

MINUTES

CONSERVATION COMMISSION

**1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE
EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

3:30 p.m.

December 13, 2017

MEMBERS PRESENT: Chairman Steve Miller; Vice Chairman MaryAnn Blanchard, Members Allison Tanner, Barbara McMillan, Adrienne Harrison, Kate Zamarchi; Alternates Ted Jankowski, Nathalie Morison

MEMBERS ABSENT: Samantha Collins

ALSO PRESENT: Peter Britz, Environmental Planner/Sustainability Coordinator

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I. PRESENTATION – Hett Farm Conservation Easement, Peverly Hill Road

Suzanne Woodland, Deputy City Attorney, and Eric Eby, Transportation Engineer, were present for the presentation. Ms. Woodland explained that the City of Portsmouth Department of Public Works (DPW) is moving forward on a long awaited improvement to Peverly Hill Road. The project is currently in the design phase. The intent is to come here early in the design process to discuss that the preferred location for a multi-use path on the south side of Peverly Hill Road. The Hett Farm consists of two parcels. The Reese family owns the larger parcel and the Hett family owns the other parcel. In 1989 this land was put under a conservation easement. Because of that, the City is looking for input from the Conservation Commission on whether a bike/pedestrian path would be appropriate in this location. Later on next year the DPW will be back to look at the bike/pedestrian path in total to look at wetland impacts. Today the presentation is on a narrow issue. It's just the conservation easement.

Mr. Eby described the project in detail. The idea was to get bike/pedestrian accommodations to connect Middle Road and Lafayette Road. It will connect the ball field and future athletic field and the future railroad trail. It will also connect the YMCA the Urban Forestry Center and the future path at Elwyn Road. This bike/pedestrian path would tie a lot together. It's a state funded project built on the plans and policies of the City. It's been an identified need by the city. This project will be getting 80% reimbursement from the state. The conceptual design and engineering study have been performed. This happened last year. The public was consulted and expressed they wanted a sidewalk as well as a bike/pedestrian path. As a result the plan is to put a sidewalk on the north side and a bike/pedestrian path on the south side. They are working with the state on this. The road would have a travel lane in each direction with granite curbing on each side. It would be the same width, but hopefully feel narrower so traffic slows down. Then there would be a green strip on each side. The Hett farm side would have a 10-foot wide bike/pedestrian path and the other side would have a 6-foot wide sidewalk. A field survey was

performed this summer to determine right of way lines in the field. The area near the Hett farm gets tight up near one point on the roadway. Land could be taken from someone's front yard or the easement area across the street could be used. This would help improve the geometry of the roadway and help with sight lines. Mr. Eby provided an overview of the schedule for this project. Phase one happened last year and a preferred alternate was approved by the DOT. As a result this became a larger project and a field survey was approved for this past summer. The project is currently in the impact identification phase. The project needs to get approval to get the Hett farmland. The project needs to get state approval too. The Reese's would allow the path on their property as long as there is a fence and Walter Hett is also in favor. If we do or do not get concurrence, then it will help direct the rest of this project. The preliminary design will be completed spring 2018 and final design will be completed summer 2018 then the project execution would be in 2019.

Vice Chairman Blanchard commented that looking at the map, the path starts at the traffic light at Mirona Road. It is very wet down there. How much of this proposed trail is wetland? Mr. Eby responded that the wetlands are identified in the study. The drainage hasn't been designed yet. Vice Chairman Blanchard questioned if this location was that the wettest place. Mr. Eby responded that it is probably the wettest place.

Mr. Jankowski questioned if this was part of the Sagamore Creek watershed. Mr. Eby confirmed that was correct.

Ms. Tanner commented that it was unclear how much of the Hett farm would be taken. Would the white fence that is currently there need to be moved? Mr. Eby responded that in one spot it would need to be, and pointed out where it would be impacted on the plans. Ms. Tanner commented that in the other places where Vice Chairman Blanchard was talking about there are oaks that were just planted. What would happen there? Mr. Eby responded that the design is not that detailed yet. Ms. Tanner commented that could be an issue. The north side has a few trees on the property that are setback. All the way down the other end there is a huge silver maple that would be impacted if there were anything on that side of the street. There is concern that a lot of trees would be impacted. This is a wildlife corridor. Hett farm connects to the bog, so it attracts the animals. It would be a shame to make it so humanized that the animals cannot cross.

Ms. Woodland commented that the City knows that these issues will come up which is why today is just addressing the easement. Once the Conservation Commission and the state give their opinions it will influence the next design. The goal is to verify whether or not some intrusion to the Hett farm is acceptable to the Commission while recognizing that it doesn't box the Commission into committing to anything for the wetlands etc. Then the project can be designed with that in mind. If it's a dead issue with the state and the Commission then that will dictate the design. That's why this is more broken up right now and we may not have all the answers. The state advised putting the package together. This will give people the opportunity to head down and look at the property. It's not open to the public today. Ms. Tanner commented that it is limited days a year. Ms. Woodland agreed that it is open limited times a year. This will be a two-step process to use the design funds and phase properly.

Ms. Zamarchi commented that it is understood the intent of the presentation, but if the commission agrees to the path on the south side that doesn't mean that the road can be adjusted in the tree area right? Mr. Eby responded that today they were just focusing on the easement. Ms. Zamarchi responded that if the commission says OK today that doesn't mean it's all the south side. Mr. Eby confirmed that was correct.

Ms. Woodland questioned if the Commission simply agreed that a bike/pedestrian path would be consistent with the easement. The wetland issues etc. are not the focus now because that will all come back through here later.

Ms. Zamarchi questioned if even the tree on the Hett farm would be addressed later. Ms. Woodland confirmed that was correct.

Ms. Harrison noted that from her perspective this doesn't impair the conservation value of the land. However, when this comes through after the design is complete and impacts are identified she would have opinions. As far as access and scenic enjoyment goes though, there is not a problem.

Mr. Jankowski commented that the interpretation of section C is that adding a bike path is consistent. Ms. Woodland responded that the City has their own interpretation. The state has asked that they come here to get the commission's opinion. They are not looking for a legal interpretation.

Ms. McMillan agreed with Ms. Harrison that it's consistent use. The background reasons make sense around why the paths are put a certain way so that residents won't have to cross the street. However that would be setting the stage with this decision for impacts.

Vice Chairman Blanchard commented that after reading the Conservation Commission deed she agreed with Ms. Harrison. However, it should be noted that widening the corridor and increasing the level of pedestrian and bike traffic could be a challenge. The point of this is the preservation of open spaces. There is a need to be careful when developing this that conservation restrictions aren't significantly compromised. A lot will have to do with how this will be designed. It is good that this project will come back through here. Keep this in mind as this moves forward. The green space on both sides is very important. The air quality on that side is poor because of Route 1 and stalling traffic. Taking trees down can cause an impact.

Chairman Miller noted support for the bike path in general.

Ms. Tanner wondered if it would be worthwhile to have a work session to talk through some concerns.

Chairman Miller commented that would help avoid coming with a plan that has to be totally changed.

Ms. Tanner moved to state that the Conservation Commission agrees that a bike/pedestrian path would not impair the conservation value of Hett farm, seconded by Ms. Harrison. The motion **passed** by a vote of 7-0.

II. APPROVAL OF MINUTES

1. November 8, 2017

Mr. Jankowski pointed out a needed correction at the bottom of page 8 under other business. The fifth line down says Dover but it should say Portsmouth.

Ms. Tanner noted that she had forwarded changes that should be incorporated.

Ms. Tanner moved to approve the November 8, 2017 Conservation Commission minutes with the suggested changes, seconded by Ms. McMillan. The motion **passed** by a vote of 5-2-0. Chairman Miller and Ms. Zamarchi recused themselves from the vote because they were not present for the November 8, 2017 minutes.

III. CONDITIONAL USE PERMIT APPLICATIONS

- A. 1850 Woodbury Avenue
Goodman Family Real Estate Trust
Nancy L. Goodman, Trustee
Map 239, Lot 9
(This applicant has asked to postpone to the January 10, 2018 meeting.)
- B. 36 Shaw Road *(Amendment)*
Gregory C. and Sandra M. DeSisto, owners
Assessor Map 223, Lot 22

Sandy DeSisto, owner of the property at 36 Shaw Road, spoke to the application. Ms. DeSisto presented last month to ask for some amendments to the CUP and the Commission requested Ms. DeSisto get the drawings formally updated by the civil engineer to more accurately view the changes. One of the changes was eliminating all the gutters on the house. The foundation was replaced and enough sand was put around walls to account for drainage. Another change was to eliminate a manhole, which is on sheet C3. There was a manhole or a catch basin near the patio area. It was in a landscaped area that has all crushed stone underneath, which acts as a dry well. It was eliminated on the drawing, but it is not indicated where it was removed. Chairman Miller questioned where did that manhole outlet? Ms. DeSisto responded that it tied into the manhole 2. Ms. Zamarchi pointed out the path to Chairman Miller on the plans. Ms. DeSisto commented that another request was to re-locate manhole 1. The original location was right in the middle of some spruce trees, which would have been devastating to the root systems. The pervious paver parking area shown on sheet 2 was eliminated. Their intent was to incorporate a small turn around area, so the asphalt was adjusted to have a turn around. This re-figuring reduced the paving by 30 something percent. The turnaround and driveway is now further away from the creek. Chairman Miller clarified that the numbers on the bottom of sheet 2 are the updated

numbers. Ms. DeSisto confirmed that was correct. Ms. Zamarchi pointed out there were inconsistent numbers in the plans. One says there is a reduction and the other says there is an increase. Ms. DeSisto responded that it's a decrease of 30 something square feet out of the 100-foot buffer. That area moved over into the 250-foot buffer, so it increased there. Ms. Zamarchi responded that made sense.

Chairman Miller noted that he thought he understood the drainage change with the gutters, but the gutters were important to make sure there is no erosion on the site. So the change to the foundation will take care of that? Ms. DeSisto responded yes. Originally it was all clay, but when the foundation was replaced, 4-foot deep sand and foundation stone was put all the way around. There are also areas that have been contoured so runoff goes into rain gardens. Chairman Miller clarified that the foundation runoff flows into rain gardens. Ms. DeSisto confirmed that was correct. Ms. DeSisto added that a gutter is there, but the intent is for it to not be a requirement because it is unclear about how the icing and damming will be.

Ms. McMillan noted that there is not a cross section of what that looks like around the perimeter of the foundation. Ms. DeSisto responded that there is not because it was on the construction plan not the landscaping plan. Ms. McMillan questioned if it was just stone or pipe too? Ms. DeSisto responded that there is a perimeter pipe. Ms. McMillan questioned if it is perforated? Ms. DeSisto responded that it is, and it drains into a sump pump well that will pick it up. It hasn't needed to drain there yet. Ms. McMillan questioned if the basement is dry? Ms. DeSisto confirmed that it is. Ms. McMillan responded that is good to know. Chairman Miller noted that a sump pump might still kick in, but for now it seems like the soil is taking it and filtering it.

Chairman Miller appreciated the elimination of the pervious parking area and the bump out to make more lawn. The plans mentioned that it would be used for plantings in the future. There is not a need to see landscaping plans for that, but Chairman Miller encouraged that area should be filled with shrubberies etc. Anything to add to the buffer would be great. Ms. DeSisto confirmed that the intent is to add native plantings.

Ms. McMillan moved to approve the Conditional Use Permit, seconded by Ms. Harrison.

Chairman Miller noted that this seemed like good improvements and a decrease to the impervious areas.

The motion **passed** by a vote of 7-0.

- C. Martine Cottage Road
Carolyn McCombe Revocable Trust of 1998, Elizabeth Barker Berdge Revocable Trust of 1993, and Tim Barker, owners
Assessor Map 202, Lot 14
(This applicant has asked to postpone to the January 10, 2018 meeting.)

This item will be on the January 10, 2018 meeting agenda.

- D. 3 Curriers Cove
Chase and Kit Soave Bailey, owners
Assessor Map 204, Lot 12

Kevin Roy spoke on behalf of the owners as their general contractor. This particular item is a generator and propane trench that was installed. The electrician and propane got permitting, so they thought they were all set, but apparently not. Chairman Miller clarified that this is for the trench and the generator. Mr. Roy confirmed that was correct. Chairman Miller requested Mr. Roy point out where they are. Mr. Roy pointed out the 2 by 4 generator on the plan. The line goes from the house straight out to it. Chairman Miller questioned if the generator was on a pad? Mr. Roy responded 10 inches of crushed stone was used. Chairman Miller questioned if the line is buried and will the area be re-seeded. Mr. Roy confirmed that it was all landscaped and it will be re-done.

Vice Chairman Blanchard clarified the timeframe. The permits have been issued but construction hasn't been started? Mr. Roy responded that construction has been going on for a while. Mr. Britz added that this project has been through the Commission before and received a CUP for the pool and other things. This was an oversight.

Ms. Zamarchi further clarified that this is an after the fact request because they are already installed. Mr. Roy confirmed that was correct.

Mr. Britz suggested that it would be more likely approved if they did a silt sock. Mr. Roy commented that was installed and approved. The generator is 2 feet by 4 feet.

Chairman Miller questioned if the generator was on the plan before? Mr. Britz responded that it was not on the original plan that was approved.

Mr. Britz noted that it is debatable if it falls in exemption. The big thing was the trench.

Ms. Zamarchi moved to approve the changes to include the proposed generator and trench, seconded by Ms. Tanner. The motion **passed** by a vote of 6-1, with Chairman Miller voting in opposition.

- E. 1166 Greenland Road
National Propane LP, owner
Unitil Corporation, applicant
Assessor Map 221 & 280, Lot 45 & 02

Rob McSorley, Site Civil Engineer, and Bob Schumer from Unitil were there to speak to the application. The project is for an LNR facility. Launch and retrieval is part of owning a gas facility to maintain the lines. In the olden days the lines would have to have been dug up here there and everywhere. Now with technology, companies are able to send a bullet through the line that cleans the line and inspects it more completely. Unitil is looking to put in a facility here to be able to launch and retrieve this device. This location is important because the main

changes pipe sizes here. An 8-inch line and a 10-inch line meet at this site. This is the logical place to put the facility. Mr. McSorley showed the Commission an overall property map. There is a knoll in one spot that could have been a good location. However, further research on that showed a septic already there for an abutting property. The piping has to come down at a 45 degree angle to the facility it can't be a rough 90 degrees. There needs to be a gradual angle. The intent is to try not to be right next to the right of way line. They will need to be able to get property to do this. National LP is there and has a similar pipe business. They are amicable to the plan. There was not a lot to choose from location wise. That put this location right into the wetland. The proposal is to put the facility on the smaller isolated wetland that is close to the right of way. It's totally full of invasive species today. The goal is to impact the least amount possible. The facility will be off the right of way and there will be above ground piping. That is where the valves would be shut down and the device will be sent through. There would be 1830 square feet of impacted wetland. 600 square feet of it will be temporary impact that will be re-graded and planted with native species. The buffer area would be 1500 square feet of impact 900 of which would be temporary. The gravel area would be 750 square feet of pervious area. The project will use a coarse crushed stone on all of it for the water to filter through. The possibility of doing swale on one side was looked at, but it would impact more wetland. There is a high point on one side and maintained connection by adding a drainage pipe to collect runoff from the roadway. Typically Unitil would like to have space to park two vehicles side by side. This has been reduced to a single lane, so the vehicles would be stacked instead of side by side.

Ms. Tanner noted that on the plan it says 5310 square feet of impervious surface is being added. Mr. McSorley responded that is a breakdown of a couple different areas. The gravel would be driven over and packed down. One side won't be driven on so it would actually not be impacted. It shows impact to Portsmouth and Greenland. Ms. Tanner requested Mr. McSorley repeat the drainage pipe explanation. Mr. McSorley responded that runoff currently flows one way. There is a need to raise the elevation slightly. The intent was to maintain the flow as it is today. Ms. Tanner commented that runoff should not just dump into the wetland. There should be more mitigation to stop the sheet flow or treat what is coming off Route 33. Mr. McSorley responded that would be basically in the DOT right of way. Ms. Tanner noted that there is an existing condition and the proposal is to just redirect the drainage. However, this presents the opportunity to help treat the runoff before getting into the wetland. Mr. McSorley responded that there is not a lot that can be done there. Chairman Miller requested Mr. McSorley do a quick review. Mr. McSorley responded that water flows into a swale then gets into a wetland. Water has to go one side of the knoll or the other side. Some water goes down one side of the knoll then the rest sheet flows into the wetland and meanders through the property. This is only for one section of roadway. It comes off the road and goes through the wetland then on either side of the knoll and into the larger wetland. There is wetland on both sides and then a parking area for an existing office complex. Chairman Miller questioned how close the railroad was to that property line? Mr. McSorley responded that the property abuts the railroad track.

Chairman Miller questioned where all that water from the major wetland ultimately drained? Mr. McSorley responded that it connects under the railroad then connects to more wetlands and empties into Pickering Brook. Chairman Miller wanted to understand the flow. It does do a pretty good job filtering.

Ms. Tanner was concerned that there was no storm water treatment. It is sheet flowing today and it will be increasing with adding impervious surface. There should be some sort of treatment put in.

Ms. McMillan questioned if across the street was sewer or septic. Mr. McSorley responded that they have a private forced main and the one in front of them has a high-pressured main. To go into that would be a 40,000-dollar ticket and it would need a new pump system.

Ms. Zamarchi noted that the single roadway will be compacted. How often will a vehicle be there and for how long? Mr. Schumer responded that they are required to inspect the pipeline every seven years. No other maintenance would be required there. As a company Unutil tends to go to the facilities once a week to inspect them to make sure there is no issue. Ms. Zamarchi questioned what the process was to put in the pipes. Are there fluids or other contaminants? Mr. Schumer responded no, it's a dry line. No fluids would be used. Ms. Zamarchi questioned what kind of contaminants would be in the area? Mr. Schumer responded that the 10-inch side extends to Haverhill and the 8-inch extends to Pease. The only thing that may happen would be very little iron oxide or rust. Mr. McSorley questioned what the outside pipe would be coated with. Mr. Schumer responded a two-coat epoxy paint and was not sure what the maintenance schedule for that would be.

Ms. Zamarchi questioned if it was considered moving where the change in the pipe is? This proposal seems like a big impact for the wetland. Mr. McSorley responded that not everyone likes to have a facility like this in his or her front yard. They could approach a privately owned area but it probably won't be well received. National LP has a like business. Moving the intersection of pipes would be quite a process. The septic cannot be relocated. The ideal would be to be on that knoll but it's not possible.

Chairman Miller noted a concern about the site itself. If god forbid there was ever a fire in the phragmites what would happen with this site? It would be good to keep the phragmites from spreading right up to the pipeline. There should be something that could be done to ensure the phragmites doesn't come right up. Mr. McSorley noted that they would need to get a DOT permit for access to the driveway. One of the requirements for the project would be the removal of invasive species. It is unclear how to prevent them from coming back to the fence line. Chairman Miller commented that the tough part is that it's everywhere around it. A long-term plan needs to be made to keep the phragmites back from the facility. The ideal would be to plant something else to exclude it but not sure if there is something like that exists. It may just need to be manual mowing to keep it away. Chairman Miller was sensitive to Ms. Tanner's concerns about the treatment of storm water. Mr. McSorley commented that they could clean out more of the phragmites from the area. Elevation would be needed to have a flow. There is no elevation there, but plantings could be added. Chairman Miller responded that in reality the phragmites is doing the treatment today. It would be ideal if it were something other than phragmites. Mr. McSorley added that this is not in Portsmouth, but plantings can be added. They can have the wetlands specialist look at that. It could be a 30-foot radius around the pipe to remove phragmites and put something hearty in there. Chairman Miller responded that made sense. Ms. Tanner questioned what would be heartier than phragmites? Mr. Britz commented that one strategy could be adding trees to shade it out. However, trees may not be able to go in there.

Mr. McSorley noted something could be done in the depressed area. Chairman Miller added that he has a rain garden at work that has some sort of willow in it. It is now 25 feet tall and has shaded over and killed everything under it. Mr. McSorley commented that there is an underground utility line that runs through there, so a tree may not work in that area. They can have their wetland specialist look at the 30-foot radius around the outfall and put in something to treat runoff.

Vice Chairman Blanchard questioned how high the proposed section would be built up. Mr. McSorley responded about 3 feet. Vice Chairman Blanchard noted that it would be high. Mr. McSorley confirmed it would because it can't be sitting in water. Vice Chairman Blanchard questioned if some sort of controlled drainage that can be mitigated could be added on the Portsmouth side. Mr. McSorley noted adding a swale was looked at, but it pushed the impact further into the wetland. Vice Chairman Blanchard clarified that she meant above that along Route 33. Mr. McSorley responded that is the DOT right of way. They won't want them to put any storm water system in their right of way.

Ms. Harrison requested clarification on whether or not there will be trees cut with this project. Mr. McSorley responded that there will be slight impact to the trees, and then a native seed mix will be put down. It's a temporary impact. Ms. Harrison clarified that the trees that would be cut down would be replaced with seed mix. Mr. McSorley confirmed that was correct. Chairman Miller questioned what type of trees they were. Mr. McSorley responded that they are alders.

Ms. Tanner noted that if alders are growing on that side, then they could grow on the other side. Then they could shade out the phragmites. Mr. McSorley responded that they would have to be careful what alder it is but it could be considered.

Chairman Miller reminded the Commission that this application is for both a CUP and a wetland permit. The voting will happen separately.

Vice Chairman Blanchard noted concern about the applicant's proposal to work on the corner, but that's in Greenland. Vice Chairman Blanchard questioned how the motion should be phrased that gives the right direction because this Commission doesn't have full jurisdiction. Specifically, how should it be phrased to ensure aggressive natural plantings should be planted at the Portsmouth corner? Ms. Tanner clarified that it should not be a seed mix. Vice Chairman Blanchard agreed that the intent would be to shade out the invasive plants.

Mr. McSorley proposed that the applicant should do appropriate mitigation to the storm water going through the wetland. Mr. Sorely questioned where the planting on the wetlands should be located. Vice Chairman Blanchard clarified that the plantings should be on the Portsmouth side with the tree line. Chairman Miller noted that they also have ideas about how Greenland should ask the applicants to do things. Mr. McSorley suggested that they plant woody vegetation to replicate or replace the tree line where it can be. Chairman Miller noted that the underline is that the water eventually crosses into Portsmouth so that's the idea behind the suggestion. Vice Chairman Blanchard questioned if there should be a monitoring in place to ensure the repopulation of woody vegetation takes hold and is sustained. Will this project be done in 2018? Mr. Schumer confirmed it would be. Mr. Britz suggested the monitoring should be for 18

months from the completion of the project. Vice Chairman Blanchard questioned if it should be specified who gets that. Mr. Britz responded that the report could be sent to him. It is always helpful to have a percentage threshold of what needs to be replaced.

Vice Chairman Blanchard moved to approve the Conditional Use Permit, seconded by Mr. Jankowski with the following stipulations:

- 1) That the tree line area shown on the plan be replanted with woody vegetation and that a monitoring report is submitted to the City of Portsmouth 18 months after planting. If the planting success is below 80%, the applicant shall replant and report again in one year with the same reporting requirement.
- 2) That the applicant shall design and install a storm water treatment area at the outlet of the drainage pipe shown on the plan to reduce impacts from the loss of wetland area.

Ms. Zamarchi noted that she couldn't support this application. Ms. Zamarchi strongly felt this activity shouldn't be happening in the wetland. The Commission's job is to protect the wetland and this so close to the prime wetland.

Ms. McMillan was on the same page as Ms. Zamarchi and would not be able to approve this for the same reasons. Some things were discussed and kind of dismissed like the septic and across the street. This location should have more discussion.

Ms. Harrison could not support this because another site wasn't fully explored. The applicants need to exhaust all other options before impacting prime wetland.

Chairman Miller noted that the applicant's arguments made sense as far as putting it in the proposed location. It made sense from a mechanical standpoint, so Chairman Miller said he would support this application with the stipulations to mitigate the water quality issues. What was being asked seemed reasonable.

Ms. Zamarchi noted that from a mechanical perspective it made sense to her as well. However, from a water quality and long-term maintenance perspective it doesn't.

Chairman Miller noted that's part of the battle. How much mitigation is enough?

Ms. Harrison questioned if Chairman Miller felt that there was enough mitigation on this project.

Chairman Miller responded that this seemed like a minimal impact and he felt like there was enough mitigation.

Vice Chairman Blanchard spoke to the motion. Vice Chairman Blanchard shared concerns about the wetland impacts. However, this is not a commercial project that includes high transport, parking and a lot of other things that would affect the drainage coming off Route 33. Vice Chairman Blanchard supported the motion on the merit of what the applicants managed to put together.

Chairman Miller added because of the complexity of the 8-inch and 10-inch pipes moving the location would have a bigger impact because the pipes would have to be dug up and replaced. That would be asking for more disruption to the environment.

Ms. Zamarchi pointed out that it's the persistent maintenance that will cause more chance for accidents.

Ms. Tanner commented that it is interesting that before the pipeline went in there was no phragmites. Chairman Miller agreed.

The motion **passed** in a 4-3 vote with Ms. McMillan, Ms. Tanner and Ms. Zamarchi voting in opposition.

Mr. McSorley noted that they would work with Mr. Britz to coordinate on the stipulations. Mr. Britz noted that this would need to go through the Planning Board too. Chairman Miller offered that if the Greenland Conservation Commission wanted to chat through their thought process then he would be happy to talk to them.

IV. STATE WETLANDS PERMIT APPLICATIONS

1. Standard Dredge and Fill Application
1166 Greenland Road
National Propane LP, owner
Unitil Corporation, applicant
Assessor Map 221 & 280, Lot 45 & 02

Chairman Miller assumed that there was no new information to present for the wetland permit. Mr. Sorely confirmed that was correct. There wasn't any new information.

Vice Chairman Blanchard commented that this motion should mirror the motion made for the CUP as far as stipulations went. Chairman Miller agreed.

Ms. McMillan requested the applicants talk a little about the impacts as far as the percentages went. Mr. McSorley responded that the state application required them to look at the total continuous wetland both for the site and the continuous wetland. The percentages are relatively small. Ms. McMillan noted that it was a little confusing. Chairman Miller clarified that 0.85% of the total wetland would be impacted. Mr. McSorley responded that the 7% number is the total of the impacted wetland on the property. The fractional percentage is the overall total wetland complex that it's connected to.

Vice Chairman Blanchard moved to approve the wetland permit, seconded by Ms. Harrison with the same stipulations as the CUP:

- 1) That the tree line area shown on the plan be replanted with woody vegetation and that a monitoring report is submitted to the City of Portsmouth 18 months after planting.
If the planting success is below 80%, the applicant shall replant and report again in one year with

the same reporting requirement.

2) That the applicant shall design and install a storm water treatment area at the outlet of the drainage pipe shown on the plan to reduce impacts from the loss of wetland area.

Ms. Zamarchi commented that she would not support this for same reasons as the CUP. Ms. McMillan agreed.

The motion **passed** in a 4-3 vote with Ms. McMillan, Ms. Tanner and Ms. Zamarchi voting in opposition.

V. OTHER BUSINESS

A. Outreach and Education Pesticides

Chairman Miller noted that Mr. Jankowski has been working on this. The intent is to have a little discussion here to ask Mr. Jankowski about the efforts going on with others and talk about the City Council motion, which included the outreach and education on pesticides. Chairman Miller is interested in participating in that and developing the outreach and education program. The goal is to talk through the best approach.

Mr. Jankowski commented that the non-profit Non-Toxic in Portsmouth has a good board with sharp people. The goal is to get the City to stop using pesticides on their properties, and then educate the rest of the public. In October they hosted an education program with a non-profit in Dover called Non-Toxic Dover. It was a well-attended program. Eldredge Lumber in York, ME has taken the step to eliminate the use of pesticides on all of their products. The idea was to do something quickly in the fall once this was passed. They are planning to do something after the first of the year as well. Four groups have been meeting to help plan that. The program in January will bring in Chip Osborne. The main talking point will be about the maintenance of athletic fields. They may bring in someone from Springfield, which is all organic, to talk about the dangers of crumb rubber. The program will try to educate both on organic athletic fields and dangers of crumb rubber.

Chairman Miller wanted to focus on the proclamation. It talks about working with the Conservation Commission. It is great that the groups have started, but the Chairman was interested in the Conservation Commission's role in developing a program through the City. This will require a little bit of a strategy.

Mr. Jankowski noted that Conservation Commissions have taken the lead role in other areas like Maine and Massachusetts. They have organic yard signs to advertise who has an organic lawn. South Berwick, ME and Dover, NH currently do this.

Chairman Miller commented that the focus of this discussion should be what this Conservation Commission is going to do as far as outreach goes.

Ms. Tanner commented that they should run a program for people doing the maintenance of athletic fields. Also, instead of lawn signs the Commission should encourage people to not have lawns. They are dead zones for animals. There have been good pamphlets on wetlands in the past, so doing a similar pamphlet on pesticides and organic alternatives for outside and inside would be good.

Chairman Miller responded that those are great specific parts of an overall plan. We should look at the big picture strategy.

Ms. Harrison commented that it was great the Commission was called out in the proclamation, but does this limit who we can talk to and what we deal with or are we representing the City?

Chairman Miller responded they have written letters of support to the City for looking at pesticides alternatives, but they should include an education plan. Ms. Harrison clarified that it's bigger than the buffer area. Chairman Miller confirmed that was correct. It is to help educate the citizens on what they can use on their lawns. Ms. Harrison noted that would mean the pamphlet would be for the whole city. Chairman Miller confirmed that was correct and they should be planning a bigger broader campaign that should be well thought out and making use of the city resources.

Ms. Tanner noted that doesn't have to be confined to the Portsmouth borders but this is a start. Today there are garden tours downtown and kitchen tours. The Commission could have an organic lawn tour.

Chairman Miller commented that a plan should be made to be efficient. What is the best thing to do to affect change? Who are other partners that can be worked with?

Mr. Jankowski commented that the groups he has met with feel urgency especially on the foam rubber piece. Chairman Miller responded that he is not looking to get involved in the foam rubber with this board. The focus for the Commission should be on the proclamation.

Ms. McMillan commented that the alternatives are the tough part. What is the goal of the outreach program? Everyone else is waiting to see what Portsmouth is going to do. There should be some benchmark data to show progress.

Mr. Jankowski noted that after this passed in September his group sat down with Nancy Colbert-Puff and Peter Rice. Experts were brought in to talk through how to get the City to an organic plan. Mr. Rice pledged to share the draft of the RFP. The intent was to bring the experts to the table to assist with this transition. Originally they had a resolution that was very specific and defined but this is ultimately what it got boiled down to that was acceptable to all sides.

Ms. Tanner agreed with Ms. McMillan that a measure should be made. A baseline survey should go out to get started.

Chairman Miller noted that the Conservation Commission should work on an outreach program. Chairman Miller asked if anyone is interested in joining a sub-committee to start talking about

this and developing an outreach program. It should be an outreach program directed at the citizens of the city. The citizens are using a lot more than the City is and that's the gap that should be filled and Ms. Harrison responded that she had ideas and would like to participate. Ms. McMillan also committed to the subcommittee.

Mr. Britz asked if a meeting should be scheduled. Chairman Miller responded that a meeting should be arranged.

Ms. Zamarchi added that she would help design the pamphlets and diagrams.

Mr. Jankowski commented that he would join the subcommittee as well.

Vice Chairman Blanchard noted that the Commission has issues with after the fact permits. It's been a busy month but hopefully Mr. Britz could reach out to Mr. Bob Sullivan to develop some initiatives to help reduce this. Mr. Britz agreed.

Chairman Miller noted the Commission should keep moving forward on an ordinance.

Ms. Tanner commented that the Commission has talked a lot about identifying properties that should be protected, but they haven't done much on this yet.

Vice Chairman Blanchard noted that they have so much work on the plate as stewardship moves forward and properties are acquired like Banfield Road.

Mr. Britz commented that the Historic District Commission has a meeting on January 17, 2018 to look at a study that has been done by a local advisory committee to look at the reliance of historic environmental impacts in historic district. Time and location are to be determined.

Ms. Zamarchi noted that they are at the point in the stewardship program to start working on educational programs. Those interested could reconvene on this later.

Mr. Jankowski added that he has been on other land use boards and that issue is consistent. It would be interesting to see how other land use boards handle this.

Mr. Britz responded that he is unsure if there are any penalties now but will confirm.

Ms. Zamarchi asked if a presentation should be prepared to the group on the stewardship program. It could take half an hour or hour so. It may or may not make sense to put it on the end of this meeting. Vice Chairman Blanchard noted that the January meeting is full. Ms. Zamarchi responded that it should be a separate working session in January then.

VI. ADJOURNMENT

Vice Chairman Blanchard moved to adjourn the meeting at 5:48 pm, seconded by Ms. McMillan. The motion passed in a 7-0 vote.

Respectfully submitted,

Rebecca Frey
Conservation Commission Recording Secretary

These minutes were approved at the Conservation Commission meeting on January 10, 2018.