion passed unanimously.

Respectfully submitted,

Seth Creighton, Chief Planner