



TOWN OF NEW LONDON, NEW HAMPSHIRE

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Minutes of the June 19, 2013 Conservation Commission Meeting

MEMBERS PRESENT: Andy Deegan, Rick Anderson, Dan Allen, Sue Clough, Laura Alexander, Ruth White, Terry Dancy (arrived at 10:13am)

MEMBERS ABSENT: Bob Brown (Chairman), Emma Crane

OTHERS: Bob Crane, Lucy St. John (Planning & Zoning Administrator), Steve D'Angeli (Trail Intern), Dave Cook (New London Resident)

In the absence of Bob Brown, Laura Alexander called the meeting to order at 9:00am.

Kiosk Proposal – Dave Cook

Dave Cook passed out a new map for the trails on the Elkins/Wilmot line that showed where he would like to place a kiosk. He was looking for approval from the Conservation Commission and said that the kiosk would contain information about the trails, a map, and information on how to contact the Conservation Commission for trail help. Barbara Demings has given permission to put a sign on her property, and he and his wife are fine to put a kiosk at the Cook location.

Mr. Cook provided a photograph of the kiosk he would like to put up at the Cook and Deming easements. It is made of pressure-treated wood and it would have a lockable plexi-glass front which would be encased with and roofed with cedar. The Conservation Commission will have a key to access the kiosk. Mr. Cook added that Ausbon Sargent would have some say in this as well as it is partly their easement.

Mr. Anderson asked if the Conservation Commission felt a responsibility to make sure that the maps are right to prevent people from getting lost or hurt. Mr. Cook said that he and Brian ___ worked together on the GPS navigating of the map and after several iterations, have it right. He noted that he has to re-blaze some trails so they match the map. Mr. Cook said John Clough, Peter Garre and several of his grand-sons have helped with these trails. He had considerable help with bridge repairs/installations as well.

The Conservation Commission was in favor of this effort and prompted Mr. Cook to move forward with his project.

Update from the Planning & Zoning Administrator – Lucy St. John *Bingham Property – 82 Little Cove Road*

Ms. St. John indicated that there was an existing house and the owners want to dig out some earth to install a patio. An additional 22 square feet of impervious surface would be added by the removal of a screen porch and an added heated family room and a 12' x 12' deck. Mr. Anderson thanked Ms. St. John for spelling out the issues with this application as it made it easier for them to understand any possible complications. Ms. St. John said she would incorporate their comments on the matter into the staff report to the Planning Board. The Conservation Commission had no comment on the issue.

Jeff Wheeler Property

Went to the Zoning Board after being forwarded from the Planning Board. He wants to put a deck within the 100' buffer. The property is in the stream conservation and wetlands overlay district. A letter went to Town Counsel the day before to gain clarification on the wording in the ordinance. It was brought up at the ZBA that comment from the Conservation Commission was needed. Mr. Anderson recalled that the deck was being built toward the stream which makes it even more into the buffer. Ms. St. John said the majority of his property is within both overlay districts. Wants a reduction of the wetland and stream buffer and is looking for a special exception. There is some conflict in the ordinance that needs to be cleared up. Mr. Anderson thought that Mr.

Wheeler should come speak with the Conservation Commission to explain why it didn't appear to be a problem.

Mr. Denning said the CC needs to give their opinion on the conservation side, not to interpret the ordinance. Mr. Anderson thought the ordinance states there needs to be a 100' buffer and if it was a pre-existing structure, things can be done that make it less non-conforming. Ms. Alexander said their concern is that they are putting a new structure further towards the stream. Mr. Deegan said they would rather see a deck going away from the stream instead of closer.

Mr. Anderson said that Ms. St. John should invite applicants who are coming forward with water issues to attend a Conservation Commission meeting to discuss their plans.

Banarjee Property

Red Brook and another undesignated brook is near their property and they are subject to several waterfront buffer zones. They need input from the Conservation Commission regarding an arbor they want to put up. It is 20' long, 8' tall and 7' wide. They also want to cut some trees and remove some blueberry bushes.

Mr. Anderson said that they require permission to cut some trees from the Planning Board as they are more than 4" in diameter. The arbor will be in the stream's buffer, which precludes any new structures. The structure would have to be approved by going to the Zoning Board to get a reduction of the stream buffer to give space for the arbor. To cut the blueberry bushes would be to do the scoring in the waterfront buffer and prove there would be enough points after cutting. There are two trees that were safety hazards, which the Planning Board approved the cutting of.

Ms. St. John said that she helped the mother create the diagram for the requested tree cutting which was not accurate. It was suggested by the Planning Board that they go to the ZBA for the reduction of the stream buffer. She said that people are frustrated because the Planning Board is only meeting once per month in the summer and they want to get things passed so they can work on their property. Mr. Anderson said that Ms. St. John could probably tell by a quick look whether or not they have enough trees on the property to allow for the requested cutting.

Ms. St. John indicated that an accurate map with point scoring was submitted by the Banarjee's on June 14th. Mr. Anderson said it looked to him like there were plenty of points. Mr. Deegan noted that it seemed the arbor that was the problem in this case.

Mr. Anderson suggested they approve the cutting contingent upon him going to the property and meeting with the owner within the next couple of days.

The Conservation Commission felt concerned with an arbor of that size within the buffer. Ms. Clough stated that there is a buffer for a reason and it shouldn't be encroached. Ms. St. John said the ordinance says that if a reduction of the buffer is wanted and the applicant can demonstrate why they need it, it can be granted.

596 Lakeshore Drive – Wenwood Property

10 x 12 wooden shed. No trees are to be cut down and they claim no impervious surface. Based on their diagram it looks to be outside the buffer. Ms. Alexander said if it wasn't within the buffer she wasn't concerned. Mr. Deegan said as long as the measurements are accurate, they should be allowed to do it. Ms. St. John said that they do not check the accuracy of the measurements provided by the applicants as it isn't the role of the town to do so. They don't require certified plot plans for boundaries from applicants.

Ms. St. John said the Planning Board will hopefully be starting discussion on clarification of portions of the Zoning Ordinance.

Mr. Anderson said that of late there have been a number of water-related applications coming forward which were causing some interpretation confusion with regards to the ordinance. He has volunteered to put together a committee made up of lake protective associations, cc, pb and maybe Ms. St. John to look at the ordinances, where they should be tuned up, and to make some recommendations for early fall for use at Town Meeting should they decide to move forward. Watershed Committee was created by the town of Sunapee of which he has been invited to participate. He wasn't interested in re-writing the ordinance, but wants to clarify them and make less susceptible to interpretation. They need to be very clear to say things are either permitted or not. For example, "agriculture" is stated as sowing and cultivating crops. Using the word "agriculture" can allow grazing of animals which may not be ideal near streams and watersheds.

Upon comparison of four of the surrounding towns' zoning ordinances, he noted buffers set all over the place. Some are wetland only, some are for lakes and wetlands, some mention streams as part of their wetlands. While an aligning of four towns' zoning ordinances is probably out of the question, a sharing of ideas is certainly a beneficial thing to take from reading the other ordinances and meeting to discuss them.

Ms. St. John said that she has been asked by the Planning Board to provide a top 10 list of ambiguous sections of the ordinance that need to be reworded. They need to make it more user-friendly while still protecting the resources. The water-related sections of the ordinance are definitely on the top 10 list. Some of the problems are organizational within the ordinance that could benefit from being tended to.

Approval of Minutes

IT WAS MOVED (Ruth White) AND SECONDED (Sue Clough) to approve the minutes of May 15, 2013 as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

Planning Board Update – Emma Crane provided information

In her absence, Ms. Crane asked Ms. Alexander to note the achievements of the Planning Board from their latest meeting on June 11, 2013. There was a lot line annexation approved for the Carolyn Reynolds Trust on Seamans Road, New London Hospital came forth and was approved for a new signage plan, Fast Track applications were approved for The New London Gallery, below the New London Inn, and for Gray Ledges, located at 9 Newport Road, Unit #2, a tree-cutting was approved for the Banarjee family on Lamson Lane and they were referred to the ZBA for review of a proposed arbor and cutting of vegetation on the property. LSPA came to give a presentation, and there was an explanation of why some trees had been cut at Pierre Bedard's property on Bunker Road.

Trail Updates

Steve D'Angeli said he has worked about six weeks on the trails so far and is keeping his hours to about 20-25 per week to extend his work throughout the summer. He has been doing a lot of work in the bog. All the scrap board has been carried out. He has done some blazing and some boards have been fixed so they don't wobble. He has cut a lot of brush in the other trails and has blazed the Webb trail, Morgan Hill and also removed fallen trees. He has marked and GPS'd the trees in the Webb Forest that he took down. He has also been taking pictures of trail heads for the website.

Ms. White said that the Low Plain area Elkins Fish & Game should be contacted about visibility of some of the markers. She commented that there is also garbage being found in that area. It was noted that the trail at Morgan Hill was also experiencing increased trash being left there. Mr. A'ngeli suggested that perhaps the Police Department could be asked to drive by these areas occasionally to monitor activities. He thought that this trash increase could be due to college and high schools being out and students had more free time to hang out in these areas.

Mr. Allen said that there was a broken bridge at the Dancy Trail and he has put a "Trail Closed" sign up to keep people safe. He planned to work on the problem that Friday morning. Mr. D'Angeli said he would come to help with this.

Mr. Allen said he would like to spend about \$40 on more plant identification tags.

IT WAS MOVED (Laura Alexander) AND SECONDED (Ruth White) to purchase additional plant identification tags, to cost about \$40. THE MOTION WAS APPROVED UNANIMOUSLY.

Mr. Allen said he would like to spend about \$30 on culverts on the Norman Trail.

IT WAS MOVED (Laura Alexander) AND SECONDED (Andy Deegan) to purchase culverts, to cost about \$30. THE MOTION WAS APPROVED UNANIMOUSLY.

Terms of Service within the Conservation Commission

Ms. Alexander noted that Bob Brown, Ruth White, and Sue Clough had reached the end of their terms. Ms. Clough said she would like to step down. Ms. Alexander said that Chair Brown expressed his interest to remain as Chair but would like help with administrative duties. Ms. Clough noted that her husband, John Clough, is interested in being on the Conservation Commission. It was noted that Mike Gelcius from the Elkins Fish & Game Club, is also interested. Ms. Clough said that she felt the Conservation Commission was a useful commission to the town and enjoyed her time being part of it. Ms. Clough was thanked for her time on the Commission. Mr. Anderson noted that they could have as many alternates on the Commission as they wanted. Ms. Clough said she would like to remain as an alternate.

Phillips Easement – It was noted that the easement had been signed by the Board of Selectmen at their last meeting on June 17, 2013.

Project for Next Year

Ms. Alexander said they need to think about another round of letters to the owners of the Conservation Commission's wish list properties. Mr. Deegan volunteered to look through the list of properties and provide a suggested list of those who could be contacted.

Terry Dancy arrived at 10:13am.

Mail

Standard review notifications for permits came in for both a dock replacement for Colby-Sawyer College's playing fields. No signatures or comments were required.

Website Update

Mr. Anderson said the revised website is up and encouraged people to take a look at it this week. He is planning to convert trail descriptions and maps to a PDF so people can download them and take it with them on a hike. Ms. White suggested she could provide information about trails and things that can be posted on the website each month.

Other Business

Mr. Allen said that the Pink Lady Slippers on the Norman and Allen Trails are abundant.

Mr. Anderson asked if any of the Conservation Commission members wanted to participate in the committee to review the ordinance. There were no volunteers at this time.

IT WAS MOVED (Laura Alexander) AND SECONDED (Ruth White) to adjourn the meeting. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 10:21am.

The next meeting was scheduled for July 17, 2013.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London