

**MINUTES  
CONSERVATION COMMISSION**

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

**3:30 p.m.**

**December 9, 2015**

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

**MEMBERS ABSENT:** Kimberly Meuse

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

-----  
Vice Chairman Blanchard arrived later in the meeting.

**I. APPROVAL OF MINUTES**

A. November 12, 2015

It was moved, seconded and passed unanimously (5-0) to approve the minutes as amended.

Chairman Miller stated that Ms. Harrison would be voting in the meeting in place of Ms. Meuse.

**II. WORK SESSION**

A. Minimum Impact Expedited Wetland Permit Application  
517 New Castle Avenue  
David and Caryl A. Harvey, owners  
Assessor Map 205, Lot 5

(A State permit)

Sandy Edgerly of Ambit Engineering spoke to the application and asked the Commission for their comments on these preliminary plans. She distributed a half size sheet that has a few numbers on it, whereas the preliminary version did not have those numbers. She stated that they represent the Harveys who have a Purchase and Sale Agreement on the property, and that the Agreement is contingent upon New Hampshire Department of Environmental Services (DES) approval.

Ms. Edgerly stated that James Verra is doing some topographic work for Ambit, and that will be part of the package for DES. Ms. Edgerly said that there is no wetland impact. She said that the existing structure has a deck and a wrap-around section on the side, and that there are flagstone pavers, which are all in the buffer zone. They are proposing to remove the decks and flagstones and put on a new deck, which is smaller. This new deck will be where the wrap-around section is now. Ms. Edgerly said they would like to put in a pervious paver patio in front and a new walkway, which will also be pervious. Only a small portion of that, 20 sf, will be in the buffer zone. She stated they will pull the garage forward about 6', and 10 sf of that will be in the buffer zone. Associated temporary impacts would be around the areas where they are going to remove the deck. The temporary impact would be 1,187 sf, and the permanent impact for the garage, replacement deck and patio would be 657 sf (10, 402 and 245 sf, respectively).

She stated they will be decreasing the impervious surface areas. A lot line revision plan was done in 2014, and there is a currently a driveway that goes across the middle of the lot. They are intending to put in a new driveway, the asphalt will be removed, and the areas highlighted in green will be regraded, loamed and reseeded. The driveway impact area goes down, so there will be about a 2% decrease in the impervious area.

Ms. Edgerly asked the Commission what their thoughts were on the proposed project.

Ms. Tanner asked if they are enlarging the garage.

Ms. Edgerly answered yes.

Chairman Miller said his initial impression was good, and that he liked the reduction in impervious materials. In looking at the photos, though, it is stark between the house and the wetland, and it looks like the lawn is mowed right down to the high tide line. He asked for clarification on what photo 6 was showing.

Ms. Edgerly answered that area used to be paved with asphalt, and that last year the owners, the Marconis removed the asphalt. The situation had been improved already.

Chairman Miller commented that there is a no-cut zone of 25' and a limited cut zone of 50'. He stated that he hopes to see some buffer work above the high tide line like shrubbery that would enhance the buffer, but they do not have to be tall plantings.

Chairman Miller then asked how the runoff from the roof of the house would be handled.

Ms. Edgerly said there were gutters on the back of the house and they drained through the lawn.

Chairman Miller reiterated that shrubbery would help the drainage since it drains to the wetland. It would improve the infiltration and pollution removal before the water gets to the wetland.

Ms. Tanner commented that if the Harveys do buy this property they have to understand there are limits to allowable fertilization.

Mr. Cardin reiterated the importance of seeing a landscape plan to provide infiltration before runoff enters the water. He underscored the need to take the fertilization limits into account when choosing which plants for the landscape.

Chairman Miller agreed that native plants would be the preferable choice since they would not need a lot of help in the area.

Mr. Britz said it was not in their jurisdiction regarding the fertilizer, and he clarified there would not be a City conditional use permit from them on this; it just requires a State permit.

Ms. Edgerly added that they would be seeking a Shoreland Permit as well.

Ms. McMillan asked about the pervious area and what the understructure materials would be.

Ms. Edgerly did not know at this time.

Ms. McMillan suggested following what the UNH Storm Water Center recommendations are.

Ms. Harrison stated that changing the configuration of the deck presented a good opportunity to locate the downspout to a different area.

Ms. Edgerly said the deck would be removed and with the new deck the downspout could go straight down.

Chairman Miller said it could also be a sand or gravel pit to help with preventing erosion.

Ms. Edgerly referred to the opposite corner, where it does go down into a landscaped area on Photo 4.

Ms. Wright referred to Photo 4 and asked if the concrete area under the proposed deck would be removed.

Ms. Edgerly said she believed so and that she would check on that.

Chairman Miller said it was hard to tell if it was gravel or concrete.

Mr. Britz asked for clarification about whether this would be coming back before the Commission.

Chairman Miller agreed.

Ms. Edgerly summarized that what she heard was that the Conservation Commission would like to see vegetation, a cross section of the pervious pavers, and a clarification of the concrete section.

Chairman Miller added he'd like to see a landscaping plan and suggested they check on the impervious numbers on the area below the wrap-around deck.

Ms. Edgerly said once they get the contouring they will have a complete package.

John Chagnon from Ambit Engineering asked if the Conservation Commission would like a pdf of the entire package.

Chairman Miller said that would be helpful.

### **III. OTHER BUSINESS**

1. New Hampshire Association of Natural Resource Scientists annual dues - \$20.00

Chairman Miller explained that this keeps the Commission on their mailing list and keeps them updated on their workshops.

Mr. Britz added that by being members, the Commission gets a discount on the workshops, and that this is a membership for the entire Commission.

All were in agreement to pay the annual dues of \$20.00.

---

2. Mr. Britz spoke about the next steps on creating a Stewardship Plan. He gave out a draft handout and suggested it be used as a starting point. The plan is to get a consultant to do work for them as listed by the bullet items in the handout. He sent this to Mark West and has not yet gotten feedback. The next step is to develop an RFP. This will need to go before the City Council to get approval to spend the money from the Conservation Fund. He stated that they spent \$27,000 on the Public Undeveloped Land Assessment (PULA) Study.

He continued to say that this would be looking at conservation priorities as more of a standard conservation analysis like the statewide conservation plan. Mr. Britz said he was looking for feedback on each of the bullet items. Referring to the first bullet item Mr. Britz said they would get a list of attributes each PULA property has.

Ms. Tanner noted that some of the properties were in tough shape. She said Mr. West ranked those properties low in the original study, and asked if they would be looked at again.

Mr. Britz said he would like to look at them to help going forward.

Mr. Cardin said there might be some quality about them to be considered.

Ms. Tanner said that stewardship resources are scarce and that it might be better to divert the resources to properties that have high value versus the properties that are heavily degraded.

Mr. Cardin said in terms of the study it would be helpful to apply the low value properties.

Mr. Britz suggested they can use the PULA data sheets and come up with priorities then rank them to get a sense of where the Commission is on that.

Chairman Miller said having it all in there would help with grant proposals.

Mr. Britz said this would give a starting point. He added that once they come up with a set of priorities, they could monitor for that, so if a property has an attribute they can do certain work, but that it would still be important to track properties with a low rating. It would be best to come up with a set of priorities.

Mr. Cardin said he liked that idea and that it would be more dynamic.

Ms. Harrison asked if there were any new properties since 2010.

Mr. Britz answered yes, Sagamore Creek Island and that it could be rolled into the study. He said he would add that as a task.

Mr. Britz said regarding the Christafaro property that the City owns it, the Commission paid \$86 in back taxes out of their budget, and it did not have to go to City Council.

Ms. Tanner said there was a lot of interest from the Blue Ribbon Committee regarding connectedness between open spaces in the City. She would like to get some of the other areas evaluated to become part of the City's network. The more people go to Sagamore Creek it could reach a point where there are too many visitors and it will get degraded, so adding more areas would be nice.

Mr. Britz spoke about trails and said they could be improved. They would work with the contractors on what could be done. At the point of the Sagamore Study, it was brought out that the more that the passive recreation is spread out the less impact there is on any one property. They will want to do some public outreach.

Ms. Zamarchi went to the Sagamore Land off of Jones Avenue and did the trails, and she said they were awesome. She also went on the trails near Seacoast Health (Sagamore Headlands). Other than knowing how to find them from the reports, there is not a way for the public to find them easily.

Mr. Britz was hesitant to post that information right now since the information needs to be looked at closely to ensure where people would be sent to. He mentioned the last bullet on the handout lists a trail map and that it would be a goal to make the trails accessible. It could be on the City website and / or recreational websites. Right now the trails are all pretty small, there is nothing more than a mile and a half.

Chairman Miller said the cross country trails are really nice and are maintained by the Cross Country team and some service groups.

Mr. Britz said when the property he referred to as the Hampton Branch Rail Corridor is purchased by the State, a link could be connected between some properties. The idea would be to look at linkages to develop some long trail routes.

Ms. Tanner said when the road goes in near WBBX, it would be nice to have a trail there with someplace to park. She added that the Commission would like to do things proactively but there is little budget. She had been asked previously if there was some other way to make money for the Conservation Commission, and so she posed that question to the Commission.

Mr. Cardin said there should be a subject property in mind and a fundraiser would be done for a targeted property.

Mr. Britz said towns have put forth bond measures for conservation. He added that they would have to have the money to compete with developers that also want that property.

Ms. Tanner said it would be good for the community to have an open space area. There are very few places in Portsmouth that have open space left. She said there was concern about the site of St. Catherine's church on Woodbury Avenue turning into a developed area. That space would be a perfect park. Space in more residential areas would be used more heavily.

Mr. Britz said one of the goals is to first identify conservation attributes; then identify conservation priorities. So an attribute might be land that is near the developed areas, but the price tag would be huge.

Vice Chairman Blanchard arrived at this point of the meeting.

Vice Chairman Blanchard said in some areas they have adopted strategies regarding properties surrounding parks because they are desirable areas.

Mr. Britz suggested looking at the attributes, then working with the consultant to see the values they come up with. So if they had a chance to buy a property, how would they decide to buy or not buy it? They would be able to point to this study and use that to decide.

Mr. Britz said one approach would be to come up with the concept first and present it to the City Council, knowing this needs to be funded by the Conservation Fund and ask for approval from the Council. The Council could possibly put parameters on it, but he hesitated wanting to put a dollar amount on it at this time.

Chairman Miller asked if Mr. Britz wanted to pull together a subcommittee. Ms. Tanner, Mr. Cardin and Ms. Wright all volunteered to help.

Ms. Harrison mentioned a land trust that did something similar, and that it is a GIS based plan used to determine a way to weight priorities. The attributes are decided, then the community weights them.

Ms. Tanner asked if the Commission uses the New Hampshire Wildlife Action Plan.

Mr. Britz said he'd look at that.

Chairman Miller said the coastal program - coastal viewer is just being loaded up with data sets and mapping capabilities.

Vice Chairman Blanchard said some of the mapping resources would be part of this.

Mr. Britz thanked Ms. Zamarchi for the stewardship plans that she had sent him.

Mr. Britz said storm water treatment might be considered as part of this. He said it would be good to keep this in mind as part of the list of priorities and that they could keep this interactive.

Ms. Zamarchi asked if there would be something that says how they would use the Plan in their process.

Mr. Britz said yes, and the big help is the prioritization of acquisitions and the planning.

Ms. McMillan said this is not taking into account the public process.

Mr. Britz said he'd put that in there.

Vice Chairman Blanchard said the role for the public was further down the process. If they generate public input on a broad concept, they might create more trouble up front. The public wants more specifics.

Ms. Zamarchi asked if there was a connection to the City's Master Plan regarding this.

Mr. Britz said the Master Plan talks about the need for inventorying and determining the need for expanding passive recreation, and he thinks the Master Plan will tie into this.

Ms. Harrison said one of the highest weighted items was maintaining open space.

Chairman Miller said there might be a place for a process to get public input early without going parcel by parcel.

Mr. Britz said the Conservation Commission will have two opportunities to work with the contractor, and that maybe after the second phase would be a good time.

Chairman Miller said this could help build support for later on.

Ms. Tanner said when talking about putting in a park, some people are for it and some are against it.

Mr. Britz said this is a common reaction.

Vice Chairman Blanchard said the dog park has changed the activity scene.

Mr. Britz asked when the subcommittee would like to meet. He suggested Wednesdays at 3:30.

Chairman Miller asked what the timetable would be to go before City Council.

Mr. Britz said that could be open.

Mr. Cardin suggested partnering with a land trust that has done this before. It would be nice to have someone to partner with.

Mr. Britz said the Forest Society would be a good one.

Mr. Cardin suggested SE Land Trust because they are local.

Mr. Britz said he could write the RFP that way to specify what they are looking for.

Ms. Harrison asked if there was another way to do this other than an RFP.

Mr. Britz said grant funds have gotten more scarce, but they can look into that. He said they could do an RFQ but not a closed bid. It depends on what the Commission is looking for. Stewardship planning would be a part of this. An RFP could suggest a team is formed.

Mr. Britz said if the cost is below a certain threshold, they could categorize it as professional services and get quotes, which would work if they separated the tasks into smaller tasks.

Chairman Miller commented that if you do that, to be specific on timeline.



Mr. Cardin said UNH has a course on land conservation, but this scope might be beyond that.

Mr. Britz said right now they are in the draft mode, but at the very least to recognize that stewardship is important to continue for the future.

Chairman Miller said it would be valuable for the City and that PULA was important for the Blue Ribbon Committee.

Ms. Tanner said it raised the profile of the Conservation Commission.

Vice Chairman Blanchard said she likes to know that parts of government are integrated and focused.

Mr. Britz mentioned that someone from another meeting said “don’t let the letter of the law scare you off,” so maybe there are ways to be more flexible.

Chairman Miller mentioned a study that Exeter, Newfields and Stratham did together with the EPA present to look for new ways to meet water quality standards. There are a lot of ways to meet requirements, and that every town is different.

Mr. Britz stated he would work on scheduling.

In other business, Ms. McMillan said she has enabling legislation they could use for requiring property owners to cover their salt piles. She asked Mr. Britz to run it by the Legal and Planning Departments.

Mr. Cardin attended a meeting where there was a good discussion regarding wetland buffers. There was a justification study on wetland buffers that might supersede local buffer ordinances.

Chairman Miller commented that this could be worrisome for cities like Portsmouth if it superseded what the City already does.

Mr. Britz asked what the justification for this would be.

Vice Chairman Blanchard stated that she has seen a lot of resistance in the legislature, and that any land use issue is tough in this state when you rely on property tax.

Chairman Miller commented that there was a prior commission that did the same thing and that it was that kind of state level battle that no one knew how to handle.

#### **IV. ADJOURNMENT**

At 4:55 it was moved, seconded and passed unanimously (7-0) to adjourn the meeting.

Respectfully submitted,

Marian Steinke  
Conservation Commission Recording Secretary

These minutes were approved at the Conservation Commission meeting on January 13, 2016.