



CONSERVATION COMMISSION
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MINUTES OF THE CONSERVATION COMMISSION

Wednesday, February 08, 2017 – 7:00 p.m. – Town Hall Conference Room

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

Chair Hussey opened the Conservation Commission meeting at 7:05 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. NH Association of Conservation Commissions Dues

This item was not discussed.

2. Conservation Law Foundation Dues

Chair Hussey recommended that the Conservation Commission renew its dues to the Conservation Law Foundation due to Coakley Landfill concerns. Dues are approximately \$150.

MOTION: J. Fredericks moved to renew the Conservation Commission's membership with the Conservation Law Foundation. Second – B. Bilodeau; all in favor. MOTION CARRIED

3. Town Report

Chair Hussey stated that the Conservation Commission is obligated by law to submit a Town Report. When reminded by a Town staff member it was required by law, he responded that the Town was required by law to participate in the CIP (Capital Improvement Plan) and did not.

4. Approval of Minutes: Wednesday, October 12, 2016 & Wednesday, December 13, 2016

MOTION: J. Fredericks moved to approve the minutes of Wednesday, October 12, 2016. Second – L. Byergo; all in favor. MOTION CARRIED

MOTION: J. Fredericks moved to approve the minutes of Wednesday, December 13, 2016. Second – B. Bilodeau; all in favor. MOTION CARRIED

5. Other Business

- L. Byergo reported that as part of the NH Conservation Commission's Municipal Board Empowerment Series, Workshop #2, Marc Jacobs, Certified Wetlands Scientist, will be at the Hugh Gregg Coastal Conservation Center (89 Depot Road) on Thursday, March 09, 2017. This workshop will be jointly hosted by the Discovery Center. The workshop will be held from 3:00 p.m. to 5:30

p.m.; L. Byergo will be attending. It's free of charge; however, a \$5 donation would be appreciated. Individuals must register to participate. The workshop will bring participants up-to-date on current laws as well as what's happening with salt marsh migration. Chair Hussey noted that there will be changes to wetland permits.

- L. Byergo added that HB 486 is scheduled for a hearing on Wednesday, February 15, 2017. She explained that HB 486 proposes a State buffer for high value wetlands. A 100' buffer is being considered and would be a State standard. Some are concerned that within the same laws they would be taking away from municipalities the ability to set a wider standard. L. Byergo suggested the Conservation Commission may want to be involved, and talk to the Planning Board and/or Board of Selectmen about the idea of having someone restrict the ability of municipalities to set limits. J. Fredericks stated that as a general rule the Conservation Commission shouldn't support something that would prohibit municipalities from exceeding standards set by the State; it's about local empowerment. Chair Hussey stated it violates the home rule law that allows individuals to be stricter than the State. L. Byergo suggested writing a letter in support of certain aspects of the bill but also convey the Conservation Commission's disagreement of prohibiting municipalities. She added it would have more impact if it included a statement from the Board of Selectmen. Chair Hussey stated that a motion could include the recommendation that the Planning Board and Board of Selectmen review and comment on the House Bill.

MOTION: L. Byergo moved that the Conservation Commission write a letter indicating their disagreement with HB 486 as proposed, and specifically with the portion of the bill that seeks to restrict the ability of municipalities to set wider, more protective buffers. Second – B. Bilodeau

DISCUSSION: The bill will be heard by the Resources, Recreation and Development Committee. J. Fredericks suggested that the letter be sent to the State Representatives and State Senator asking them to appear before the Committee and support the Conservation Commission's position. It would be more effective if there were State Representatives and/or the State Senator appearing before the Committee.

AMENDED MOTION: L. Byergo moved that the Conservation Commission write a letter indicating their disagreement with HB 486 as proposed, and specifically with the portion of the bill that seeks to restrict the ability of municipalities to set wider, more protective buffers. Further, the letter should be sent to the State Representatives and State Senator requesting their support. Second – B. Bilodeau; all in favor. **MOTION CARRIED**

L. Byergo will draft a letter for members review. Chair Hussey will discuss the issue with the Planning Board at their meeting on Thursday, February 16, 2017 as well as the Board of Selectmen. He noted that in the past, the State has always recommended minimums and towns could make it stricter. J. Fredericks stated that there is a bill in the Legislature that would mandate the allocation of a percentage of the LUCT tax for conservation purposes.

- L. Byergo requested that as a Conservation Commission they do some "forward planning" and identify goals for this year, including an effort for more members. She also suggested a more formal review of what has happened to recommendations made by the Conservation Commission to other Boards for projects coming to Town. Chair Hussey added that the trails needed to be completed. He told members that the Planning Board has agreed with several comments and recommendations from the Conservation Commission. He would like any projects that involve wetlands reviewed by the Conservation Commission. J. Fredericks suggested that the Planning Board minutes be clearer on the results of a project and a summary of the final approval be available. It was also suggested

that there should be a unique listing of actions the Conservation Commission has taken. They would like meeting packets to include their actions from the beginning to the end of a project.

L. Byergo suggested that for the next meeting on Wednesday, March 08, 2017, each member submit a goal for the year. She is willing to work on tracking the Conservation Commission decisions and recommendations.

- Members discussed the email from Ken Edwardson, DES, which referred to the List of Impaired Surface Waters. Laura stated that the Winnicut River is a 303(d) river; she felt most of them in Town were 303(d) rivers but was unsure if they were impaired. There is legislation under consideration to change the nutrient levels for impairment that could impact the discussion about Great Bay. An effort is being made to have the list of impaired waters changed based on fact that the “science may have been wrong” for nitrogen levels. J. Fredericks suggested someone look at the list for changes to the Greenland listings. DES has allowed 18 calendar days for the list to be reviewed. J. Fredericks will review the list for any changes to Greenland.

6. Adjournment

MOTION: J. Fredericks moved to adjourn at 7:49 p.m. Second – B. Bilodeau; all in favor. MOTION CARRIED

NEXT MEETING

Wednesday, March 08, 2017 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Secretary to the Boards

Approved: Wednesday, April 12, 2017