

**Town of Northwood
Conservation Commission Minutes
June 3, 2014**

Chairman Steve Roy calls the meeting to order at 7:10 p.m.

Present: Chairman Stephen Roy, Vice Chairman Steven Hampl, James Ryan, Thomas Chase, Board Administrator Linda Smith and Board Secretary Lisa Fellows-Weaver.

Absent: Wini Young, Paul Lussier, Alternate Loren O'Neil, and Alternate Michael Matson.

Mr. Roy makes a motion, second by Mr. Ryan, to address the election of officers and the minutes later in the evening. Motion passes unanimously; 4/0.

PUBLIC INPUT

Ann Shultz, 133 Gulf Rd., Northwood.

Ms. Shultz states that she is present on behalf of the Pleasant Lake Preservation Association. She explains that the association is committed to preserving and protecting the lake and provides information to members and others on how to protect the lake and to keep it as a valuable resource. She states that they partner with NHDES. They do lake monitoring and gather samples and submit to NHDES so that there are year to year reports on the water quality. She adds that there is a volunteer lake host program as well as a weed watcher program where they check the lake for exotic plants.

Ms. Shultz states that in 2002 a diagnostic study was completed and at that time the lake was considered oligotrophic, which is low nutrient value and low plant growth. Now in 2014, the lake is border line mycotrophic where there are some moderate nutrients in the water. She states that the lake is currently on the NHDES 303-D list for impaired waters; however, is ranked twelfth as far as a water surface with high potential for recovery.

Ms. Shultz states that the association is submitting a request to NHDES for a 319 watershed assistance grant, which will help to develop a watershed restoration plan. She explains that these plans look at the existing conditions in the watershed and try to develop some best management practices around the lake to address the nutrients and sediments that are getting into the lake surface. She states that the pre-proposal grant application is due by July 11, 2014. She notes that the EPA has changed their guidelines as to what they want a plan to implement as far as best management practices. She states that she did try to use the diagnostic study which was previously completed; however, the study does not meet the EPA's guidelines.

Ms. Shultz requests a letter of support from the commission for the plan to be developed. She provides examples of letters from other towns.

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Mr. Roy asks what kinds of mechanisms the plan will implement. Ms. Shultz replies that this could include rain gardens, porous pavements installations, infiltration systems, plunge pools, etc. She notes that there are approximately six tributaries that feed into the lake. She states that the plan will evaluate the whole watershed and look for areas of direct point source.

Additional discussion is held regarding the contributions either being shoreline elements or inflows from the tributaries. Mr. Roy asks if there is any type of definitive contributors. Ms. Shultz explains that the plan will define the land uses and the pollutant loads from those uses. She adds that the plan will also create a more defined monitoring program. She notes that they will be proposing to do very thorough septic systems monitoring to identify any failing systems. She explains that once the plan has established the areas, they will apply for further grant money to begin the implementations.

Mr. Hampl asks the amount of the grant. Ms. Shultz states that the 319 grant requires a 40% match, which the association will cover. She states that a report would cost around \$50,000. She states that they are requesting \$35,000.

Mr. Chase asks if there has been much development around the lake. Ms. Shultz replies no, and there is much conservation area. Further discussion ensues regarding possible future development within the watershed. She adds that there has been minimal development; however, there have been upgrades making camps into year round homes, which has in turn increased the size of the septic systems and impervious surfaces.

Ms. Shultz states that NHDES recognizes that Pleasant Lake has a high probability of recovering.

Ms. Shultz requests a letter of support from the commission. She states that she has contacted the town administrator and requested a letter of support from the selectmen. She adds that she hopes to meet with the water resource subcommittee and planning commission and obtain their support as well.

Mr. Chase makes a motion, second by Mr. Roy, to write a letter in support of the Pleasant Lake Preservation Association application to NHDES for a 319 grant. Motion passes unanimously; 4/0.

CONSIDERATION of APPLICATIONS

Ed Minerowicz, PSNH. 224 Rochester Rd. Map 232; Lot 32.

Mr. Minerowicz, environmental coordinator, is present to meet with the commission regarding a NHDES permit application to replace a utility pole #834/27A on Rochester Road. Mr. Minerowicz states that this project is straight forward; however, is an after-the-fact project. He explains that PSNH hired a

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contractor for the project who was to remove an existing pole in the wetlands and to replace with a new pole in an upland area approximately 10 ft. away, which would be less of an impact. However, by changing the pole location the line crew had to add an anchor for more support due to the angle of the wire to the pole.

Mr. Minerowicz explains that typically an anchor is a screw-in style that twists into some substantial soil and then it is stable enough to hold the pole in place. He states that there is no impact with the screw in style anchors and no permits are necessary, per the state. He explains that because of the structure of the soil there was not really anything there for the necessary support. The contractor's crew then installed a swamp anchor, which is similar and does give the support. The anchor is an 800 lb. concrete block that is set into the wetlands and then is attached to the guy-wires. He states that this approach is a bit more intrusive. He adds that the spoils from the excavation were scattered in the vicinity; therefore there is disturbed soils in the wetlands. Mr. Minerowicz states that when PSNH was notified of the disturbance he contacted NHDES to report the wetland conditions.

Mr. Minerowicz states that Dave Price of NHDES has been overseeing the project and Mr. Price required specific conditions to be put in place before the repairs began. Mr. Minerowicz states that he had to prepare a repair plan, which Mr. Price approved. Mr. Price also wanted the site work of the project to be supervised by a certified wetland scientist. Mr. Minerowicz states that GZA Environmental was hired to be on site while the repairs were being done and Tracy Tarr, representing GZA, was on site. He adds that NHDES also requested a follow up report to be completed by GZA noting what had been done and what the outcome was, which has been completed.

Mr. Minerowicz states that the project turned into a 50 sq. ft. excavation in a wetland that needed to be repaired. He states that typically the application would not be a standard dredge and fill application; however, it is now because this is an after the fact project.

Mr. Chase asks what the timing was of the project. Mr. Minerowicz replies that he believes that this was done in October or November of 2013. He provides follow up pictures of the area that were taken over the past few weeks. He adds that the area has been seeded with a wetland seed mix and covered with a straw to prevent erosion.

General discussion ensues as the commission reviews the application and materials. The prime wetland maps are reviewed and Mr. Roy indicates that this is a prime wetland.

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Mr. Roy states that the approach taken would have been the least impacting alternative. He explains that this is an after-the-fact standard dredge and fill application within a prime wetland. He states that initially this would have been a standard expedited review application and would require a public hearing to be done prior to any work because the project is within a prime wetland.

Discussion ensues regarding the benefit loss to the end result. Mr. Roy states that he does not feel that the lack of input is not a decrease in benefits. He feels that the same result would have been accomplished had the hearing occurred and an explanation of recovery would have been provided. He adds that he does not see much difference had there been a hearing than what actually occurred. He adds that the project has been inspected and a report was completed. Members agree.

Mr. Roy makes a motion, second by Mr. Chase, to approve and sign the permit application for Map 232; Lot 32. Motion passes unanimously; 4/0.

Mr. Roy notes that the plans should include Tracy Tarr's certification number, #281. Mr. Minerowicz adds this information to the plans and Mr. Roy signs the applications.

MINUTES

March 3, 2014

Mr. Roy makes a motion, second by Mr. Ryan, to approve the minutes of March 3, 2014. Motion passes unanimously; 4/0.

NEW BUSINESS

Pleasant Lake 319 Grant

Mr. Roy requests that staff draft a letter in support of the Pleasant Lake Association grant and email to him for review and signature. Board members concur.

ELECTION OF OFFICERS

Chairman: Mr. Hampl nominates Steve Roy for chair. Mr. Ryan seconds.

Members provide comment in support of Mr. Roy remaining as the chair for the commission as they appreciate his knowledge as well as how the meetings are productive and function with his confidence and expertise. **Motion passes; 3/0/1. Mr. Roy abstains.**

Vice-Chairman: Mr. Chase nominates Steve Hampl for vice-chair. Mr. Ryan seconds. Mr. Chase states that Mr. Hampl has done a fine job when it is necessary for him to fill in for Mr. Roy and it is appreciated. Mr. Roy agrees. **Motion passes; 3/0. Mr. Hampl abstains.**

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Other Members Attendance

Ms. Smith suggests that Mr. Roy contact Mr. Lussier to see if he still has an interest in the membership and if his commitments will allow him to attend evening meetings.

PENDING/SUMMARY OF ACTION ITEMS TO BE DONE

Town Forester Charlie Moreno - Giles Lot Cutting Bids

Ms. Smith states that she has been in contact with Town Forester Charles Moreno regarding coming in and meeting with the commission relative to cuttings. She explains that he is unable to attend meetings on Tuesday evenings as he has another commitment. She states that it was difficult and not successful to get members and Mr. Moreno together over the past few weeks. She explains that Mr. Moreno sent out bids for cutting and has received three bids; 2 were very close.

Ms. Smith states that past practice has been that the forester would send the information to the commission for verification and review, and typically the commission would go with the forester's recommendation. Mr. Roy suggests that the commission give the forester authority to determine the contractor and follow up with the commission. **Mr. Roy makes a motion, second by Mr. Ryan, to rely on the professional opinion of Mr. Moreno and authorize him to choose a contractor, notify staff of the contractor, and proceed with the cut. Motion passes; 4/0.**

NEW BUSINESS

Press Release

Mr. Roy states that he will present a draft press release for review and comment at the July meeting.

2015 Goals

The commission will begin to discuss goals for 2015 at the July meeting.

Land Fund Documents

Ms. Smith states that a deposit was made to the conservation land fund in the amount of \$2,859.79. She states that this is the conservation portion of current use penalties for 2013. The new balance is \$52,642.94. A discussion is held regarding the current use fees and the penalty percentage distribution. Mr. Roy states that 50% of the penalties are to be deposited into the land fund and the other 50% is kept in the town's general fund. Ms. Smith states that the amount of the penalty is 10% of the fair market value. She adds that she will review the process of current use penalty assessment and how the value is determined.

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OTHER BUSINESS

Non-Public Session

8:27 p.m. Mr. Roy makes a motion, second by Mr. Chase, to enter into a non-public session, per RSA 91-A:3,II(d).

Roll Call Vote

James Ryan - yes

Steven Hampl - yes

Stephen Roy - yes

Thomas Chase - yes

Motion passes unanimously; 4/0.

9:04 p.m. Mr. Ryan makes a motion, second by Mr. Hampl, to come out of non-public session.

James Ryan - yes

Steven Hampl - yes

Stephen Roy - yes

Thomas Chase - yes

Motion passes unanimously; 4/0.

Mr. Roy makes a motion, second by Mr. Hampl, to seal the minutes of the non-public session. Motion assess unanimously; 4/0.

Land Projects

A discussion is held regarding possible land projects. **Mr. Chase makes a motion, second by Mr. Hampl, to authorize the chairman to have informal discussions with the land owners regarding the possibility of a land acquisition project. Motion assess unanimously; 4/0.**

Site Walk Bow Street - Map 230; Lot 40

A discussion is held relative to scheduling a site walk on this property. The commission agrees to hold a site walk July 15 at 6:00 p.m.

July Meeting

The July meeting is postponed from July 1; to July 15, 2014 at 7:00 p.m. Mr. Roy indicates that there may be a possibility of holding a work session between now and July 15.

ADJOURNMENT

Mr. Hampl makes a motion to adjourn. Mr. Ryan seconds. Motion passes unanimously at 9:09 p.m.

Respectfully submitted,
Lisa Fellows Weaver
Board Secretary

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