

**MINUTES**

**CONSERVATION COMMISSION**

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

**3:30 p.m.**

**November 12, 2015**

**MEMBERS PRESENT:** Chairman Steve Miller; Vice Chairman MaryAnn Blanchard; Members, Barbara McMillan, Allison Tanner, Kimberly Meuse, Matthew Cardin, Kate Zamarchi, and Alternates Samantha Wright

**MEMBERS ABSENT:** Adrienne Harrison

**ALSO PRESENT:** Peter Britz, Environmental Planner/Sustainability Coordinator

.....  
**I. APPROVAL OF MINUTES**

A. October 14, 2015

It was moved, seconded, and passed unanimously (7-0) to approve the minutes with minor corrections.

**II. STATE WETLANDS BUREAU PERMIT APPLICATION**

1. Standard Dredge and Fill Application  
Lafayette Road  
State of New Hampshire Division of Forests and Lands, owner  
Assessor Map 251, Lot 1

Mr. Ed Minerowicz, Environmental Coordinator with Eversource, was present to speak to the application and stated that it was an after-the-fact application that he submitted to the Department of Environmental Services (DES). He explained that they had needed an emergency authorization from the DES to replace a distribution pole on Route 1 to prevent wires from falling and crossing the road. He noted that Mr. Dave Price of New Hampshire Environmental Services Inc. authorized it. Mr. Minerowicz further explained that the application was a standard dredge and fill permit because it was in a prime wetlands area, and he discussed the method used to remove and replace the pole. He showed photos of the work performed and said that no vegetation was disturbed. He said he consulted with the Concord Historical Society and also noted that the application included information specific to the Army Corps of Engineers.

Ms. Tanner asked Mr. Minerowicz whether there would be follow-up because she was concerned about invasive species. Mr. Cardin said it looked like there was a patch of salt marsh, and he asked Mr. Minerowicz whether the upland approach had to be cleared. Mr. Minerowicz replied that one tree was cut and the rest of the area was matted down, so no root system was disturbed. He also said they threw straw down on it as a precaution. He told Ms. Tanner that the State had not required follow-up but that he would return in the spring to follow it up himself.

Ms. Zamarchi asked Mr. Minerowicz how often the area was inspected, and he replied that it usually wasn't inspected unless there was a catastrophic event that could cause the poles to lean or break. Vice-Chairman Blanchard noted that there was a lot of tidal flooding in the area.

Mr. Minerowicz noted that two vehicles were left in the salt marsh for one night, and that pads were placed underneath the vehicles in case of an oil leak, but there were no leaks. Mr. Minerowicz also noted that someone had asked them if they compressed the soil, but nothing was found. Mr. Cardin asked Mr. Minerowicz what he backfilled the cavity of the leaning pole with and Mr. Minerowicz replied that the soil was pulled out and then replaced.

Mr. Cardin noted that it might be wise to check in a year or so on whether there was any compaction or change in the vegetation where the mats were.

Hearing no other questions, Chairman Miller asked for a motion. Vice-Chairman Blanchard made a motion to recommend approval of the application to the State Wetlands Bureau with the following stipulation:

- 1) That by the end of November 2016, an inspection of the site will be completed to determine if any impact to the elevation of the marsh or introduction of invasive species have occurred since project completion.

The motion was seconded by Ms. Zamarchi. The motion passed by a unanimous (7-0) vote.

### **III. CONDITIONAL USE PERMIT APPLICATIONS**

- A. 71 Cliff Road  
Roger D. Greeley, owner  
Assessor Map 223, Lot 10

The owner Mr. Roger Greeley stated that the addition would go into the 100-ft buffer zone on the other side of Walker Bungalow Road. He showed the map where Cliff Road and the surrounding properties had backyards that were along Walker Bungalow Road and also pointed out the pond directly across his back yard. Mr. Greeley said that he wanted to put the 14'x 20' addition in the back, with an additional 6'x12' piece to the left for porch access to the yard. He said the 14'x20' addition would be in the buffer zone. He said that a mud room would be installed but would not affect the zone. In addition, he added shrubbery in the back yard and also wanted to install a rain garden. He told the Commission that he did not mention in the

application that the original septic system for the house was moved a year before and was now on the left side of the house.

Vice-Chairman Blanchard asked Mr. Greeley how old his house was, and Mr. Greeley said it was built in 1945. Ms. Tanner asked what happened to the runoff from the roof. Mr. Greeley replied that he shows a drip edge on the plan for roof runoff.

Ms. McMillan asked whether there was any flooding in the backyard, and Mr. Greeley said that it occasionally happened. Ms. McMillan asked whether the drainage from the runoff from the driveway flowed into the yard. Mr. Greeley replied that it flowed from the other side of Cliff Road but pointed out that the rain garden would help prevent it from going through. He also noted that he had garden boxes on the left side of the property line. Ms. Zamarchi stated that the University of New Hampshire had a program about the size and type of plants for rain gardens, and Mr. Greeley said he had reached out to them and would consult with them.

Hearing no other questions, Chairman Miller asked for a motion. Ms. Tanner made a motion to recommend approval of the application to the Planning Board as presented. Ms. Zamarchi seconded the motion.

The motion passed by a unanimous (7-0) vote.

#### **IV. OTHER BUSINESS**

##### **1. Discussion: Stewardship**

Mr. Britz told the Commission that he thought it would be a good idea to hire a contractor to look at City properties to create a stewardship plan. He said the Commission would work with the contractor and come up with a plan. He noted that the Commission had previously discussed prioritizing the conservation properties, and he suggested a contractor could make this a part of the study. He also asked whether the Commission wanted to tie the trails into the study.

Ms. Tanner noted that the Blue Ribbon Committee of the Sagamore Lands had questions about other properties that might be useful for different types of recreation, like disk golf. Chairman Miller agreed, saying he thought the studies were valuable and that it was a great idea to get ahead of the curve. Vice-Chairman Blanchard noted that it would put some structure to their stewardship and help them make better decisions going forward. It was further discussed, and Ms. Tanner said the Blue Ribbon Committee had asked whether the Conservation Commission could help fund some of the improvements by removing invasive species and putting signage up to keep people out of the wetlands. Vice-Chairman Blanchard said she felt it should be part of the Park and Recreation Department's responsibility.

Ms. Tanner also noted that there was grant funding available and that the Committee had discussed the rail trail and abutting conservation properties. Mr. Cardin thought the City Council could selectively donate things like bog bridges and signage to the area to keep the passive

recreation intact. Vice-Chairman Blanchard suggested that the Commission include it and then decide who paid for what. It was further discussed, and Chairman Miller said he liked Mr. Britz's plan because it helped the Commission grapple with the issues.

Vice-Chairman Blanchard noted that the property was part of the PULA (Public Undeveloped Lands Assessment) study and that they could work with Mr. Britz to develop it. Mr. Britz said that the City Council and the Conservation Commission worked together in deciding where to spend the money, and that the Commission had to recommend expenditure. He said the next step was to come up with a plan and either have a subcommittee review it or have the Commission review it at the next meeting so that they could get a scope of work and an estimate from the contractors. They further discussed how they could set up some bids and get a detailed scope that the City Council could respond to. Mr. Britz said that he would research examples of stewardship plans for the Committee to review before the next meeting and asked the Commissioners to email him any that they knew of.

The Commission discussed prioritizing the list of wildlife-connectivity areas for the ones they wanted to focus on as well as taking action when and if the properties became available. Chairman Miller suggested getting citizens engaged in available conservation land. Ms. McMillan said that getting word out to landowners would be another benefit. Vice-Chairman Blanchard asked Mr. Britz to bring his suggestions to the December meeting.

Vice-Chairman Blanchard said she had heard that the road between Borthwick Avenue and Islington Street was redesigned and that it didn't have to go to the Commission, and she thought it would be helpful to forward a letter to the Planning Board about the Commission's conclusions about the project. Mr. Britz stated that the plan was to build a bridge over the train tracks behind the Jackson Gray building and that it would not require a CUP. He said that the overall impact with wildlife corridors could be captured in the minutes. Vice-Chairman Blanchard agreed that it needed to be emailed to the Planning Board to refresh their memory.

Chairman Miller said that being able to work on a project with the Parks and Recreation Committee would bring support for what the Commission did. He liked the idea of a study to give the Commission a framework to operate on and to strengthen the relationship. Ms. Tanner noted that the following week's meeting would provide an opportunity for people to give input.

Mr. Britz noted that the Rye Zoning Board was updating their code for a wetland setback, and he suggested that when someone started a project, the City should be made aware of it so that he could look at the project. He asked that it be added into the study. He also noted that Rye had provisions about things in the buffer, noting that if someone got a CUP, they could restore the 25' buffer as part of their project. He suggested adopting that into the Commission's Ordinance and said he would forward a draft to Chairman Miller.

Chairman Miller noted that there was a gap in the no-cut zone. Ms. McMillan said she would look for authority to regulate salt piles. Mr. Cardin asked whether the Commission should

address snow storage as well. Mr. Britz said that Portsmouth consolidated all the snow from the streets on Peirce Island instead of letting it go down the storm drains.

**V. ADJOURNMENT**

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

Respectfully Submitted,

Joann Breault  
Conservation Commission Acting Recording Secretary

These minutes were approved at the Conservation Commission meeting on December 9, 2015.