



# CONSERVATION COMMISSION

## Town of Greenland • Greenland, NH 03840

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### MINUTES OF THE CONSERVATION COMMISSION

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Tuesday, April 01, 2014 – 7:00 p.m. – Town Hall Conference Room

*Members Present:* Chair Chip Hussey, Bill Bilodeau, Laura Byergo, Joe Fredericks, Kevin Lucey

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Chair Hussey opened the Conservation Commission meeting at 7:06 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Oyster Reef Restoration in Greenland Waters: Ray Konisky

Ray Konisky, Nature Conservancy, addressed the Board. Also present was David Berlinsky. R. Konisky reminded members that he was at the December 2013 meeting to request a permit for a 10-acre reef site in Greenland waters for the restoration of oyster reefs. Restoring oyster reefs in Great Bay has been on-going for six years, and has been fairly successful. They have been able to construct 13 acres of oyster reefs over the last five years and have more than 3 million oysters surviving.

There have been problems with funding, but they're hoping to resolve that issue this year for two or three acres. R. Konisky continued that there are opportunities for oyster farmers to receive funding, enabling them to assist in the restoration. Granite State Shellfish and Choice Oysters, both oyster farmers, may be able to acquire enough funding to add to the project.

R. Konisky described the two phase process to the Board: dried out surf clam shells are put along the bottom so there is farm sediment; seeding is done on top of that. Their ecological target is 50 oysters per square meter, or approximately 200,000 oysters an acre.

The purpose of their return to the Board is to get an additional permit for two acres in Greenland waters adjacent to the existing ten acres. R. Konisky deferred to D. Berlinsky; he has been in business since 2009 and has successfully undertaken several restoration projects.

The oysters will not be harvested; a reef will be created to filter the water in the Bay. Although there is harvesting in the Bay, it's not in the area they are proposing to work. L. Byergo asked about the reef on the Winnicut. R. Konisky felt it may still be viable and may be able to build out around that reef.

***MOTION:*** L. Byergo moved to approve the new wetlands permit as presented. Second – J. Fredericks; all in favor. ***MOTION CARRIED***

2. Request for a Variance: 1533 Greenland Road [Map R21, 55 & 55A]  
Owners: Adrian Murphy, *et al.* and Clan Murphy Limited Partnership  
Applicant: Richard E. Landry, Jr.  
*The owners and applicant are proposing to construct three buildings with associated parking within the structural setback from wetlands contiguous with surface waters. Article XVIII, Section 18.7.2 of the Zoning Ordinance mandates a 75' structural setback from wetlands contiguous with surface waters.*

Richard Landry, Landry Architects, addressed the Board, explaining that revisions have been made. R. Landry told the Board that the variances they were seeking from the ZBA were either denied or withdrawn. They will not be pursuing sewer, but doing septic instead. Any development at the rear of the property will be done on a smaller scale with less impact; there may be minor wetlands impact.

On the front of the property, the road as well as the proposed Tractor Supply building has been shifted so it no longer impacts the 25' buffer. The retail building has been reduced from 11,000 sq. ft. to 8,000 sq. ft. Parking spaces have also been adjusted, allowing the building to be moved forward. The impacts on the buffer have been reduced; a conditional use permit will be needed for drainage, a gravel wetland, within the 75' buffer and will require a berm. The encroachment will not be into the wetlands, but the buffer only; the proposed project will be within 25' of the edge of wetlands. L. Byergo clarified that a parking lot would be encroaching 50' of the 75' wetland buffer; R. Landry acknowledged it would.

Drainage on-site will go into the gravel wetland treatment system and outflow from there; some of the disturbance will build the berming up to create the containment. Outflow will filter through the gravel treatment system into the wetlands; R. Landry noted that the final drainage analysis hasn't been completed. The engineering is in the process and will be submitted as part of the conditional use permit request. The site plan has not been submitted to the Planning Board.

When discussing snow storage, R. Landry stated that in his other locations equipment is kept on site to haul snow away. K. Lucey reminded him that snow storage is not allowed in jurisdictional areas.

L. Byergo was concerned with impacting wetland buffers for parking; it doesn't seem like a high priority. An employee parking space is another impact on the buffer. R. Landry stated that they don't know how much room the septic will take. Depending on the amount of room left and the grading, it's possible spaces may be moved to that area. Parking and septic can be under the PSNH easement. Employee parking can be shifted if the septic doesn't involve a large area.

**MOTION:** *J. Fredericks moved to recommend to the Zoning Board of Adjustment positive action regarding the Variance as requested by the applicant for encroachment in the wetland buffers. Second – B. Bilodeau*

**DISCUSSION:** L. Byergo stated that she did not support taking positive action at this time; she'd like to wait until the next step regarding the parking lot. She would vote against it. J. Fredericks stated that without the variance it would make it more difficult on the Planning Board level. Granting the variance will allow flexibility on the design of the project. K. Lucey agreed that may be true. He's not opposed to all wetland encroachment; he was concerned with the closest to the road next to the culvert. Chair Hussey added that when the site plan is reviewed, there will be stormwater management information included. R. Landry responded that they have minimized the impacts by shifting things and removed anything that is not needed. They will be meeting with PSNH for easement relief. R. Landry told the Board that if he was not granted the Variance his options were to not continue with the project, or go to

the State for a Wet and Fill Permit to move the 75' lines back. J. Fredericks added that although the Conservation Commission was not "the deal killer" it may encourage them to take positive action.

**MOTION:** *J. Fredericks moved to recommend to the Zoning Board of Adjustment that positive action be taken regarding the Variance as requested by the applicant for encroachment in the wetland buffers. Second – B. Bilodeau; three in favor, two opposed (L. Byergo, K. Lucey). MOTION CARRIED*

### 3. Trail Grant Update

A letter in support of the trail grant was received from RPC and discussed (a copy is on file). L. Byergo and K. Lucey had spoken to RPC. L. Byergo has sent a copy of K. Lucey's proposal to the Field/Pond Foundation. They will be reviewing this week for initial comments; it will take an additional 6-8 weeks to go before their board. The Southeast Land Trust is interested in establishing a path from Pawtuckaway State Park to Great Bay. The Lamprey River Council has given them \$400,000 to help with the path. An additional \$400,000 was obtained to help with the effort. L. Byergo discussed the trails with SELT; they would like to create connecting trails throughout the entire area. She has been in touch with Gus' Bike Shop in North Hampton. There is a group of bicyclists working with RPC and SELT on the abandoned rails going to the Great Bog. She suggested working with those groups and their connections. The Appalachian Mountain Club has been in contact with L. Byergo and would like to do a site walk. They may be able to offer a competitive bid to help with building the trails. K. Lucey suggested involving others in the site walk who may be able to offer assistance. Chair Hussey added that Rick Simpson, Rolling Green, has offered his assistance. J. Fredericks suggested contacting Camp Gundalow for their support. Suggested dates for a site walk: Wednesday, April 30, 2014 and Wednesday, May 07, 2014.

### 4. NH Association of Conservation Commissions Dues

**MOTION:** *J. Fredericks moved to approve payment of the 2014 NH Association of Conservation Commissions Dues in the amount of \$245. Second – L. Byergo; all in favor. MOTION CARRIED*

### 5. Resignation of Conservation Commission Member

Chair Hussey told the Board the Nancy Zuba has resigned from the Conservation Commission for personal reasons. He suggested using Conservation Commission funds to recognize her for years of service to the Town.

There are now two vacancies on the Board. Chair Hussey asked L. Byergo to send an email regarding the vacancies to residents who responded to the survey. Interested parties must send a letter to the Board of Selectmen stating their qualifications as well as meet with the Selectmen. A notice will be in the *Greenland Grapevine*.

### 6. Reorganization of the Board

**MOTION:** *B. Bilodeau moved to appoint R. Hussey as Chairman and J. Fredericks as Vice Chairman. Second – J. Fredericks; all in favor. MOTION CARRIED*

### 7. Other Business

- L. Byergo updated the Board on the meeting Monday, March 31, 2014 with the Board of Selectmen and Pan Am.

- B. Bilodeau told the Board that the Greenland Veterans Memorial Committee raised funds for the memorial at Remembrance Park. They may be able to help with fund raising, if needed.
- Chair Hussey updated the Board on the proposed land purchase and requested permission to seek additional funding sources; the Board agreed.

8. Approval of Minutes: Tuesday, March 04, 2014

Continued to the next meeting.

9. Adjournment

**MOTION:** *J. Fredericks moved to adjourn at 8:25 p.m. Second – L. Byergo; all in favor. MOTION CARRIED*

NEXT MEETING

Tuesday, May 06, 2014 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Secretary to the Boards

Approved: Tuesday, May 06, 2014