



**CONSERVATION COMMISSION**  
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**MINUTES OF THE CONSERVATION COMMISSION**

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Wednesday, May 08, 2019 – 7:00 p.m. – Town Hall Conference Room

*Members Present:* Bill Bilodeau, Laura Byergo, Rich Collins, Joe Russell

*Members Absent:* Joe Fedora, Chip Hussey, Sarah Rowe

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Chair Byergo opened the Conservation Commission meeting at 7:00 p.m. A roll call was taken by the Chair; she announced a quorum was present and the meeting was being recorded.

1. Reorganization of the Board

Reorganization of the Board was continued to the next meeting.

2. Welcome New Member: Joe Russell

Chair Byergo welcomed Joe Russell as the newest member.

3. Van Etten Open Space Update: Laura Byergo

Chair Byergo stated that the Commission would not be voting at this meeting; three members were missing. She did appreciate the work and efforts of the Brown's and Barry Posternak. Any plantings will be done later in the year.

Matt Tarr, Professor at UNH and for the UNH Cooperative Extension, and Chair Byergo walked the Van Etten Drive open space. He has also worked on the management of the open space area for the last three years. Professor Tarr is a wildlife habitat expert. One of the challenges in the area is to reduce the invasives in that space. It is still a field and the Conservation Commission would like to keep it as open space rather than it grow into a thicket of multiflora and autumn olive. He had suggested to brush hog the bank to knock back some of the invasives. There is a general plan to do mowing; the price ranges from \$500 to \$600 per time.

Professor Tarr also noted that the field is small enough that there should be no concern about ground birds nesting; it can be mowed more intensively for three years to knock back the autumn olives. The mowing would be reduced after that period. Professor Tarr also suggested filling in closer to where the trail narrows; it's rough and uneven because of the boulders and stumps. If that area is graded, it will be easier to mow and less likely for things to grow in there and brush hog within a couple of years. Professor Tarr agreed it would make a nice bed for extra plantings. Chair Byergo discussed planting seeds and/or warm season grasses on the bank. Professor Tarr felt there was too much competition on the bank to have wildflower seeds spread or seedlings planted. That will be a good location for shrub

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plantings. His rule of thumb: if you're thinking about planting wildflowers, which are pollinators, they do better in tougher areas; they will grow in poorer soils. The compacted, gravel area behind Barry Posternak's would be a good place for wildflowers to grow. Professor Tarr suggested if they wanted to seed an area, it be covered with black plastic for six months, kill everything there, and then plant wildflowers in the fall. Wildflower seeds can be planted until the beginning of June or in the fall.

The cost of grading the area will be between \$1,000 and \$1,500. Wildflowers will be less expensive than shrubs. Professor Tarr recommended if shrubs were going to be planted, they should be put in a concentrated area, fenced in and protected from the deer. Chair Byergo estimated \$1,500 for dirt work and \$500 for native shrubs.

The approximate cost to complete the project will be \$4,000; volunteers will be needed. Also discussed was the work that needed to be done in the Coastal Way and Cushman Way right-of-ways. Those projects could cost \$1,000 to complete; removing the tree could be an additional \$800 to \$1,500. Finishing the bridge and boardwalk will add to the expenses.

#### 4. Van Etten Open Space Proposed Donation

The Commission members received a proposal (copy on file) from Barry Posternak, 18 Van Etten Drive, for his proposed donation of plantings on the Town-owned property adjacent to his. B. Posternak stated that even though these are two separate projects, that could, in tandem, create one higher value project in that area. Chair Byergo responded it was one project and the question was whether the Commission would approve the plan for the donation from an abutter.

B. Posternak addressed the Commission. He would work with the Conservation Commission and agree, jointly, which trees would be planted and their location, rather than the Commission specifying exactly. His plan calls for four trees and wildflowers.

Responding to a question from B. Bilodeau, B. Posternak stated he has not presented his plan to the Board of Selectmen. It was his understanding that the Conservation Commission would make their recommendations to the Board of Selectmen. B. Bilodeau stated that the Selectmen were in favor of B. Posternak's donation. Chair Byergo stated that at the last Selectmen's meeting, they agreed that the plantings previously done by the Brown's and B. Posternak on Town owned land did not have to be removed. The plantings could be left on Town land as long as they no longer maintained them. The Selectmen did not make a decision on the donation, stating it needed to go to the Conservation Commission.

B. Posternak was concerned that the decision process for the donation could drag on until it couldn't be done until next year; he preferred to have it done this year, understanding it may be continued to the fall. B. Posternak volunteered to maintain the donated plantings and offered that if he were to move, he would put in writing that he would pay to maintain the plantings. He would defer to the Conservation Commission about the use of insecticides.

Chair Byergo questioned the coordination of the plantings; B. Posternak would be using a landscaper. Chair Byergo stated that in order to get her vote, the Conservation Commission would have to have a veto over the trees and wildflowers: what kind and whether they fit or not. She continued that she was a little concerned about having one person provide a donation to the Town to have the Town do what he wants done behind his property. That, in its formation, to her, is not the same as volunteering to help out on a project that is well-conceived. It's saying the Conservation Commission has a concept for

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the project, but I'd like this done behind my property and I'm willing to pay to get the Town to do what I want to have done behind my property. Chair Byergo was also concerned about the precedent that sets for other people coming in and saying "I would like the Town to do this behind my property". She asked how it would truly be incorporated with the Conservation Commission's work. The Commission tends to rely on volunteers and it's not the same as saying "I'll maintain a tree in this place behind my property and that's what I'll be involved with". Chair Byergo asked how the coordination of pesticides would work. She continued that she was only one person on the Board but had questions about how B. Posternak's offer will practically work out.

B. Bilodeau noted that B. Posternak is working with Lang's Landscaping. They would create a plan and include the trees that would be planted. B. Posternak would then work with the Conservation Commission. B. Bilodeau was sure that Lang's Landscaping would know what trees would work there. He stated that if what B. Posternak was trying to do as an individual was to come forward to beautify parts of Greenland, let him do it. B. Posternak thanked B. Bilodeau and added that the trees would be discussed with the Conservation Commission; he would then go the Lang's Landscaping. Addressing the concern about precedent, he stated that each case should be addressed separately based on its merits. B. Bilodeau added that if each individual came before the Commission with a plan and were looking for approval, he didn't see anything wrong with what B. Posternak was doing there.

Chair Byergo noted that B. Bilodeau was voicing his opinion and consideration. He was also bringing in the idea of people in Town helping to beautify Greenland; it was a valid one. J. Russell added that it would be different if he asking the Town to do something, but he wasn't. Chair Byergo stated that if this donation was accepted, the Conservation Commission implement it; that is absolutely.....we will work together, but he would not go to Lang's and have Lang's come in and do it. The Conservation Commission will go to Lang's or wherever they could get a good price. She could go with B. Posternak, or not go with him. The Conservation Commission would decide the date, be involved with the planting; they would be there when it was done. They will vote on this, but as far as Chair Byergo was concerned, if the Conservation Commission was working with someone to have a donation, that's fine. They could put the conditions of their donation. She added, emphatically, "we will control how the work is done, when the work is done, where it's done and what's done".

B. Posternak stated that when "control" is mentioned, he was looking for an agreement rather than a dictation of what will be done. Chair Byergo responded that they could have a negotiation on the types of materials, but the Conservation Commission (emphatically and hitting the table) will implement this donation. It will not be a project that he implements and pays for; he will give the money to the Town, the Selectmen will agree to take the donation, and the Conservation Commission will spend it and implement it working with B. Posternak. It won't be something where he goes out and gets it done because she wouldn't agree to that. A comment from a Commission member was made that personally, he didn't think the Selectmen could agree to that; acceding Town authority to a private citizen. B. Posternak responded that it wasn't just something he wanted to see done; the neighbors would like it as well. They are the ones, let's be honest, who are looking at the view of the bank. 99.9% of the views are pretty much them looking out. Also, the wildlife expert thinks it's a good idea with regard to wildflowers. It's not like he's the only one who would like to see this done.

B. Bilodeau stated he was concerned about B. Posternak willing to "kick up" the \$5,000 or more to do that, which is a good thing. He didn't want to see that go by the boards. B. Posternak could say "to hell with the \$5,000" and not give them anything. B. Bilodeau added that he would be frustrated. Chair Byergo stated that if the donation doesn't come through, the Conservation Commission will still be planting wildflowers and that would be much less expensive; trees probably wouldn't be planted unless

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they get the donation. It's not that he is offering to fulfill something that was part of the plan. He's bringing an idea to the Commission to increase the beauty of the area. It wasn't part of the plan originally. B. Bilodeau responded he didn't want to see the donation go by the boards if she wanted to do this; Chair Byergo stated they could get other funds elsewhere. B. Bilodeau commented that funds that from elsewhere could be used for other things. If he wants to utilize his fund for this, there has to be some way to compromise, whether it's hand in hand to Lang's to show him what we want to do. Obviously B. Posternak and Chair Byergo needed to work together on this and get it done. B. Bilodeau added that if this was going to be debated, it was not going to get done. B. Bilodeau and B. Posternak added they would like to see it get done.

J. Russell added that there is a concept here that a lot of people would be okay with it. For him, it was not well defined enough to vote on it now. It has to happen either as a pledge that up to a specific amount would be donated and agree to work with the Board on a final donation and implementation plan. Or, B. Posternak comes back and says this is exactly what he wants to do and there's an actual plan. B. Posternak suggested the concept be approved contingent on a mutually acceptable agreement as to the type of tree and location. Chair Byergo stated she liked the idea of a more specific plan; that's what has to be recommended to the Selectmen. She suggested sitting down with him and the Brown's to discuss this in terms of the type of trees that would work, where they would get them, and exactly what needs to be done. Then come back with something more specific. B. Posternak was in agreement.

Chair Byergo was concerned about mowing under the trees; it compacts and affects the roots. She was also concerned about the potential need for pesticides and herbicides. If the proper trees are picked, there would be much less need for that. Discussion continued concerning the trees.

Chair Byergo will contact B. Posternak to discuss the trees further. B. Bilodeau asked to be included; Chair Byergo invited any interested Commission members to attend. R. Collins stated that it was very nice of B. Posternak to make the offer. Peter Brown, 20 Van Etten Drive, stated that it would be a plus for the Town and the residents looking at their back window. This was a substantial gift and he was very much in favor of it.

### 5. Wetland Applications

Two wetland applications were recently received in the Town Office. The applications did not need to be signed by the Conservation Commission. Chair Byergo explained that an application is submitted to the State; the Conservation Commission can go to DES if they have concerns. Some applications will need to be signed by the Conservation Commission. 90 Depot Road: the resident applied for a DES Shoreline Permit. 46 Spruce Lane: the resident applied for a permit for an excavated pond. Both applications were reviewed by members; Chair Byergo will contact DES.

### 6. Logo for Conservation Commission: Rich Collins

R. Collins created a logo for the Conservation Commission.

MOTION: B. Bilodeau moved to adopt the logo created by R. Collins. Second – R. Collins; all in favor.  
MOTION CARRIED

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### 7. Seedling Event Organization: Bill Bilodeau

R. Collins discussed a 3' x 2' banner with the new logo; the price from Staples is approximately \$40. Habitat brochures were given to B. Bilodeau to give out with the seedlings on Saturday, May 18, 2019. J. Fedora will pick up the seedlings. B. Bilodeau will bring a table and buckets for the seedlings. Labels were created for the trees and hazelnuts; they will need to be attached to the seedlings. The cost of 200 trees was \$210. The event will be held from 9 a.m. to Noon in the Town Hall parking lot.

### 8. Approval of Receipts

MOTION: J. Russell moved to approve the payment to Laura Byergo (\$210 - seedlings) and Joe Fedora (\$20.13 – Lowe's, posts for King Tide markers). Second – B. Bilodeau; all in favor. MOTION CARRIED

### 9. Trail Bridge and Boardwalk Spring Budget: Laura Byergo

The Conservation Commission is still on schedule for the trail bridge and boardwalk work on Saturday, June 08, 2019. A small budget is available. Further discussion was continued to the June meeting.

### 10. ARM Grants: Laura Byergo

The ARM Grant is the Aquatic Resources Mitigation fund. There will be \$900,000 available for the seacoast area next year. Chair Byergo explained that when a developer has to get waivers and impacts the wetlands area, they are required to pay a mitigation fee. If a town has their ducks in a row and has a list of priority mitigation projects, that money can be paid by the developer directly to the town for said mitigation project. If a town does not have a list of priority mitigation projects, the developer pays the money into a State fund. It would be up to DES and the ARM fund to keep the funds for the impacted town. They will sometimes take impacted freshwater funds and put it on a sea water/brackish water project. If it's a brackish water impact payment, they keep it; there are fewer of those types of impacts.

Chair Byergo stated it makes sense over the next year for Greenland to develop a list of priority mitigation projects to be able to apply for ARM funds. Other Conservation Commissions have used ARM funds before. There are two culverts in Town that aren't allowing aquatic species to go through. Chair Byergo offered to work with a member of the Conservation Commission to apply for an ARM Grant. It should be a priority for the Conservation Commission to develop a list of mitigation projects. If members are interested, please contact Chair Byergo.

### 11. Approval of Minutes

Approval of minutes was continued to the next meeting.

### 12. Other Business

Van Etten Drive: Last year one of the abutters in the back stated that landscapers working on Van Etten Drive were dumping grass cuttings behind their house. Chair Byergo located two "no dumping" signs to put in that area.

Intern: The Conservation Commission will have an intern this summer to monitor the Town's conservation land and possibly work on mitigation projects. The Conservation Commission was very lucky with the intern last summer. Chair Byergo distributed a draft for the intern position for review. It

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was recommended the hourly wage be included. The position will be advertised in The Portsmouth Herald and at UNH.

Trout Unlimited: R. Collins attended a Trout Unlimited presentation in Conway. He has a contact at Fish & Game that he may be able to speak with about culverts. There was a discussion about the Thompson Brook culvert.

Trail: J. Russell told members that Timberland may be able to help with volunteers for the trail. Chair Byergo suggested he continue talking with them as they often have a long lead time.

Trail Maintenance Committee: Larry Day has volunteered in the past and is willing to organize a trail maintenance committee. It will be a subcommittee of the Conservation Commission; the Conservation Commission will need to help with organization. L. Day will try to attend the next meeting. He doesn't want to join the Conservation Commission, but is willing to work with the Commission.

### 13. Adjournment

**MOTION:** B. Bilodeau moved to adjourn at 8:53 p.m. Second – R. Collins; all in favor. MOTION CARRIED

### NEXT MEETING

Wednesday, June 12, 2019 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Administrative Assistant

Approved: