



CONSERVATION COMMISSION
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MINUTES OF THE CONSERVATION COMMISSION

Wednesday, December 11, 2019 – 7:00 p.m. – Town Hall Conference Room

Members Present: Bill Bilodeau, Laura Byergo, Joe Fedora, Joe Russell

Members Absent: Rich Collins, Chip Hussey

Chair Byergo opened the Conservation Commission meeting at 7:03 p.m. A roll call was taken by the Chair; she announced a quorum was present and the meeting was being recorded.

1. Approval of Minutes

Amended: Page 2, paragraph 1 to read: The bill is proposing incentives so that property owners develop their land or sell it someone who will develop it.

Delete: Page 3, entire paragraph: J. Fedora felt the annual conference was worth attending. This paragraph was moved to page 2.

Clarify: Page 4, Rockingham Planning Commission: J. Fedora attended an RPC conference on drinking water. He reported they were trying to raise awareness.....

MOTION: J. Fedora moved to approve the minutes of Wednesday, November 13, 2019, as amended. Second – J. Russell; all in favor. MOTION CARRIED

2. Other Business

GIS Map Training: Wednesday, February 12, 2020 has been confirmed by the Building Inspector.

Thompson Brook Trail: Hunter Safety Zone – Three signs have been put out at each of the heads of trails stating “The trail shares this land with hunters; it’s hunting season”. Signs will be removed shortly.

Target and Lowe’s: B. Bilodeau will report at the January meeting.

Senate Bill 200: Chair Byergo explained that the bill adds to existing legislation that wildlife corridors are to be protected. It specifically mentions the Department of Transportation’s responsibilities and activities like trail building, etc. Chair Byergo read the definition of wildlife corridor in Title XVIII – Fish & Game, Chapter 207, Definitions: “A wildlife corridor is a habitat linkage that joins two or more areas of wildlife habitat, allowing for fish passage or the movement of wildlife from one area to the other.” Packer Brook and Pickering Brook move from major wildlife areas in Packard Bog and the Great Bog

directly to Great Bay. Chair Byergo stated the Conservation Commission should be able to advocate for those as wildlife corridors. She added the bill was 2019 SB 200, session signed by the Governor.

EPA Report Card: Several waterbodies in Town are impaired: most of the Winnicut River, Pickering Brook, Packer Brook. Haines Brook, located in Packard Bog drains into Packer Brook; however, is not impaired, it is a healthy water system. Pickering Brook and Packer Brook might qualify as wildlife corridors. Chair Byergo stated there are tools and reasons why the Conservation Commission should stand their ground when going back to the Planning Board to ask them to reconsider the Conditional Use Permit for the Overlay District, and to add language that signals potential developers that the Town wants to protect those rivers.

3. Proposed Residential-Commercial-Industrial Mixed-Use Overlay District

Chair Byergo distributed packets of information (copy not available for the file) that included Draft III of the RCIM Overlay District with suggested language for wetland protection by the Planning Board's Planner; it was rejected at their last for being too vague. Chair Byergo asked for the Conservation Commission to consider ways to improve the draft to show support for protecting the rivers and wetlands in that area. B. Bilodeau suggested using "impaired areas" rather than "sensitive areas". Chair Byergo stated the impairment is to the water quality but they are in sensitive environmental areas. J. Fedora suggested using both terms, noting that two of the three rivers are impaired. Chair Byergo has spoken to the Exeter Natural Resources Officer. Chair Byergo suggested changing the Planning Board Consultant's language to read something similar to "they are in sensitive areas within Town and proposed development within these watersheds will need to be designed and built to meet water quality standards". It was further suggested to possibly include "meeting Town, State and federal water quality standards". To be more specific, "Wetland Ordinances and water quality standards" could be added. The revised statement could read: "proposed development within these watersheds will need to be designed and built to meet Wetland Ordinances and water quality standards". J. Fedora suggested changing "will need to be" to "must": "...these watersheds must be designed and built to meet...". Chair Byergo asked if the Conservation Commission was willing to advocate for it. J. Fedora wanted to start with the strongest position.

Chair Byergo continued that the Exeter Natural Resources Officer suggested highlighting under the MS-4 permit that impaired waters entail greater responsibility on the Town to make changes to protect and improve the impaired waters. Chair Byergo reviewed the MS-4 and Greenland is noted as having impaired waters for a variety of different things, including chloride, nitrogen, solids, oil, grease, etc. She wanted to highlight when impaired by chloride, requirements for new development and redevelopment to minimize salt usage and track reports using UNH Technology Transfer Center online. For bodies impaired due to nitrogen: there is a specific requirement for stormwater management in new development and redevelopment. Chair Byergo felt the Conservation Commission may want to specifically site the MS-4 in the language. It might assist the Planning Board to encourage better quality septic systems or sewer.

Chair Byergo also suggested adding to the sentence at the end of the first paragraph of Item 'A', Purpose and Intent: "It should be noted Pickering Brook, Packer Brook and Haines Brook are sensitive areas within the Town. Proposed developments within these watersheds will need to be designed and built so the Town can meet its MS-4 water quality requirements and that Wetland Ordinances are maintained".

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Chair Byergo's other suggested change is on Page Two, Item 'C', Conditional Use Permit (CUP) Criteria: Adding an item—applicant's development proposal must abide by provisions of Town, State and federal wetland ordinances.

The last suggestion was deleting the rest of the Planning Board Consultant's language related to the wetlands since the Planning Board had already rejected it. There was a discussion about waivers being issued.

B. Bilodeau mentioned that the goals of the RCIM does not go along with the Master Plan. Chair Byergo noted that was a different issue; the Conservation Commission had some ideas for the Master Plan. She suggested doing a conservation survey; one has not been done for approximately five years. They could ask the questions that were not included in the Master Plan Survey. The results could be given to the Selectmen and Planning Board.

B. Bilodeau did not think anyone in Town wanted to encourage the concentration of development along major transportation corridors; they wanted to keep Greenland rural. Chair Byergo felt the Planning Board was moving in a different direction and doing it based on raising the tax base. B. Bilodeau noted the Conservation Commission needed to make sure the wetlands were not infringed on; Chair Byergo added they protect the Town's water quality. J. Russell stated it needed to be smart development, protecting the sensitive areas. Chair Byergo stated developers were going to say "these are not prime wetlands". J. Russell stated that the purpose of the CUP was to give the Planning Board and Zoning Board more leeway. Protecting the wetlands needed to be included in the purpose.

J. Russell suggested amending Chair Byergo's recommendation for 'Purpose and Intent': "It should be noted that Pickering Brook, Packer Brook and Haines Brook are environmentally sensitive areas within the Town. Proposed development within these watersheds shall be designed and built to meet all applicable water quality and other environmental standards including but not limited to those imposed through the MS-4 permitting process and shall also avoid further impairment of these critical watersheds". Members were in agreement.

Also recommended to be included in 'Purpose and Intent': "Applicants development proposals must abide by all provisions of local, State, and federal wetland and water quality laws and regulations".

Chair Byergo suggested the following motion be considered: that the Conservation Commission support and advocate for the proposed language changes at the Planning Board Public Hearing on Thursday, January 02, 2020.

There was a discussion regarding mentioning the wildlife corridor. J. Fedora saw this as an opportunity to mention the wildlife corridor as opposed to advocate for one issue and then bring up the other. Do you put all the issues on the table now? B. Bilodeau felt it was a good idea to bring the wildlife corridor into the discussion. Developers would have to address wildlife corridors to build in those areas.

J. Fedora recommended adding to Page One: "Projects would need to be in adherence to the provisions of the laws and regulations with respect to wildlife corridors". Chair Byergo stated she would research SB 200 further before the public hearing to see how the bill will be enacted. J. Russell suggested including "wildlife" in the amended recommendation for 'Purpose and Intent': "It should be noted that Pickering Brook, Packer Brook and Haines Brook are environmentally sensitive areas within the Town. Proposed development within these watersheds shall be designed and built to meet all applicable water quality, *wildlife* and other environmental standards including but not limited to those imposed through

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the MS-4 permitting process and shall also avoid further impairment of these critical watersheds". Members agreed that this language be recommended to the Planning Board.

MOTION: B. Bilodeau moved that the Conservation Commission support and advocate for the proposed language changes at the Planning Board Public Hearing on Thursday, January 02, 2020. Second – J. Fedora; all in favor. MOTION CARRIED

4. New DES Wetland Rules

Continued to the January 08, 2020 meeting.

5. Other Business

Natural Resources Inventory: Chair Byergo has spoken to RPC; they can help the Town's natural resources inventory. There is a cost involved.

6. Adjournment

MOTION: B. Bilodeau moved to adjourn at 7:53 p.m. Second – J. Fedora; all in favor. MOTION CARRIED

NEXT MEETING

Wednesday, January 08, 2020 – 7:00 p.m., Town Hall Conference Room

Submitted By: Charlotte Hussey, Administrative Assistant