

**SOMERSWORTH CONSERVATION COMMISSION
MINUTES OF REGULAR MEETING
November 13, 2019**

MEMBERS PRESENT: Angela Ficco
Larry Hamilton
Sarah McGraw
Mercedes O'Donohue
Scott Orzechowski
Jeremy Rhodes
Dale Smith-Kenyon

MEMBERS ABSENT: None

STAFF PRESENT: Shanna B. Saunders, Director of Planning and Community Development.

The meeting was called to order by S Orzechowski at 6:01 pm.

1) **Approval of meeting minutes**

Conservation Meeting minutes October 9 2019 (Regular)

D. Smith-Kenyon noted one correction – Section 4B should read 53 Coles Pond Road, rather than 63. A. Ficco moved that we accept the minutes as amended, D. Smith-Kenyon seconded. Passed unanimously

Conservation Workshop minutes November 9 2019 (Site Walk)

Two typos noted – paragraph 1 (NHDES has, not as) and bullet 5 (to rather than tro). A. Ficco moves to accept as amended, L. Hamilton seconds. Passed Unanimously.

2) **Public Comment**

Kim Whitesell (3 Lakeview Drive, Dover) spoke regarding the impacts to Willand Pond. Flooding started at the site not long after Home Depot was built, and continued floods and cyanobacterial blooms occurred over the years since until Dover began pumping out; there seems to be a linkage to terrain alteration that occurred at the time of this build, effectively partially damming Peters' Brook.

Since that point, flooding has been frequent, including basement flooding of nearby residents. There has also been filling of flood plains and disruption of wildlife corridors in the area associated with this fill work. The speaker has noted several endangered or threatened species in and around the pond, which are impacted as well; the applicant also provided recording of an American Eel observed in the pond (<https://youtu.be/q5i6Mk5X150>)

The speaker notes that one of our scheduled applicants this evening is in possession of sites that are linked to this fill and damming work.

NHDES has been informed, and is now examining the current violation.

The Commission will meet at 10 AM, November 23rd, at the corner of Commercial and Willand, with the speaker, to discuss some of the sites she has noted around the pond and impacting the outflow of Peters' Brook.

Martha White, also of Dover, spoke to note that there has been substantial improvement in the area around the pond in the past 10 years, and that she would support action for further improvement.

3) **Continued Applications**

A) Steven E. Brown is seeking an After the Fact Conditional Use Permit to allow earthwork activities within the 100' wetland buffer on properties located at Commercial and Willand Drive, in the Commercial Industrial (C/I) district, Assessor's Map 43, Lots 1-G, 1-I, & 1-K, CUP#05-2019

of Mr. Brown and his representatives have requested a continuance of 60-90 days, as they are not ready to present their remediation plan. The Commission discussed the length time that the applicant has been involved with this body (greater than 6 months) and the degree of violation at these sites.

J. Rhodes moved that we grant the applicant a continuance to the next (December 2019) meeting of the Conservation Commission, and requests that city staff communicate to the applicant that no further continuances or extensions will be granted, and that we will recommend denial to the Planning Board if a comprehensive restoration plan is not presented at this time.

B) Wentworth-Douglass Hospital is seeking a conditional use permit for a 1 mile long nature trail in the wetland buffer on a property located at 23 Works Way, in the Commercial Industrial (C/I) District, Assessor's Map 61 Lot 14B, CUP#08-2019

The Commission completed a site walk at this project on November 9 2019; at this meeting, the Commission noted that no further action could be taken on this request until reports from NHDES and VHB (engineering firm) have delivered their findings. As a result, a vote was taken to continue this request until these reports are received. See the minutes of this site walk for further details.

4) **New Business**

A) Report from the Mayor's Commission on Preserve Wordsworth

The committee has not met since the prior session; the next meeting is scheduled for 11/21/19

B) Any new business that may come before the commission

No new business at this time.

5) **Old Business**

A) Member items, sub-committee items, and reports

A. Ficco noted a visit to the Idlehurst woods; we've had an offer to assist with cleanup of the site, allowing improved use for the school. There is also a detention pond at the site that may need attention.

We've noted a use for blaze orange hats or vests indicating our affiliation; M. O'Donohue will investigate pricing.

B) Update regarding the property at 53 Coles Pond Road

NHDES has visited the site, and has remarked positively on the both the site and the level of involvement of city staff and the Commission. We should expect to hear on the outcome of the grant by the end of the year. The appraisal will happen on 11/15/19, with the outcome expected before the December meeting of the Commission.

C) Signage for Frank Richardson Trail

Signs are in, and the Commission approved their placement on the site. S. Saunders will work with DPW to have the signs placed.

D) Malley Farm Cottontail Habitat

Currently with NH F&G; city staff will follow up.

E) Japanese Knotweed Control

Goats have completed their work, and will likely be back in the spring. Control of knotweed is essentially a battle of attrition.

F) Any Other Member/Sub-Committee Reports

NHACC guide has been purchased and will be distributed for Commission's use.

Significant legislative action ongoing; wetland buffer rules have been updated, new notification rules for minor modification review have been enacted, and a Commission is in place in the senate (Senate Bill 43) to look at current use status.

G) Any Other Old Business That May Come Before the Commission

None

6) Treasurer's Report

Current Balance is \$146,800.33

A Ficco moved to adjourn; D. Smith-Kenyon seconded. Approved unanimously.

Meeting adjourned at 7:58 pm.

Respectfully submitted:

Jeremy Rhodes
Conservation Commission Secretary