

**MINUTES
REGULAR MEETING
CONSERVATION COMMISSION**

**1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE
CONFERENCE ROOM "A"**

3:30 P.M.

April 8, 2009

MEMBERS PRESENT: Chairman Steve Miller; Vice Chairman James Horrigan; Members, Allison Tanner, Skye Maher, Barbara McMillan, Eva Powers;

MEMBERS ABSENT: Brian Wazlaw, Mary Ann Blanchard, alternate

ALSO PRESENT: Peter Britz, Environmental Planner

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I. OLD BUSINESS

1. Approval of minutes – March 11, 2009

It was moved, seconded, and passed unanimously (6-0) to approve the minutes as presented.

II. NEW BUSINESS

- A. State Street utility and roadway reconstruction – Peter Rice

Mr. Peter Rice, city engineer, water and sewer division, and Mr. Joe Ducharme of CMA Engineers were present to update the commission on the upcoming street improvements on State Street.

Mr. Rice explained that the project would be funded by stimulus money so the process was being expedited to move forward. He pointed out that there was already an existing wetland permit to do work at the end of the street.

He continued to say that this project was part of an ongoing sewer separation program. It was part of an Environmental Protection Agency administrative order. He said that the City received 2.2 million dollars of stimulus money for the sewer and storm water portions of the work. Mr. Rice also said that they would be able to do some above ground improvements with the money as well.

Mr. Rice pointed out that this would be the first project that he knew of that the City would be installing biofilters for storm water. He said they would be using a product called Filterra. It would need to be modified to fit the needs of the City but they are working with the supplier on

it. There would likely be six to eight catch basins. Chairman Miller asked if it was the equivalent to the tree box filter. Mr. Rice answered that it was very similar.

Mr. Ducharme pointed out on a map the extent of the project. It would begin on Pleasant Street and terminate on Dutton Avenue. He said that this project would be coordinated to match up with the Memorial Bridge project when it moves forward. He also pointed out that the Pier II property has wetland permits to do some work as well in the tidal buffer zone. He said that they have been in contact with Frank Richardson of DES and the property owners to talk about incorporating the City's changes into the Pier II changes.

Ms. Tanner asked where the filtration devices would be located. Mr. Rice said that the final sites had not been selected yet but they would be at the tree wells in the bump out sections. Ms. Tanner pointed out that the trees and shrubs chosen must be cold hardy and salt tolerant.

Vice Chairman Horrigan asked about an outflow pipe that was part of the bridge project. Mr. Rice said that it was not involved with this project, that it was a Department of Transportation project.

Ms. Maher asked how often the beds would need to be changed out. Mr. Rice replied that they need to be cleaned twice a year and that the bedding material would last eight years.

Ms. Maher asked how many bump outs there would be. Mr. Rice said probably twelve. Ms. Maher asked if they would be losing parking. Mr. Rice replied no.

Ms. Powers asked that since this was part of the stimulus package, how many people would be employed by the project. Mr. Rice said that they would find out that number when they got started with the project. Ms. Powers suggested publicizing the figures once they have them.

Mr. Rice informed the commission that the bidding process would begin May 8 with construction to begin after July 6. He added that the underground utilities would be completed by October but the overall project would finish up about this time next year.

III. STATE WETLANDS BUREAU PERMIT APPLICATIONS

1. Standard Dredge and Fill Application
400 Gosling Road, Schiller Dock, Schiller Station
Public Service of New Hampshire, owner
Assessor Map 214, Lot 1

Mr. Duncan Mellor of Waterfront Engineers was present to speak to the application. He explained that the project involved the removal of the bedrock high point within the berth. He explained that the U.S. Coast Guard requires a one foot clearance at all tide levels under the keel of the oil tankers coming into port. He also informed the commission that this application received an emergency approval from DES to allow the work to happen within the winter dredge window of opportunity. This was a follow up application in support of that work.

Mr. Mellor explained that the broken rock was dug out of the berth with an excavator, piled onto the deck of the barge, hauled to the Port Authority where it was loaded into dump trucks, and taken to the PSNH Schiller Station property where it was spread on the upland area. It will then be crushed and turned into stabilizing cover for the upland portion of the site. He noted that 1,300 square feet of the berth at the high points and 400 cubic yards of rock were removed. Mr. Mellor said they were now waiting on the post dredge survey to come back.

Ms. McMillan asked if there was any impact on the plants, fish, or wildlife. Mr. Mellor was not aware of anything and pointed out that there was no light on the bottom to grow anything.

Ms. Tanner stated that she was concerned with the placing of the spoils on the upland area. Ms. Tara Olson of PSNH explained that it was just a piece of vacant property. She added that it was open space.

Chairman Miller asked if there were any more questions for the applicant. Hearing none, he asked for a motion.

Vice Chairman Horrigan made a motion to recommend approval of the application. The motion was seconded by Ms. Maher. Chairman Miller asked for discussion.

Ms. McMillan asked about the disposal of the bedrock. She wondered if they were putting the crushed stone on the property just to have a place to put it. Ms. Olson said you could look at it like that.

Ms. Tanner asked if they were trying to suppress vegetative growth. She said she could not understand why they would spread rock out on a couple of acres. Mr. Mellor said that it has to go somewhere. Ms. Olson added that it was usable product and thought it was a good use of the spoils.

Ms. Maher thought this issue was beyond the commission's jurisdiction. She said they could encourage the applicant to use the product in other ways in the future. Ms. Tanner stated that she was concerned that it was waste spread out fairly indiscriminately across the surface of land which changes the character of it.

Ms. Maher asked if the commission could recommend that this practice no longer be used. Vice Chairman Horrigan added to his motion that the applicants consider alternative methods of disposing of dredge product on future projects.

There was considerable discussion about future uses for the stone product.

Hearing no other discussion, Chairman Miller called for the vote.

The motion to recommend approval of the application and to further recommend that the applicant consider alternative methods of disposing of dredge materials for future projects passed by a unanimous (6-0) vote.

Vice Chairman Horrigan asked Ms. Olson if it would be a problem to go and look at the site in the future. Ms. Olson explained that they could not go on site without an escort but that the commission members should just get in touch with her. She said that the commission would be welcome to visit the site at any time.

V. OTHER BUSINESS

A. Implications of new combined Recreational Parks and Open Space committee

Vice Chairman Horrigan reported that the proposal to form a new combined Recreational Parks and Open Space committee did not move forward at the City Council meeting but instead the chairs of the Recreation Committee, the Cemetery Committee, Dogs Committee, Peirce Island Committee, and Conservation Commission will meet quarterly to discuss issues and/or concerns and report back to the City Council.

In other business, Mr. Britz gave the commission a table explaining the various State wetlands permits. He explained that it was not completed yet but it was a good start and could be added to. He said he would continue to work on it but it was for informational purposes only.

Ms. Tanner reported on a vernal pool workshop that she and Ms. McMillan attended. She also informed the commission that she was going to have a booth at the upcoming sustainability fair to be held on May 9.

Chairman Miller updated the commission on the final interviews that would take place on April 16 concerning the hiring of a consultant to conduct the Public Undeveloped Lands Assessment. He said that they chose four firms to interview.

Ms. McMillan shared with the commission an activity plan put together by the Meredith Conservation Commission. The commission liked the idea of the activity plan and thought it would serve as a great way to track activities and projects of the commission. Ms. McMillan offered to begin the process of putting an activity plan together for the commission.

Discussion was held on various letters from DES regarding prior projects that have come before the commission for review.

V. ADJOURNMENT

At 4:35 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
Conservation Commission Recording Secretary

These minutes were approved at the Conservation Commission meeting on May 13, 2009.