

**MINUTES OF REGULAR MEETING**  
**January 11, 2023**

**MEMBERS PRESENT:** Doug Bryar  
Sarah Childs  
Jeremy Degler  
Kevin Dodds  
Angela Ficco  
Scott Orzechowski  
Jeremy Rhodes  
Dale Smith-Kenyon

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Michelle Mears

The meeting was called to order by S. Orzechowski at 6:04 pm.

**1) APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Corrections:

- B-1, Sentence 3: Date confirmed to be immediately after previous meeting (Nov 11 2022)
- B-1, motion: Motion is to deny
- 4-A: Correct name is Royal Rd
- 5-B: NH Fish & Game is willing to enforce as this is a new easement
- 5-B: Correct spelling for named parcel is Mariann Frazier, contact is Richard Frazier.
- 5-D-ii: Invasives note was from A. Ficco.

D. Smith-Kenyon moves to accept as corrected, A. Ficco seconds.

Vote 7-0-1(A. Ficco)

**2) PUBLIC COMMENT** (five minutes per person and subject to closure in interest of time)

**None**

**3) CONDITIONAL USE PERMIT REQUESTS**

- a. The Oaks is seeking Conditional Use Permit for proposed timber cut on a property located at 100 Hideaway Place, in the Commercial Industrial (CI) and Residential Single Family (R1) Districts, Assessor's Map 50 Lot 11 CUP #17-2022

Note that the commission addressed this applicant from two perspectives: first, as the tree board for the City of Somersworth, and then in the capacity of the reviewing agency for Conditional Use Permits.

Steve Malloy (Course Superintendent) presents for the applicant, noting that his primary responsibilities are turf maintenance and playability of the course. From this viewpoint, the course has seen progressively greater challenges as tree growth has filled in due to decreases in air circulation that have increased ground-level humidity, raised safety

concerns from dead and dying trees, and negatively impacted winter turf health. Greens have been dying off and turf health has degraded significantly.

The Commission has provided the DES Best Practices guide for course management to the applicant.

We are currently working with the third iteration of this plan; this version is significantly more detailed and includes species breakdowns and detailed counts. It does not, however, contain maintenance plans. While there are areas of heavy cutting, the plan does clearly indicate attention is paid to retention of tree cover on the property. Cutting is species-selective, with the plan retaining as many hardwoods (primarily oaks) as possible while still thinning the overall growth.

The applicant's forester states that the understory is due to natural seeding from the trees on site, with trunk sizes up to the 6-8 inch range. The thinning does involve taking some Red, White, and Black Oaks, but is largely White Pine. The site also contains Red Maple, Hemlock, Pitch Pine, and Sugar Maple, with a few Aspen and Birch. The course contains minimal invasives, which are managed through course maintenance as well. The population of successive generations on the site is strong, with no strong case for guarding; large numbers of 6-10 foot tall saplings are present as well as successive generations of naturally seeded trees. Particular attention in the thinning plan was made to retain trees with habitat features (cavities and similar). The main driver for cutting is maintenance demands.

Zero retention areas would be seeded with native grass mixes; the prospect of pollinator seed mixes was raised, and the applicant is amenable to this.

The commission notes that cutting on conservation parcels is prohibited by covenant; the applicant was not aware of this, and will strike these areas from their plan. There are stands of Red Pine on these areas which are heavily infested with Red Pine Scale; these trees were planted 40-50 years ago as timber crops; this disease is uniformly fatal, and is infesting virtual all Red Pines in the region. Infested trees are at harvest map location L/fairway 6.

The commission and applicant next discussed the CUP application, which covers wetlands and their buffer space. The fairways largely extend to the buffer lines. Cutting in the wetland will not involve machinery intrusion; any cut trees will be cut and lifted by machines within the buffer. Stumps will be left in place, and regrowth/suckers will be managed using hand tools only. A total of 54 trees planned for cut are located in wetlands. At least 4 and up to 78 trees are located in conservation parcels; cutting of these trees is prohibited by covenant. Cut area 64 is away from fairways; the intent with this cut is to thin out a densely overgrown space. This section does have a stream, which carries buffer implications.

Route from 6-12 has a cart path that would be used for forestry skid tree removal. Some skid routes travel through forested areas, some follow cart paths.

Inclusion of signage indicating wetland in accordance with best practices is acceptable to applicant.

J. Degler moves to recommend approval with the following conditions:

- No cutting to take place on conservation land, and an updated inventory to indicate this.
- Cutting on streams permissible only in case of a clear hazard.
- No skid paths to travel through wetland
- Signage to be installed at wetland boundaries

J. Rhodes seconds; motion carries 7-0-0

- b. Northam Survey LLC, is seeking a conditional use permit for new single family dwelling unit within the Riparian and Wetland Buffer district for a property located at Coles Pond Road, in Residential Single Family (R1) District, Assessors Map 49 Lot 14, CUP# 16-2022

Eric Salovitch from Northam Survey LLC presented the application. This lot was originally created in 1962, and has a primitive (no running water or electricity) camp on the site; this is described as a 'glorified shed'. The lot is noted as nonconforming, with significant wetland buffers as well as setback issues from neighboring lots, stemming from both the lots small size and proximity to designated wetlands.

The proposed use of the lot is a small (549 square foot) seasonal home, with a septic system and well. The leach field for the septic system is conforming, and the build site is as close to conforming as possible given the limitations of the site; setback and buffer spaces require board action to build.

No clearing will occur within 50' of shore; 2 trees outside of the 50' buffer will need to be cleared. A driveway is to be installed; this will be gravel, not paved; no driveway currently exists on the site. No clearing will take place inside the current treeline. The concrete pavers, pad (previously used for a pump to draw water from Lily Pond), and path are to be demolished. No regrading is necessary; the site is flat.

J. Rhodes moves to recommend approval of the CUP with the following conditions:

- The driveway is to be composed of aggregate material, unpaved, and placed as far buffers as possible.
- No tree clearing is to take place inside of the treeline as designated on the map of 12/23/2022 submitted with the application.
- No pesticides or herbicides are to be used on site.
- A gutter system and drip edge is to be installed on the structure
- Snow storage, if required, is to be placed as far from buffers as possible.

A. Ficco seconds; motion carries 7-0-0

#### 4) **NEW BUSINESS**

- a. Any new correspondence

Message received from Firefly Circle residents regarding a suspected diseased fox and encampments nearby; both items referred to Somersworth PD.

- b. Any new business to come before the Commission

None at this time

## 5) **OLD BUSINESS**

- a. Easement monitoring

No new reports at this time.

- b. Any Correspondence regarding old business

None at this time.

- c. MEMBER ITEMS, SUB-COMMITTEE ITEMS, AND REPORTS

- i. Lily Pond wildlife management plan

Plan is in progress

- ii. Invasives plan sub-committee report

No update at this time.

- iii. Exploration of potential bridge and water bars at Malley Farm

Discussion with DPW needed; a project description would be required by approximately the end of February in order to take advantage of Serve with Liberty project teams. A. Ficco will update at next session.

- iv. Culvert Assessment

Dataset is with K. Dodds; evaluation of data is underway. The data is older but does provide a starting point; training is available to continue the surveys if needed. Next step is to determine available grant funding (DOT is a possibility) and prioritize work.

- d. Any other old business that may come before the Commission

None at this time

## 6) **TREASURER'S REPORT**

S. Childs will follow up with city Finance staff.

A. Ficco moves to adjourn; D. Smith-Kenyon seconds. Motion carries 7-0-0

Meeting adjourned at 7:58 PM.

Respectfully submitted:

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Jeremy Rhodes  
Conservation Commission Secretary