

**TOWN OF BEDFORD CONSERVATION COMMISSION MINUTES**  
**November 26, 2019**

A meeting of the Bedford Conservation Commission was held on Tuesday, November 26, 2019 at the Bedford Meeting Room, 10 Meetinghouse Road, Bedford, NH.

Present: Beth Evarts (Chairwoman), Dave Gambaccini (Vice Chair), Denise Ricciardi (Town Council), Bob MacPherson, Maggie Wachs, James Drake, Bill Carter (Alternate), Patricia Grogan (Alternate), Karin Elmer (Planning Department).

Absent: Catherine Rombeau (Town Council Alternate), Mac McMahan (Planning Board Representative), Gregory Schain (Alternate),

**7:00 PM Call to Order**

Chairwoman Evarts called the Bedford Conservation Commission meeting to order at 7:00 PM.

Chairwoman Evarts reviewed the mission: The mission of the Bedford Conservation Commission is to protect, preserve and conserve the town's natural resources and open space land. The Commission works with landowners by reviewing permits and administering State and Town wetlands regulations, advises other Town Boards on environmental impacts, and recommends alternative considerations regarding development or improvement projects.

**Approval of Minutes:**

- September 24, 2019 Conservation Commission Minutes; October 22, 2019 Conservation Commission Workshop Minutes

**MOTION by Mr. MacPherson to approve the September 24, 2019 minutes. Mr. Gambaccini seconded the motion. 2 abstentions: Chairwoman Evarts & Ms. Ricciardi. Vote taken – all in favor. Motion carried.**

**MOTION by Ms. Ricciardi to approve the October 22, 2019 workshop minutes. Mr. MacPherson seconded the motion. Vote taken – all in favor. Motion carried.**

**Dredge and Fill Applications:**

- **Town of Bedford** - Request to fill approximately 9,070 sf. of wetland for the reconstruction of Gage Girls Rd. between Route 101 and Beals Rd.

Jean Walker, Town Engineer (Bedford) explained the town is proposing to take what is currently a gravel road from Route 101 down to Beals Road and paving it which will

have some impact to the wetlands. There is an “island” in the middle of the road surrounded by wetlands. The town worked to mitigate any issues they might be creating, but there were side slope issues which cause some impact. The desire is to pave the road because it will last longer, require less maintenance because they won’t have to grade the road during summers and after rainstorms, and to reduce dust complaints caused by such work. The town is working to pave the roads that they can, and for this road it is time. There are also safety concerns because portions of the road are very narrow and the town wants to standardize the width of the road.

Q: Mr. Carter asked if keeping the side slope at 1:3 is to keep it under 10,000 square foot...(sentence not finished)

A: Ms. Walker indicated that this was done to minimize impacts.

Q: Mr. Carter asked about the impacts of wetlands D and E stations 326.6 and 2332 there were reasons not to put guardrails (a cost of \$20,000.00), but he asked further about the reasoning because he would think it would be better to keep vehicles out of the wetlands marshy area of the road if vehicles happen to go off the road. Wouldn’t it be better for the wetlands to have a guardrail there and also avoid any damage?

A: Ms. Walker explained that they take into consideration that a guardrail is a very “hard sell” for any neighborhood. A lot of people do not want guardrails in their front yard, so the town does what it can in their design using side slopes and recovery areas to minimize the use of guardrails. In addition, when guardrails get hit the replacement of them is very costly. The town minimizes the use of guardrails where they can, whenever they can use something else.

Q: Mr. Carter asked if curbing or other measures would be placed to keep vehicles from going off the road.

A: Ms. Walker explained that the area in question is more toward the center of the road, and as of right now the town is not proposing putting curbing or other measures in place. It is an old, curvy farm road and the street was straightened wherever possible due to right of way that we already have and also keep things in a compact area and not have to widen the road further.

Q: Mr. MacPherson asked why the road was never paved before and why was it left in this unpaved condition because it is a major residential street.

A: Ms. Walker said it is an excellent question, but she is unsure of the reason why. The town has a number of unpaved roads that the town has been working towards paving. She is unsure if it was an issue of funding, or if it is because some people who live on the unpaved roads really like their gravel roads and do not want the town to pave it and the

town has tried to be respectful of their wishes while balancing the needs of the town and maintaining the roads.

Q: Mr. MacPherson asked if residents didn't want the road paved because they didn't want drivers cutting through.

A: Ms. Walker said in some cases on other streets in town that has been true, but she isn't saying it is true of this street, although they heard from some residents that they were concerned about that at Town Council when the project was proposed. The intention here is not to widen it to be a large road like Wallace Road; the road is being kept narrow with some twists and turns. We are trying to maintain the character of it while also trying to improve it.

Q: Mr. MacPherson asked if it has gone unpaved for any environmental reasons.

A: Ms. Walker was not aware of any environmental reasons that precluded paving of the road.

Chairwoman Evarts opened the floor for questions/comments from the audience. There were none.

Q: Chairwoman Evarts asked if there have been any history of issues with cars going off the road into the wetlands area.

A: Ms. Walker was not aware of any.

Q: Mr. Drake said he thinks the road has been shut down due to flooding conditions, so that is why the road is being paved. He asked how high the road would be brought up to avoid that.

A: Ms. Walker said that in talking with residents and based on historical records within the department the only time that she was told the road flooded and closed down was the Mother's Day storm. There were a lot of roads in the same condition and adversely affected during that storm. The road is being brought up where it can be but bringing it up also causes impacts – so they didn't bring it up much. The intent here is not to overcompensate and cause a bigger issue.

Q: Mr. Drake asked if we pave this road under freeze/thaw when the water level is high, how do we protect the road since it is susceptible to high groundwater from heaving when there is a winter period. Being high how do we protect road reconstruction from that road heaving later on?

A: Ms. Walker explained that two cross culverts are being put in on either end of the wet area. Though the culverts are the same size, they had difficulty locating them originally, She is unsure about the condition of the existing culverts and they do not have any records on that; but new ones are being put in to act to equalize flow on both sides of the road, and in addition, there are areas where they are putting in underdrain to assist that.

Q: Mr. Drake noted that the documentation in one of the State Reports said the impairment of McQuade Brook was mercury. He thinks it is chloride. Ms. Elmer noted the State report said it was chloride. Chairwoman Evarts clarified that it was the Army Corps of Engineers Programmatic Appendix B, 1.1 which said, "...McQuade Brook which is impaired from fish consumption due to mercury."

Mr. Drake asked if vernal pools were still being discussed.

A: Ms. Walker said, yes. The town surveyor indicated, "The site contains some areas of standing water; however, they are mostly interconnected to the wetland system that drains into the adjacent brooks or are fast draining suppressions that could not sustain vernal pool habitat." If DES wanted them to go further they could do more on that, but at this point we were hoping this would suffice.

Q: Chairwoman Evarts asked if the thought process is that there is no concern because it won't affect the vernal pool system itself.

A: Ms. Walker said the town is still talking with DES about what they can do to provide additional protection for any of those areas as we find them, but they brought it to our attention and we would probably want to do something in the Spring. Construction is not starting until next construction season, so there is more time for DES to discuss any questions with the town.

Q: Chairwoman Evarts asked how the road would be maintained in the winter - - sand only; or sand and salt. This is a concern in terms of runoff.

A: Ms. Walker said a determination has not been made yet, but it is something that they are looking at and something that one of the residents had asked about too.

Mr. Drake noted that since we are pushing private developers on impacts of chloride on Riddle Brook and other brooks, this is very important to consider. He assumes the town is aware of this and doing something about it.

**MOTION by Chairwoman Evarts that the Conservation Commission recommend the approval of filling approximately 9,000 square feet of wetland for the reconstruction of Gage Girls Road between Route 101 and Beals Road with consideration of maintaining the paved road to protect the wetland from further**

**impact from things like salt, etc. during the winter and with consideration to the vernal pool at some point down the road. Mr. Gambaccini seconded the motion. Vote taken – all in favor. Motion carried.**

- **Riley Investment Properties** – Request to fill approximately 725 sf of wetland for the construction of a gas station and reconfigured parking at 193 S. River Rd., Lot 22-23.

Amy Sanders of Fuss & O’Neill and Brendan Walden with Gove Environmental Services introduced themselves. Mr. Walden indicated the proposed construction is for a 4,000 square foot gas station and rearrangement of parking off an existing entranceway on 193 South River Road. There is 725 square feet of impact to a man-made wetland (created by previous grading on site) associated with this is due to the necessary grading to utilize the property to its extent. It is scrub-shrub wetland.

Ms. Sanders indicated the impact area is directly over that wetland area. For the site they are doing some stormwater management that will be submitted to the alteration of terrain to DES. With the stormwater management they are proposing to do pretreatment using catch basins, and the system itself is an underground infiltration basin that will have isolator rows to help trap to limit sediment from entering the underground system and it will infiltrate into the groundwater. So, there is treatment, pre-treatment and groundwater recharge all in that one system. There are 3 of those systems: 1) Close to the wetland impact; 2) To the right of the canopy for the gas station; and 3) A small one at the existing entrance to the tavern.

The entrance to the tavern is the 4<sup>th</sup> leg of the intersection to Back River Road so there is already an existing retaining wall there that supports the grading for the road and supports the headwall for the 72-inch culvert that crosses Back River Road. That retaining wall is about 12-16 feet near the culvert and as you progress into the driveway the retaining wall will decrease in height but still ranges between 8-2 feet – it varies due to the existing grade which comes up and down. The aesthetics of the existing wall will be maintained and have a cohesive look. The wall will also add additional future access to the property behind which is owned by the same entity. The pavement will stop just at the access to the gas station but it will be graded so that in the future when they develop the rear parcel it will be ready.

Q: Mr. Carter asked if it was basically an extension of the existing wall where a road would be eventually to the back piece of the property in order to get it ready for when the development of the back lot is done?

A: Ms. Sanders indicated that is correct.

Q: Mr. Drake asked Ms. Elmer if Patton Brook had any impairments to it.

A: Ms. Elmer said it is unusual – Patton Brook is not listed on the current impairment

list; however, it is listed in the spreadsheet. So the theory is that the existing list is currently being re-evaluated to be updated, so we think that Patton Brook impairment with aluminum will be on the next list. The impairment is aluminum, but we don't have any idea where it is coming from.

Q: Mr. Drake said one of the things we brought up when the proposal was first approved years ago was that the Conservation Commission did not want to see a piecemeal approach to the property, and it appears that is what is happening. When it first got developed it was an ARM fund development of \$1.3 million dollars for development change of use or aquatic impacts. He asked if there was an ARM fund payment that would be made for this.

A: Mr. Walden said, "No, it doesn't do the cumulative impact since the other ARM fund was already paid." He noted it said on the permit that it was only \$150,000. Ms. Elmer noted that \$150,000 was their share that they had to put in (not the full \$1 million dollars). She said that was how much we had in the ARM fund when they released the money.

Q: Mr. Drake noted that it is a pretty massive development with a lot of impervious area being installed and the runoff impact to Patton Brook could be significant. Treatment devices were discussed and he thought he heard it said that "some" of the areas would be treated....

A: Ms. Sanders interjected that the way that the NHDES alteration and terrain permit works is that you are required to treat the full water quality volume. The water quality volume is based on the ground cover (impervious cover, grass cover all gets calculated in). Whatever the water quality volume is you have to treat the entirety of that, so the entire water quality volume would be treated.

Q: Mr. Drake asked if all the surface water coming off this area is going to go in to the...

A: Ms. Sanders interjected, "Correct".

Q: Mr. Drake asked if it includes deep sump catch basins.

A: Ms. Sanders indicated it does include them.

Q: Mr. Drake asked if it was part of their treatment approach.

A: Ms. Sanders indicated that is their pre-treatment. Deep sump catch basins are going to collect bigger particle items, so we have those at all of our catch basins. It is a 4-foot deep sump and then from there it will go into the underground system and then it will go into an isolator row. It is a "belt and suspender" situation and then it will spread into the

adjacent chambers. The first flush is where you will have most of your particles and dirty water and then it will travel into the adjacent ones for more control.

Q: Mr. Drake asked what size storm this is designed for.

A: Ms. Sanders said it is designed up to the fifty. The State requires two, ten, and fifty and Bedford requires twenty-five; so, all of those storms are covered in this design.

Q: Mr. Drake asked if there will be an oil/water separator in front of this system.

A: Ms. Sanders said there is not an oil/water separator in this system. She thinks there is only a grease trap associated with the restaurant. There will be hoods on all of the catch basins for floatables.

Q: Mr. Drake noted that the hoods probably won't keep out the oils. He asked for clarification that there is no requirement to put an oil/water separator for something like this where you have gasoline refilling, cars sitting with oil spillage.

A: Ms. Sanders answered, "No" and explained that in the gas station design you have those kinds of checks and balances and essentially the State requires that the gas station provide all types of safety features (spill containment when deliveries are done, and on the pad where the fuel dispenser there are grooves that must hold up to 5-gallons of any kind of oil), so those types of features are present and because there is a canopy and the area is covered you are not going to have rain that is falling over the canopy. You cannot have stormwater flow over the pad area – everything has to sheet flow off of it. So, there are checks and balances in place so that stormwater is not carrying that into the system specifically.

Q: Mr. MacPherson asked if based on what Ms. Sanders just said if they are able to guarantee that there would not be any further adverse impact to Patton Brook or any further impairment?

A: Ms. Sanders said she loved that he asked that question because it brings her back to college when her professor said, "Never give a guarantee." She will not guarantee it, but she will say that we definitely designed the system so that it is the best management practices for this site; it meets the standards that is required of us and goes a little bit beyond that because we have double pre-treatment devices that are being installed for this system.

Q: Mr. MacPherson asked the question in a different light: To his understanding there is wildlife in the Patton Brook area (the brook stretches back almost to the highway) – would what is being proposed not bring any harm to the wildlife? Ms. Elmer indicated

there were deer prints when she went out there, but noted there is nothing on the endangered species list.

A: Ms. Sanders said that she doesn't foresee what they are doing to have a major impact on the area around the brook. They are trying to not impact that area at all. She doesn't think it would affect it, but with any expansion or development she does not think the deer will go along the area of the gas station, but will go along the corridor of Patton Brook which would still be protected.

Q: Mr. Drake asked for confirmation that all parking areas/impervious areas will be treated and asked if they are including everything on sheet CZ-101 as far as all the new pavement goes?

A: Ms. Sanders said all the new pavement will be treated.

Q: Since it has come up before, Mr. Drake asked about how snow and ice removal and storage onsite would be handled.

A: Ms. Sanders read through Ms. Elmer's review and thinks Certified Green Snow Pro would be amenable to making sure that is part of this if it is important to this board.

Chairwoman Evarts noted that we don't want it pushed over to Patton Brook.

Q: Mr. Drake asked if this means the owner in perpetuity will be hiring a firm to use green techniques for snow and ice removal?

A: Ms. Sanders said it was a great question and asked Ms. Elmer if she knows how that works. Ms. Elmer said she doesn't speak for the owner. Ms. Sanders asked if that becomes a condition of this. Ms. Elmer explained that the Conservation Commission is advisory only, so if the Board so chooses, they will make that recommendation to DES as part of the Dredge and Fill Permit and it would be up to DES to decide whether or not they want to include that condition in the Dredge and Fill Permit. Mr. Carter said he would think that they are presently hiring someone to take care of that currently since there is commercial activity there at this time with the restaurant and other building there. Ms. Elmer indicated there is someone taking care of the site there now, but whether or not they are certified green – she does not know. Mr. Drake noted there are two things here: 1.) The Dredge and Fill Permit that we can put conditions on. To him the Dredge and Fill for the wetland does not appear to be substantial – it appears that the variance application is for retaining walls which is probably where the snow will be dumped. If snow needs to be removed he opined that it would be dumped right over the retaining wall unless we specifically request that the variance board attached that as a condition to the property approval.

Chairwoman Evarts opened the floor for questions/comments from the public. There were none.

**MOTION by Chairwoman Evarts that the Conservation Commission not object to the request for a variance to fill approximately 725 square feet of wetland for the construction of a gas station and reconfigured parking at 193 S. River Rd. Lot 22-23 with the condition that the owner hire a New Hampshire DES-certified Green Snow Pro for winter maintenance of this property. Mr. Drake seconded the motion. Vote taken – all in favor. Motion carried.**

**New Business:**

- **Riley Investment Properties** – Review of ZBA variance application to construct a retaining wall within a 50-foot wetland setback at 193 S. River Rd., Lot 22-23.

**MOTION by Chairwoman Evarts to not object to the ZBA variance application to construct a retaining wall within a 50-foot wetland setback at 193 S. River Rd. Lot 22-23. Mr. Gambaccini seconded the motion.**

Chairwoman Evarts opened the floor for discussion from the board. Mr. MacPherson feels Mr. Drake made a good point about a provision for snow not to be dumped over the retaining wall because it would have an adverse effect as there is a steep slope going into Patton Brook. He suggested adding a condition that the snow with all the salt and sand not be dumped over the retaining wall.

**MOTION by Mr. MacPherson to amend the prior motion to add that no snow dumping over the wall occur. Mr. Gambaccini seconded the motion. Vote taken – all in favor. Motion carried.**

Mr. Carter asked how we would keep them from doing that – signage, guide wall, guide rail? Chairwoman Evarts noted we are just making a recommendation should the variance go through that we support that they do not just dump it over the wall. Ms. Elmer said that between now and when they go to the ZBA meeting they will have a chance to digest and address to the ZBA whether they can find a good way to do that.

**AMENDED MOTION to not object to the ZBA variance application to construct a retaining wall within a 50-foot wetland setback at 193 S. River Rd. Lot 22-23 with the caveat that no snow be dumped over the wall. Vote taken – all in favor. Motion carried.**

- **Peter Goedecke** – Review a ZBA variance application for an expansion of the previously approved garage 35.9 feet from the edge of a wetland where 50 feet is required, at 99 Liberty Hill Rd., Lot 21-55.

Peter Goedecke introduced himself and noted that the Conservation Commission had previously approved a garage/workshop at his 99 Liberty Hill Road home. The foundation is poured, the walls are up, and a trench drain was done as requested. The idea is to put a second story on the garage. Once they got the garage/workshop up Mr. Goedecke looked at it and thought the second story would make a really great in-law apartment which threw a monkey wrench into the existing plans. He introduced Dave Ricard, his father-in-law. Mr. Goedecke feels blessed to have very good in-laws and thought it would be a good opportunity for his in-laws to scale back, not have such a big space, and have a space in which they could age-in-place. The idea now is to put a second story on the garage so it could be used as an in-law apartment and a connector in-between to connect the two buildings.

Mr. Ricard provided some background. He and his wife were starting to look for a new place so they could move out of their home and downsize. Mr. Goedecke had already poured the foundation and was set to put up the walls when he came up with this idea. It hit the Ricards as a shock, but it made sense to them.

Mr. Carter asked if he had lived in a rough neighborhood, and if that was part of the reasoning because a shooting was mentioned in the letter

Mr. Ricard said he had lived in his neighborhood since 1964 and he needed something new. Initially Mr. Goedecke was going to do some remodeling work to their house and then the shooting occurred and they thought that maybe they didn't want to put money into the house and they would rather move. That is when he started thinking about putting an in-law apartment above the garage. Mr. Ricard said it is not an extremely rough neighborhood. His home is located very near the front door of Memorial High School. It is a reasonable neighborhood, but it *is* Manchester and after 50 years of living in the same house in Manchester, something new would be nice.

Q: Mr. Carter watched the prior Conservation Commission meeting when Mr. Goedecke appeared before the board previously, and it was mentioned he would be entering the new garage from the old garage through a door because of the tightness of the side lot. When Mr. Carter looks at the old plan vs. the new plan with the in-law apartment with 3 garage doors he assumes that it is going to be paved....

A: Mr. Goedecke said it would not be paved.

Q: Mr. Carter asked if the new plan would still be tight and he asked if they would still be able to turn cars around with those garage doors and tightness.

A: Mr. Goedecke said it is kind of tight, but it will just be grass in front of the garage and there is no intention to pave it. The garage is going to be used just for projects.

Q: At the last meeting Mr. Carter was a proponent of requiring that a trench drain be put in; now with the new plan and a second floor being put on he asked how Mr. Goedecke will take the water from the front part of the garage where it was going to be straight gutters going down into a trench drain so it is treated. With the second story will he run the gutter between the window and the garage doors?

A: Mr. Goedecke said that was correct. There would be gutters on both sides and basically in between on the far side of the garage there's a drain that both gutters will go into.

Q: Mr. Carter asked about the uses of each garage and whether having grass in front of it would make it difficult to move vehicles over.

A: Mr. Goedecke explained that the original garage is currently a workshop and instead of being a workshop it will now be used to park a vehicle instead and the workshop for projects will now be located behind it.

Q: Mr. Drake asked how the new apartment would be heated.

A: Mr. Goedecke said they would be doing radiant heat and use a mini-split for air conditioning.

Q: Mr. Drake asked if it would be electric.

A: Mr. Goedecke said it would be propane. The existing garage is propane and would continue to be propane.

Q: Mr. Drake asked if he was planning to cut trees.

A: Mr. Goedecke said he was not.

Q: Mr. Drake asked if the terrain would have to be leveled off in order to get a car around to it.

A: Mr. Goedecke said, "No." Whatever work that had been done for the foundation is sufficient and nothing else needs to be done.

Q: Mr. Carter asked if the proposed sunroom is within the 50-foot setback.

A: Mr. Goedecke said, “No, it is not.”

Mr. Drake said he was not part of the original discussion but asked how other board members feel about having that area unpaved because having 3 garage doors there invites itself being paved.

Mr. Carter said that Mr. Goedecke can pave up to the edge of a wetland without needing the Conservation Commission’s permission; however, Mr. Carter would probably insist on putting stone down. The reason he requested the trench drain was because on the original plan all of the gutters were headed toward out back toward the leach, well and grassy play area and he thought it was in the best interest of the applicant to put a trench drain in to take all the water and bring it to the closest part - the northwest where the tree line was - so that it could work its way into the wetlands in the back of the property. This is why he is asking about the grass - - he feels it would be best to put in stone because that would cause the water to do the same drainage and not cause mud in a rainstorm.

Mr. Goedecke said that for whatever reason that part of the property is very firm. Even when the cement truck drove back there was no trouble, and the cement truck didn't even sink in. Mr. Carter asked if he would be plowing the area in a snowstorm to get to those doors or doing any salting. Mr. Goedecke doesn't salt because he gets full sun exposure now. Since those garages won't really be used in the winter he thinks it only makes sense to plow for safety sake. Things would be going in and out of the doors more in the summer time.

Q: Mr. Drake was concerned about the septic and leach field and said his understanding is that the home was originally smaller and then had a pretty substantial addition put on sometime after its construction in 1961

A: Mr. Goedecke said there was an addition put on, but a 5-bedroom septic was put in and it is only a 4-bedroom house.

Mr. Drake's concern is that you are adding an apartment which may overload the septic which is right near wetland, so we wouldn't want to encourage someone to add additional rooms/buildings that are residential properties that over exceeds the capacity of the leach field that then fails into the wetlands.

From what Mr. Goedecke has been told, the leach field is less than 20-years old so it would not need to be replaced, but he would need to get the septic approved in order to get the permit to put the extra capacity on. Mr. Ricard indicated the addition would only be one bedroom. Mr. Goedecke said his house originally had 5 bedrooms, but one of the bedrooms was removed in order to make the living room better in the existing house. That is how they ended up with a 5-bedroom septic even though it is not a 5-bedroom house.

Q: Mr. Carter asked if the new addition is 30' x 30 ', 900 square feet.

A: Mr. Goedecke said it is 860 square feet. Mr. Ricard said the one thing he and his wife would like to do is put a deck on that is not shown on Mr. Goedecke's plan and which would not be in the wetland setback.

Q: Mr. Carter asked if it would impede the wetland setback even further. Chairwoman Evarts indicated they are already into the wetland setback.

A: Mr. Ricard said that the deck would not impede the wetland setback, they just want a space where they can step outside of their apartment. Mr. Goedecke explained what they would like to do is have a staircase that goes up to the apartment with a small flat 6' x 8' area.

Q: Mr. Carter asked where the sunroom would be.

A: Mr. Goedecke indicated where the sunroom would be on the plans.

Mr. Carter said that he already has the setback for 35.9 feet and as long as he stays outside of that he has a variance for that.

Q: Mr. Carter asked if the only variance Mr. Goedecke is going to the ZBA for is for the second story.

A: Mr. Goedecke indicated that is correct.

Chairwoman Evarts said even if he put in the deck it would still be within the 50-foot setback. Mr. Goedecke said it would pretty much be an area to put a couple chairs and a stairway for safety - nothing massive.

**MOTION by Ms. Ricciardi that the Conservation Commission does not object to the variance as presented, as there is no additional encroachment into the wetland related to adding a second floor to the garage. Ms. Wachs seconded the motion. Vote taken – all in favor. Motion carried.**

### **Old Business:**

- Update on Pulpit Rock Conservation Area ongoing modifications  
Ms. Elmer reported that we are in the process of closing out the Phase 1 grant. We have the final figures approved by the trails bureau for our reimbursement. She is finalizing the historical resources and getting final sign-off on the work we already did. Hopefully in the next couple of weeks all of that will be done

We are also still working on Phase 2. She has to get the historical resources to approve the Phase 2 work. They want to make sure it is outside of the area so she has to give them an updated map to get their blessing for Phase 2.

Mr. MacPherson asked if any work would be done between now and December 31st. Ms. Elmer said she does not know. We did get an extension for the grant to go one more year, so it depends on the weather and when they want to give us approval for Phase 2.

Mr. Drake asked if the funding had been renewed, because he thought there was some problem with that. Ms. Elmer said once the budget got approved they can now reimburse us for Phase 1. Phase 2 has not been approved yet because they were trying to figure out Phase 1 first; so we still haven't received approval for Phase 2 from DES. To answer Mr. MacPherson's question Chairwoman Evarts doesn't see us getting any work done before December 31st unless we get approval for Phase 2. Ms. Elmer says we may, and just get reimbursed later; but it really depends on Ron Klemarczyk from FORECO's schedule and the weather.

Chairwoman Evarts indicated that Ms. Elmer worked with Mr. Klemarczyk to find out what materials we would need for Phase 2 for one of the bridges, and then Mr. MacPherson worked with Ms. Elmer and he had a conversation with Lowes who were gracious enough to provide some materials that we would require. Mr. MacPherson said that the donation would be booked in 2019 even though it may not be used until 2020. Ms. Elmer will work to see if there is anything in writing is needed for tax write-off purposes.

Mr. Drake asked how much Phase 2 is worth. Ms. Elmer did not know off the top of her head, but said she could email the information to him.

Chairwoman Evarts thanked Mr. MacPherson for reaching out to Lowes and securing the donation.

- Update on Pulpit Rock Forest Stewardship Plan  
Ms. Elmer reported that Mr. Klemarczyk from FORECO has started the work there as the weather has permitted. He will not be out once the snow flies. Once it snows the work will wait until Spring. She gave him the remaining survey maps for the surrounding subdivisions so he can check all the boundary markers as he is going through.
- Update on Greenfield Farms boundary marking  
Ms. Elmer indicated that there is a staff report in everyone's packet that is pretty self-explanatory. When Mr. Klemarczyk originally gave us an estimate for the work he picked one street in the middle of the subdivision thinking it would be a good benchmark to determine the amount of money he would need to finish the whole project. That street turned out to be the best street in the whole subdivision. The further he went out into the streets the fewer markers there were so he ended up spending a lot more time out there getting us all the information. He now has to go back and set a lot of the markers, although most are already done.

We also ran into problems we didn't anticipate because a lot of times people's back yards end at the tree line, but there are a number of streets where the back yard ends and is followed by open meadow so there are no trees to put any of the boundary markers on; so Mr. Klemarczyk had to buy stakes for the signs to go on, find all of the property boundaries, and place them. There is a recommendation to add an additional \$1,500 to his original budget from the board. He put a lot of work in and Ms. Elmer feels it is very reasonable.

Mr. Drake asked if we are done with his effort, or if Mr. Klemarczyk would continue to assist us, and he asked if Greenfield Farms is enough. Ms. Elmer indicated this is the end of that process. The next process for Spring will be that the board has to decide how often they want to do easement monitoring (every year or every other year) on these properties and then they will be put out to bid for estimates. She explained we want to close this particular project which was getting the baseline done on all of them; getting all of the markers in; getting everyone back in compliance and from now on it will hopefully just require monitoring and not need to have bounds reset. Mr. Drake asked if solutions to the violations would be handled. Ms. Elmer said it is handled by her department and a lot of them have been done already; however, some will not get done until next Spring. There were 19 violations out of over 200 homes. Most of the people are very conscious. It's just human nature to mow a little further, or put a swing set in back and nothing was done maliciously or with intent to violate the ordinances. Everyone that violated the easement setback did so purely accidentally. Chairwoman Evarts said it wasn't marked previously, so that was easy enough to do. She thanked the homeowners in Greenfield Farms and everyone working on this for getting us back to a nice baseline to protect the original intent of the property which is to protect open space.

**MOTION by Mr. Drake that the funding of \$1,547.74 be approved to complete the funding for FORECO's effort in Greenfield Farms. Ms. Ricciardi seconded the motion.**

**Mr. Carter suggested that we make it so that it does not exceed \$1,600.00 since we have been adding a not to exceed amount in the past. Mr. Drake indicated that is why he asked the question whether Mr. Klemarczyk was done with the work. Ms. Elmer indicated he is done with the work at Greenfield Farms, so \$1,547.74 will be all that is due and staff has approved this.**

**Vote taken – all in favor. Motion carried.**

- Update on GPS trail mapping  
Ms. Elmer reported that we have a lot of people working on this. Our GIS Coordinator at the Public Works Department is working with Richard Moore, Ron Klemarczyk, and our Eagle Scout at Pulpit Rock trying to coordinate all of our trails to be GPS located. We

are having all new maps done. Our Eagle Scout is doing the mile markers on all the trails for the 911 locations and they will also be added to the town GIS map. Hopefully by the end of January we will have a complete map of Pulpit Rock to show the board. Pulpit Rock is our test case and we are setting the standards with this map and from that will jump off into maps of all the other open space trail properties in town.

### **Other Business:**

During the October workshop Ms. Elmer reminded everyone that we discussed information the board would like that we have not provided in the past; so now every month Ms. Elmer will be adding to the agenda updates on what has happened since your last meeting.

To go back a few months:

- 1.) The expedited Dredge and Fill permit for driveway access on New Boston Road for Robertson did get approved by DES.
- 2.) The Chubbuck Road reconstruction that the town had a Dredge and Fill for did get approved by DES.
- 3.) Last month Mr. Ginn went to the ZBA for the 2-car detached garage on Colonel Daniels Drive and the ZBA did follow the Conservation Commission's recommendation and approved a 1-car detached garage with the swale and mitigation plan for the property.

Ms. Elmer said that years ago DES used to send us copies of all the Dredge and Fill Permits once they were approved. They have not been doing that because everything is online; but the link has been broken for a couple of weeks so that is why she was unable to print out these approvals for the board tonight. DES is doing some major overhauls to their website so there are a bunch of links that are not working right now. Hopefully in the future she will be able to provide paper copies of those approvals so the board can see any recommendations and requirements DES wanted.

Chairwoman Evarts asked that the links be emailed rather than spending the time to make paper copies. She thinks it will be faster, easier, and more conservation-minded. She thanked Ms. Elmer for the follow-up.

Ms. Elmer handed out the official map for the State of New Hampshire from DES of all the impaired water bodies in town, and asked everyone on the board to put that in their binders so that whenever a property comes in - board members can take a look to see what the impairments are and have it for reference when reviewing Dredge and Fills and variances. All of the information is also on DES's website.

Chairwoman Evarts noted that Ms. Elmer sent out an update to our 2020 meeting deadline dates. It is also online. Please note that due to school vacations falling the same week as Conservation

Commission meetings - everyone should review it and let Ms. Elmer know of any conflicts. Ms. Elmer will also email it to everyone.

Mr. Drake said that if we do decide to hire someone to help us rewrite the zoning bylaws - if we get lucky enough there is a State bill of \$350,000 to help communities and reimburse them for doing that task. Ms. Elmer asked him to get her that information. Mr. Drake said he would find it, but it is also on the New Hampshire Conservation Commission's site.

Mr. Drake asked if we can add to the agenda in "Old Business" an update to our progress on trying to find an approach for monitoring all of our properties using outside help. He assumes we are going to issue an RFP. Chairwoman Evarts doesn't want it to appear on "Old Business" until we actually get further down the road about how we are going to do that, and we are not there yet. Mr. Carter indicated it has to become "New Business" before it is relegated to "Old Business". Ms. Elmer will work on this and make it an agenda item for the January meeting. Mr. Drake would like be sure the board keeps track of it and tries to get it done.

**Adjournment:**

**MOTION by Mr. Drake to adjourn at 8:20 pm. Ms. Wachs seconded the motion. Vote taken – all in favor. Motion carried.**

The next meeting of the Conservation Commission is slated for MONDAY, December 9, 2019; however, if we do not have any applications it will be cancelled.

Respectfully submitted,  
Tiffany Lewis