

**TOWN OF NEW LONDON
CONSERVATION COMMISSION
AUGUST 17, 2005**

PRESENT: Laura Alexander, Dale Conly, Bob Crane, Emma Crane, Terry Dancy, Vicki Koron, Peter Stanley, Ruth White.

Laura Alexander called the meeting to order at 1 p.m. Ten areas of business were addressed at this meeting.

July 20 Minutes

- o There was some discussion of easement monitoring requirements, paragraph one under #2. Easement Monitoring, on page one. The State requires monitoring every ten years, but the paragraph in the minutes is correct as drafted.
- o The reference to an existing dock was deleted from paragraph three under #3. Frank and Karen Voellman ..., page one.
- o The spelling of Brian Faughnan's name was corrected.

Putnam Property

Doug Sweet provided a proposed subdivision plan for this property, and explained that the parcel is on the southeasterly side of Soo-Nipi Park Road. Applicants will have a preliminary hearing of this proposal before the Planning Board on September 13. Ken McWilliams has suggested they seek input from the Conservation Commission before that date. Doug Sweet pointed out on the map that they have had the wetlands delineated, including a stream which is on the Town's 2001 streams map. His question is: will the 100-foot buffer be required around all the wetlands on the property or just around the primary? He noted that they have shown on the map the 75-foot sewage setbacks.

Peter Stanley said the objective of the regulation is to buffer those things which make a significant contribution to attenuation of runoff, and to provide vegetation to keep the water temperature lower. The Commission did map significant streams and their wetlands, and at the time acknowledged that the mapping was not all inclusive. His opinion is that to require buffering around all wetlands in Town would stretch the intent of the rule; application of the rule should be reasonable and practical. In this case, the primary wetland is shown along the stream. The other is above the contour, and not part of the main system. He said that if the Planning Board has some concern, they can refer applicant to the zoning board for a special exception to reduce the buffer in this case.

Terry Dancy said the Conservation Commission should keep in mind the question of precedent. He reminded members that there have been questions raised about whether or not some of the intermittent streams should be buffered, particularly in regards to the proposed subdivision of the Granger property. The Conservation Commission wants to make certain it is not weakening its concern that drainage be buffered. He noted that in this case, they do have all of the required 75-foot sewage setbacks for each lot, and there is no intent to ask for a weakening of those.

Miller Property

Doug Sweet presented another proposal, this of Herbert Miller's fifty-acre parcel located off King Hill and Stony Brook Roads. There is a major wetland there, but he noted one area—a secondary finger of wet area extending into the property, adjacent to which the applicant feels he can locate one or two house lots. Applicant understands he would need a State permit allowing two wetland crossings. Peter Stanley asked if the wetlands (the main one and the finger) have common contours. Doug Sweet said there is a three-foot difference, and pointed out a dry area on the map, where applicant feels one or two house sites could be located. Conservation Commission members agreed that this is a different situation than the previous one, and will require further consideration, as it is a much larger

wetland, and more difficult to avoid impacting the main wetland, and attenuation of runoff. Doug Sweet will provide the owner's report for the Conservation Commission to look at.

Goldberg Property

John Caramore and Matt Blanc attended the meeting to seek input from the Conservation Commission regarding renovations and upgrades to this residence at 305 Forest Acres Road. They presented plans and photographs, explaining that right now, four-feet of the house itself, as well as a 12' x 20' deck, extend into the fifty-foot buffer from Messer Pond. A retaining wall is within fifteen-feet of the water's edge now.

The proposal calls for renovating the entire house (but it will remain on its current foundation), putting all infrastructure underground, replacing the current retaining wall with one closer to the house, and constructing a horseshoe shaped four-foot wide walkway from the front of the house towards the water. The 12'x20' deck will be replaced with an eight-foot wide deck in the front of the house. Patio doors along the front of the house will open onto the deck, and there will be a step(s) down to the walkway(s). The walkway(s) will blend into the grade, eight- or ten-feet back from the water. Gambien (3" or greater trap stone) will be placed in the dry wash.

Peter Stanley clarified that right now this has been grand-fathered; it is a legal non-conforming use. Applicants will need a variance from the ZBA in order to proceed with renovations that will exceed 50% of the value of the current structure. (These renovations will.) Also, he noted that per both State law and New London zoning regulations, applicants may not increase the volume of the primary structure within the fifty-foot buffer. He asked if four feet of the house will remain within the buffer.

Yes, the house will retain its current foundation. Cutting the house back in size would result in more erosion occurring.

Terry Dancy asked if there is a problem with the fact that the horseshoe shaped walkway is actually two walkways, one going in either direction out from the front of the house. Peter Stanley pointed out that the ordinance does not limit number, but only width to four feet.

Laura Alexander asked about plantings out front. Dale Conly referred to a culvert. (Is that the dry wash where the gambien stone will go?) Vicki Koron asked what is planned for the area near the water's edge. Peter Stanley said terracing is permitted if it is for the purpose of controlling erosion. He suggested applicants present a planting plan to the Planning Board, particularly if the drain is going to be moved, as that would necessitate additional excavation. Dale Conly has visited the site, and said that planting in the terraced area would be a plus for the pond. Conservation Commission members recommended a mix of indigenous plants, suggesting applicants might not want to plant species particularly attractive to deer.

Peter Stanley offered to review with applicants at a later date, the various sorts of information which will be required for the zoning application. The ZBA will be looking for the Conservation Commission's take on this.

Clark Lookout

Syd Crook and Debbie Stanley referred to page 148 of the Master Plan identifying Clark Lookout as a "top priority" for conservation. Now Syd Crook would like to place the property consisting of 4.47 acres, in a conservation easement, and give it to the Town. A plat was presented, and he pointed out that the property is accessed (by Lookout Drive and Clark Drive) off Davis Hill Road, and the lookout does have pedestrian access. Parking is available at the park & ride or along Davis Hill Road. In addition, he would like to work out some means of handicap access to the lookout, and that perhaps could be accomplished by allowing those with handicap plates to park on the loop surrounding the lookout.

Pierre Bedard went on to explain that, as this will be a non-conforming lot—that is, there is no frontage, it will require a zoning variance.

Peter Stanley said it would be a use variance, not a space variance, and he reviewed the criteria, including those clarified in recent court rulings regarding variances. Conservation Commission members agreed that this use would meet all of those criteria, and that the special conditions of the land render the proposed use of the land reasonable. The only question that may be raised would be in regard to the potential for impact on neighbors should the balance of the land be subdivided. Debbie Stanley pointed out that the parcel which is to be conserved and donated is quite large—4.47 acres, and Pierre Bedard pointed out that many ads for lots for sale tout proximity to a conservation easement.

He and Syd Crook referred to a number of historical references included on the plat, and they pointed to the main entrance—a beautiful stretch of road which will have a fifty foot right of way to either side in order to protect the stone walls. Peter Stanley asked if he would consider giving the Town the right to mow or maintain that roadway., Syd Crook said he thought that would be a good idea. Pierre Bedard added that they would like the Town to take some responsibility for the handicapped access, possibly with a locked gate. Members agreed that it would have to be a managed access.

Syd Crook and Pierre Bedard said they will be meeting with the Planning Board on September 13. Debbie Stanley asked about the Town's process. Conservation Commission members said that the Selectmen will hold a public hearing to accept the gift. This will not have to wait until Town meeting. In response to Terry Dancy's question, Debbie Stanley said that Ausbon Sargent Land Preservation Trust will be the grantee of the conservation easement, but she added that this has not gone through the whole process yet—that is, the entire ASLPT Board has not yet met to consider it. They will have, however, before the Selectmen's public meeting on it.

2006 Budget

- Conservation Commission members agreed to request level appropriations for the following line items:
 - o Advertising at \$400.
 - o Dues at \$200.
 - o Trail Maintenance at \$1000. At Peter Stanley's suggestion, Conservation Commission members will be prepared to itemize these needs for lumber, bridge construction materials, etc.
 - o ASLPT at \$500.
 - o Water analysis at \$200.
- Conservation Commission members agreed to encumber last year's appropriation of \$2000 for Land Management (Surveys). Peter Stanley said the Commission should be putting some money away each year for things like having a Forest Management Plan and Survey for Low Plain. He volunteered to begin making arrangements to have a Forest Management Plan and Survey done for Low Plain before the end of this budget cycle, and Conservation Commission members agreed to encumber the 2005 appropriation for that purpose. Ruth White moved that the Conservation Commission approve authorizing Peter Stanley to proceed with that. Dale Conly seconded. No further discussion. Motion unanimously approved.
- Conservation Commission members agreed to make the following changes to last year's appropriations:
 - o Members agreed to reduce the request for Land Management from last year's \$2000 to \$1000 (remember: the \$2000 appropriated last year will be encumbered per the above vote) in order to begin reclaiming the area and working out a trail loop on the town land between I89 and the parking area. There may also be some work done on the gated trail by Messer Pond. Ruth White added that that trail should be added to the trail map as "tentative" or "work in progress."

Members agreed that the Commission should be tending to all of these other properties, but Terry Dancy pointed out that they are somewhat limited with volunteer labor. Ruth White said that more attention should be given to existing trails rather than to creating new. All of New London's trails and lands receive heavy use. Agreed. Vicki Koron asked what other properties are there. Listed were the land off Bog Road, and between County Road and Messer Pond.

Also mentioned was the Class VI road between Morgan Hill Road and Pingree Road. Peter Stanley said the Fire Department is interested in maintaining that as a fire break, that is for ATV and a fire fighting trailer, not for regular vehicles. Only the Fire Department can appropriate money for that purpose, and it would have to be done in a warrant article. Conservation Commission members agreed to send a note to the fire wards indicating that the Commission does endorse this idea, provided it does not become a regular vehicular access.

- o Upon receipt of information from Terry Dancy regarding cost of printing the new four-color trail maps, last year's appropriation of \$2500 may increase (or decrease?). Laura Alexander reminded him that Carol Fraley needs the budgets by September 7. Terry Dancy pointed out that this is really a "wash" as the Commission generates revenue by selling the maps. He suggested the possibility that the four-color maps could be sold for \$3 each. Members noted that the revenue goes into the Town's general fund.
 - o The line item for Reprinting Maps will be deleted as that is covered under Trail Maps at Trailheads.
 - o The Invasive Species Program line item will be deleted. That project is complete at this point, and Laura Alexander delivered the completed brochures at this meeting for distribution as previously discussed.
 - o Photos and Laminating will be reduced from \$200 to \$100. Ruth White said that is mostly for the displays and she is able to dedicate the Butterfield's annual Christmas gift to this purpose.
 - o Trail Maps at Trailheads may be reduced from last year's \$1000 to \$600. Again, this number depends on what Terry Dancy discovers in his price research. This line covers the cost for reproducing the black & white maps for Low Plain, Webb, the Bog.
- Note made that the \$12,000 appropriated last year for Philips Preserve work was not spent, and question was raised about whether or not it needs to be re-requested. Peter Stanley reminded members that they promised to spend only what they bring in, in logging revenue, and that was a little under \$9000, so that amount is what should be requested for the work this year.

Paul Ladzowski's Boathouse

In the absence of the owner/applicant, Peter Stanley explained that Mr. Ladzowski is proposing to completely renovate the entire boathouse including its decrepit foundation. The work will include excavation in or near the adjacent seasonal stream (which goes into the lake), and would certainly undermine the roots of several large trees immediately beside the boathouse, and probably kill them. Mr. Ladzowski is submitting an expedited permit application to the State. It does not include an erosion control plan with turbidity curtain, etc.

After some brief discussion among Conservation Commission members, Ruth White moved that the Commission decline to sign this. Terry Dancy seconded, and the motion was unanimously approved. It is understood that without Conservation Commission's endorsement, the applicant will have to go to the more detailed Standard Dredge and Fill Permit application process. Also, note made that this work is not allowed by New London's ordinance without a special exception from the ZBA, and that board will be looking for Conservation Commission input as well as the appropriate State permits.

Gelcius Property

Doug O'Clair explained that this property is on Fairway Lane just off Old Coach Road, and is on high ground. A sewer line runs through the wetland, and they need to cross a small area of it to access a manhole. There will be some cutting – about 12' x 12' during work, but there will be no permanent change to the wetland. Peter Stanley pointed out that applicants will need a special exception from the ZBA, and that board will be looking for input from the Conservation Commission as well as for the DES permit. Conservation Commission members authorized Peter Stanley to sign the DES permit application in the space provided for NLCC signature.

Granger

Terry Dancy and Dale Conly expressed concern about some misperceptions regarding the Conservation Commission's position.

Vicki Koron asked if the Conservation Commission can take a position on the number of houses. No, not unless they impact wetlands.

Members agreed that Les Norman should clarify the Conservation Commission's position at the next available opportunity (a Planning Board meeting on the Granger subdivision). That position is: *The Conservation Commission recognizes that human development of any kind is not generally good for the environment. That concern extends to include any impervious surface near the water. However, the Conservation Commission's role cannot be to eliminate all subdivision, but rather to assure that regulations are being met.*

Members also agreed that the Planning Board cannot work with rules that don't exist, and if current regulations are inadequate to assure proper protection and policing of drainages, and other concerns, they should be augmented. One idea would be to require a hydro-geologic survey for all such developments.

Other

- o Members agreed that September's agenda should include a discussion of how to approach the owners of a parcel on Clark Pond which is abutted by two lands already under conservation land. The parcel in question includes a major wetland and access to the Pond. In the past, the owners have expressed a willingness to discuss this.
- o Members noted that Perry Wheaton has received his permit for a dock.
- o Members acknowledged receipt of a note from Dan Allen regarding the purple loose strife growing along each side of Newport Road near the Bog. It is not certain whether or not purple loosestrife will have a serious impact on the Bog given the acidity of the water there, and members agreed to take no action on this at this time. It would help if NH DOT would adjust its mowing schedule so that mowing precedes the plants going to seed.

Meeting adjourned at 3:15 p.m.

Respectfully submitted,

S.A. Denz
Recording Secretary