

**MINUTES
CONSERVATION COMMISSION
1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE
CONFERENCE ROOM "A"**

3:30 P.M.

AUGUST 10, 2011

MEMBERS PRESENT: Members, Allison Tanner, Barbara McMillan, Mary Ann Blanchard, Catherine Ennis, and Elissa Hill Stone

MEMBERS ABSENT: Chairman Steve Miller; Vice Chairman James Horrigan

ALSO PRESENT: Peter Britz, Environmental Planner

In the absence of both Chairman Miller and Vice Chairman Horrigan, Ms. McMillan was nominated and elected by unanimous vote (4-0) to preside over the meeting.

I. OLD BUSINESS

A. Approval of minutes – July 13, 2011

It was moved, seconded, and passed unanimously to approve the minutes as presented.

II. STATE WETLANDS BUREAU PERMIT APPLICATIONS

1. Standard Dredge and Fill Application
U.S. Route One
NH Department of Transportation
Assessor Map ROW, Lot ROW

Ms. Vicki Chase of McFarland Johnson, a consulting engineer for the Memorial Bridge project was present to speak to the application. She stated the bridge was jointly owned by New Hampshire and Maine and that while the project was huge, there was not much in the way of impacts. The project was being designed as a design/build project which meant that they were working to secure permits with no design in place. After the contract was awarded, work would begin on the design.

Ms. Chase explained that the two piers in the center of the bridge would not be replaced but would instead be repaired. There would be temporary impacts involved. She said that the pier closest to the New Hampshire shoreline would be replaced in the same footprint as it was currently. There would be temporary and permanent impacts around the footing of the pier but would probably be less than what was estimated. Ms. Chase added that they were proposing

15,000 square feet of temporary impacts to the tidal buffer. She also pointed out that they have submitted a shoreland application as well.

Ms. Chase informed the Commission that three meetings were held with the Department of Environmental Services before the application was submitted. She also explained that there was no mitigation being proposed because the impacts were temporary.

Ms. Blanchard asked Ms. Chase if there was a role for the Army Corps of Engineers on the project. Ms. Chase replied yes and explained that they have been meeting monthly with the Department of Transportation and DES and the Army Corps has participated in those meetings. Ms. Blanchard commented that it was much better to start out with a cooperative atmosphere.

Mr. Britz asked about the coffer dams. Ms. Chase said that since the bridge was closed now, they want to install the coffer dams this winter.

Ms. Tanner asked if they expected any conflict with the other construction going on in the area, most specifically the Pier II project. Ms. Chase said that she did not know what their construction schedule was but she thought that the Harbor Place dock might have to be temporarily removed.

Ms. McMillan had a question about the de-watering in the coffer dams and whether the water would be going into existing catch basins. She also asked about the removal of the coffer dams and Ms. Chase said they would be removed during the winter at the end of construction.

Ms. Blanchard asked that after this was approved, could it come back to the Commission in other versions. Mr. Britz said that as long as they do not exceed the impacts, they would be good. Ms. Chase explained that with other DOT projects, they submit the impacts and tally them at the end.

Ms. McMillan pointed out that a lot of water quality organizations will be concerned about the sediment and would be watching very carefully. Ms. Chase said that the DOT was required to submit with their wetlands application erosion sediment control plans.

Hearing no other questions, Ms. Blanchard made a motion to recommend approval of the application to the State Wetlands Bureau. The motion was seconded by Ms. Tanner. Ms. McMillan asked for discussion.

Ms. Tanner commented that she hoped that these were the maximum impacts.

Hearing no other discussion, Ms. McMillan called for the vote. The motion to recommend approval of the application to the State Wetlands Bureau passed by a unanimous (5-0) vote.

2. Permit By Notification
 - 1 Round Island
 - Charles L. Lassen Revocable Living Trust
 - Assessor Map 207, Lot 1

Mr. Charles Lassen, owner of the property was present to speak to the application. He stated that there were three dock pilings that were approximately 25 years old and deteriorating. He was requesting to remove them and replace them.

Ms. Blanchard asked if there was any change in the dimension of the dock. Mr. Lassen replied no.

Ms. Tanner asked who would do the work. Mr. Lassen said Riverside and Pickering Marine Contractors would do the work.

Hearing no other questions, Ms. Blanchard made a motion to recommend approval of the application to the State Wetlands Bureau. The motion was seconded by Ms. Stone. There was no discussion.

The motion to recommend approval of the application to the State Wetlands Bureau passed by a unanimous (5-0) vote.

III. CONDITIONAL USE PERMIT APPLICATIONS

- A. 120 Ridges Court
Stephen and Karin Barndollar, owners
Assessor Map 207, Lot 61

Mr. Stephen Barndollar, owner of the property was present to speak to the application. He stated that he was seeking approval to install solar panels behind his garage. He explained that the size of the panels were 10' x 13.3' in size. He said that there would be four footings on each side to support the 250 pound panels. He added that the location behind the garage was the most logical place for it.

Ms. Tanner asked Mr. Barndollar how he arrived at the square footage. Mr. Barndollar explained that they were originally looking at a larger unit but it would have needed to be placed on the west side of the property and some trees would have needed to be taken down. He added that they would get between 25-28% of their power from these units.

Ms. Blanchard asked how much of the tubes would go into the ground. Mr. Barndollar said that there would be four three inch sonotubes in the front and four in the back that would go into the ground four feet deep.

Ms. Ennis asked if they planned on using reflectors. Mr. Barndollar replied no. He added that the system was a fixed system and would not orient itself automatically to the sun.

Ms. Stone pointed out that they would have additional runoff coming off of the surfaces. Mr. Barndollar explained that they would use bark mulch and would add some daylilies to deal with the runoff.

Hearing no other questions, Ms. Tanner made a motion to recommend approval of the application to the Planning Board. The motion was seconded by Ms. Stone. There was no discussion.

The motion to recommend approval of the application to the Planning Board passed by a unanimous (5-0) vote.

IV. OTHER BUSINESS

A. Discussion of possible open space/habitat analysis of Sanderson land on Spinney Road

Mr. Britz stated that the Conservation Commission and the Planning Board both wished to have more information on the Sanderson land. He said that he talked with Mark West regarding an assessment and asked him to focus on two scenarios: one for the entire site without subdividing any house lots and one with just the open space as if the proposed subdivision were approved. Mr. West's quote for the assessment was \$860.00. Mr. Britz explained that the money for the assessment would need to come from the Conservation Fund but that the City Council would have to approve the expenditure first.

Ms. Tanner brought up the fact that if the land was not going to be developed and that the neighbors did not want the public in there, she wondered if it made sense to try to acquire it.

Ms. Blanchard stated that she appreciated Ms. Tanner's perspective about being good stewards of the conservation money but she thought it was important because it was a big piece of open space in Portsmouth. She felt it would help shape the conversations as to how the space moves forward. She said that she supported investigating the property. Ms. McMillan expressed her concerns about the assessment and possible acquisition as well.

Ms. Tanner commented that she did not like where the entrance to the proposed subdivision was located. She wondered if Mr. West could give advice on how better to enter the site. Mr. Britz thought that questions could probably be submitted to him. Ms. Tanner also said that in order to do the subdivision, the land would have to be assessed. She just wondered why the City should pay for it. Mr. Britz felt that in the long run, it would be good information to have.

Ms. Stone asked if there were any water supply wells drawing from the area. Mr. Britz pointed out the tower located nearby and he added that the closest well was the Griffin Road wells.

Mr. Britz stated that the Trust for Public Lands was interested in urban parks and he thought this would be a good site. Ms. Blanchard said that the Conservation Commission's first step was to do a natural resource assessment because other things would flow from that. Everyone needed to be on sound footing, conservation-wise and wildlife management-wise as they moved forward.

Hearing no other questions, Ms. Blanchard made a motion to request the expenditure of \$860.00 for an open space/habitat assessment for the Sanderson property to the City Council. The motion was seconded by Ms. Tanner. Ms. McMillan asked for discussion.

Ms. Tanner stated that they have already set precedence with the Sagamore Creek property.

Ms. Ennis asked if there was any opposition to the subdivision. Ms. Blanchard said the Planning Board wanted to see more information. Ms. Ennis said that she wondered because three homes in the immediate area had gone up for sale recently. She felt that others could use the assessment information too. Ms. Blanchard added that the assessment may shape the way the project develops. She liked the idea of the Conservation Commission having the information.

Ms. McMillan commented that she thought the developer had already decided to develop the land the way he presented it. Mr. Britz felt it was left opened. The owner stated that he wanted to get fair market value for it. Mr. Britz asked Ms. McMillan if there was something she would rather see that would change the cost or increase the work but would give them more information. Ms. McMillan said that she did not think so. She felt that the owner and developer would like to see the land stay open and not cost them anything to assess it.

Ms. Stone wondered if the owner would come to them with a proposed purchase price. Ms. Tanner noted that they did not know the value but would hopefully get it with an assessment. Ms. Blanchard commented that the Commission would know how interested they were in the land once they got the assessment.

Hearing no other discussion, Ms. McMillan called for the vote. The motion to request the expenditure of \$860.00 for an open space/habitat assessment for the Sanderson property to the City Council passed by a vote of 4-1 with Ms. McMillan voting in opposition.

B. Discussion of Sagamore Creek Island

Mr. Britz informed the Commission that the \$25,000.00 request to purchase the Sagamore Creek Island was going to the City Council.

C. Great Bog trails

Mr. Britz stated that on August 24 and August 25, University of New Hampshire students would help to clear the trails. Ms. Tanner asked who would be managing the clearing. Mr. Britz said that he would be there along with Chairman Miller. He invited the Conservation Commission to come also.

In additional business, Ms. McMillan suggested having someone come and talk with the Commission about setting up a process for dealing with land acquisitions. She suggested Anna Budrow and Marsha Grasso, both who are on the Open Lands committee in Dover, NH. Ms.

Blanchard thought it would be helpful. She suggested working it around a regular Conservation Commission meeting. The rest of the Commissioners were in favor of it as well.

V. ADJOURNMENT

At 4:50 p.m., it was moved, seconded, and passed unanimously (5-0) to adjourn the meeting.

Respectfully submitted,

Liz Good
Conservation Commission Recording Secretary

These minutes were approved at the Conservation Commission meeting on September 14, 2011.