

MINUTES

CONSERVATION COMMISSION

**1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE
EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

3:30 p.m.

March 13, 2019

MEMBERS PRESENT: Chairman Steve Miller; Vice Chairman MaryAnn Blanchard; Members; Barbara McMillan and Alternative Nathalie Morison

MEMBERS ABSENT: Allison Tanner, Samantha Collins, Adrienne Harrison

ALSO PRESENT: Peter Britz, Environmental Planner/Sustainability Coordinator

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I. APPROVAL OF MINUTES

1. February 13, 2019

Vice Chairman Blanchard noted that there was a typo on page 11. It should be Army Corp.

Vice Chairman Blanchard moved to approve the minutes as amended, seconded by Ms. Morison. The motion passed by a 3-0 vote. Ms. McMillan abstained.

Chairman Miller noted that 4 of the 7 Commissioners were represented at the meeting. Applicants could choose to present or postpone because it can change the numbers for an approval. Applicants would need a 3-1 vote to be approved.

II. CONDITIONAL USE PERMIT APPLICATIONS

1. 43 Whidden Street
Thomas L. and Ann P. Taylor, owners
Assessor Map 109 Lot 2

John Chagnon with Ambit Engineering spoke to the application. The property owner Ann Taylor was also present. Mr. Chagnon noted that the owners purchased the property two years ago. The owners pull off of Whidden St. and park on the lawn today. There are challenges to that. The owners would like to replace that surface with a porous driveway. That is what the plan shows. The package includes how the project meets the CUP criteria. The applicant has obtained a shore land permit for the work and a driveway permit. Mr. Chagnon noted that they agreed with the staff memo.

Ms. McMillan questioned if the porous driveway would be capturing any additional runoff or if it would just capture the surface of the new driveway. Mr. Chagnon responded that the driveway would just capture what lands on the surface. It would not capture additional runoff.

Chairman Miller noted that the project made sense and it was nice to use porous material. Depending on the property lines it may be nice to put some plantings around it. It looks so bare. That's just a suggestion; not a stipulation. Mr. Chagnon responded that there was some space where there could be plantings.

Ms. Morison questioned how many cars the driveway would fit. Mr. Chagnon responded that the owners have two vehicles. Ms. Taylor confirmed the driveway would be for two cars. Mr. Chagnon added that the street is narrow, so it's a little awkward.

Ms. Morison questioned if the Commission should add anything about snow removal and no sanding in the maintenance plan. Chairman Miller confirmed that it should be added. Vice Chairman Blanchard questioned how porous pavement should be treated in the winter. Mr. Chagnon responded that it can be shoveled or snow blown. They cannot use sand on the porous pavement because it will increase the maintenance. It's a flat driveway, so there will be less need for that.

Vice Chairman Blanchard moved to recommend approval of the application to the Planning Board, seconded by Ms. McMillan with the following stipulation:

1. That the new porous paver driveway surface not be sanded as part of winter maintenance.

The motion passed unanimously by a 4-0 vote.

2. 428 Route 1-Bypass
Cate Street Development, LLC, owner
Assessor Map 172 Lot 1, Map 173 Lot 2, Map 165 Lot 2, and Map 163 Lots 33&34

Rick Lundborn with Fuss and O'Neill and Brendan Walden of Gove Environmental services spoke to the application. The application has been presented to the Commission a number of times and the applicants have addressed all the comments that were given last time. Mr. Lundborn noted that no presentation was needed because there was nothing new. Mr. Lundborn was happy to answer any questions.

Ms. Morison questioned if the applicants increased the precipitation by 15% in the hydrologic analysis. Mr. Lundborn responded that they did not. An AOT permit will be needed. Ms. Morison commented that there was a new requirement from AOT to increase estimates by 15%. Ms. Morison appreciated the additional detail and information that was provided. Ms. Morison requested clarification on the culvert removal. Mr. Lundborn responded that they would cap them then fill them over beyond the bank top. They will not leave a void.

Chairman Miller questioned what flow fill was. Mr. Lundborn responded that it is liquid sand. Sometimes there is a little cement in it. Ms. Morison questioned if that was the preferred method

as opposed to the alternative of removing the structure in its entirety. Mr. Lundborn responded that was the plan because they were concerned about the bank. This will limit the disturbance. The invasive plants will be removed and replanted with jute. The intent is to avoid trenches. Chairman Miller questioned if flow fill would shift. Mr. Lundborn responded that it would not once it was dry.

Chairman Miller pointed out a typo in the storm water flow rate results. Mr. Lundborn confirmed that it would be updated.

Ms. McMillan commented that the erosion sediment control noted there would be hay bales at the construction entrance. That's not really the preferred method. Logs are the preferred method. Mr. Lundborn responded that was fine.

Ms. McMillan commented that the restoration sequence noted the removal of everything including all fill, pavement, cinder blocks etc. Mr. Lundborn responded that the same sequencing notes could be added to the civil plan sections. They could refer to the notes for the restoration sequence. Ms. McMillan questioned what exactly was being removed. Mr. Lundborn responded that it was left general on purpose. They don't want something to not get picked up because it's not on the specific list. Ms. McMillan noted that taking out some of the pavement and cinderblock may be too big of a disturbance. Mr. Walden responded that they checked and there is nothing like that there. Mr. Lundborn added that the intention is to take out the man handled debris. There are some big granite slabs that will stay. Mr. Walden noted that there are couches stuck two inches to the mud. Removing those won't disturb the area any more than removing the invasive plants.

Chairman Miller commented that the center of the channel has vegetation growing over it. Mr. Walden confirmed they were not going into the channel.

Ms. McMillan requested clarification on the note that said "create a smooth bank to be planted." Mr. Lundborn responded that the large plants like the trees would remain. They will go in and remove the knotweed buckthorn etc. The invasive plants will be removed and then those areas will be smoothed for replanting. Ms. McMillan commented that the note should clarify clean topsoil would only be added to the areas where plants are removed. Mr. Lundborn confirmed that would be updated.

Vice Chairman Blanchard appreciated the detail planting plans. It helped to visualize what would happen there. Vice Chairman Blanchard requested clarification about the water conservation pond. Mr. Lundborn responded that there would be two rain gardens over towards the end of plants in the buffer. They are basically out of the buffer, but they are in an area where PK Brown is now. They are bio retention areas because they are larger than residential rain gardens. Chairman Miller noted that yard has been used as storage for building materials. Mr. Lundborn confirmed that a lot would be removed from there.

Chairman Miller questioned if they expected any surprises in the removal of the buildings. Mr. Lundborn responded that they were not anticipating anything. They did two phases of

environmental testing for PK Brown and there was nothing of concern. There are diesel tanks that will be removed.

Ms. McMillan questioned if there were recommendations about the removal and disposal of the invasive species in the plan. Mr. Lundborn responded that they did not call out specifically where they would be disposed, but they can. Ms. McMillan commented that the DOT has specific recommendations of how and where to dispose of them. Vice Chairman Blanchard noted that the restoration sequence notes talk about the removal with the guidance of staff from GES. Ms. Morison pointed out another note that said the invasive species contractor shall take steps to prevent spread. Ms. McMillan confirmed that was fine.

Vice Chairman Blanchard appreciated the extra detail because the Commission's focus was the brook. The plans were helpful in providing the detail needed to get the visual.

Ms. McMillan moved to recommend approval of the application to the Planning Board as presented, seconded by Vice Chairman Blanchard. The motion passed unanimously by a 4-0 vote.

Mr. Britz clarified that all their points were recommendations not stipulations. Chairman Miller confirmed that was correct.

3. 11 Sagamore Grove
William L. Pingree, owner
Assessor Map 201 Lot 1

Property owner William Pingree spoke to the application. For years the property was used and abused and neglected. It was used as a temporary gravel pit. For a long time it was the site of a bait shop that became run down. It was a dump for fishing equipment and a staging area for rebuilding the Sagamore Bridge. Mr. Pingree recently built a house there and went through a lot of permitting. Restoring the lot and building the house cured a lot of problems there. The remnants of the old gravel pits have all been eliminated on the lot except one. It is just into the 100-foot buffer. It is 15-20 feet off the deck. It just drops off and is dangerous. Mr. Pingree was asking to be able to fill it back into the original grade and create an access path. The path is pretty much there. A rock or two may need to be removed. The project would let the area go back to a natural state. It will not be mowed. It will be replanted with low growing clovers or wild flowers.

Vice Chairman Blanchard questioned if there was an estimate about how much fill would be needed. Mr. Pingree responded that he estimated it would be about 66 cubic yards. He had not gotten an estimate from a contractor yet. The intent is to not build it up higher than what is there. There is a ridge between that low area and the creek. Chairman Miller commented that leveling off the pit would create a non-hazardous space.

Ms. Morison questioned if the trees with X's would be removed to accommodate the fill. Mr. Pingree responded that all the trees were less than 6 inches in diameter. It doesn't make sense to fill around them because they will die. They are oak trees.

Vice Chairman Blanchard commented that even down below there are rock outcroppings. Plants struggle to grow there. Mr. Pingree responded that the area that would be filled would have enough soil to allow for enough growth to keep it from moving.

Vice Chairman Blanchard questioned if there were other structures on the property. Mr. Pingree responded that there were. Mr. Pingree got a permit to tear it down.

Chairman Miller commented that there was a plant list available for recommendations. Mr. Pingree responded that he wanted to plant grasses. The Staff recommended a mix of lawn and flowers. Chairman Miller confirmed that was fine.

Ms. McMillan questioned if the return to natural state was written in the application. Mr. Pingree responded that it was on the first page of wetlands permit.

Ms. McMillan questioned if Mr. Britz visited the site. Mr. Britz confirmed he had. Ms. McMillan questioned if there was a good buffer. Mr. Britz confirmed there was below the project area. It drains back toward house and then down lower. There is a good buffer. It's not very accessible to get down there.

Vice Chairman Blanchard moved to recommend approval of the application to the Planning Board as presented, seconded by Ms. Morison. The motion passed unanimously by a 4-0 vote.

III. STATE WETLANDS BUREAU PERMIT APPLICATIONS

- A. Standard Dredge and Fill Application
428 Route 1-Bypass
Cate Street Development, LLC, owner
Assessor Map 172 Lot 1, Map 173 Lot 2, Map 165 Lot 2, and Map 163 Lots 33&34

Vice Chairman Blanchard moved to recommend approval of the application to the Planning Board as presented, seconded by Ms. Morison. The motion passed unanimously by a 4-0 vote.

Ms. McMillan reiterated that the same requests and clarifications applied to this as well. Mr. Lundborn confirmed the plans would be updated.

- B. Standard Dredge and Fill Application
13 Salter Street
Nicole R. Gregg Revocable Trust, Nicole R. Gregg Trustee, owner
Assessor Map 108 Lot 28

Zachary Taylor with Tidal Ecological Consultants, LLC and Jack McTigue from T F Moran spoke to the application. Mr. Taylor noted that this is a NH Wetlands Standard Dredge and Fill for a shoreline stabilization project. This property is over the little bridge to the South Mill Pond looking up it's the first one on the right. The parcel is along Pickering's Creek. Historically it was commercially developed. This section has a combination of existing stabilization that has

been put in over the years. There is riprap, an old sea wall and timber. The owners have seen an acceleration of the backyard washing away. The intent is to go in and stabilize the shoreline in a very similar way to the rest of the shoreline. There isn't one part of the creek that isn't stabilized with sea wall or riprap today. They have been working on this a long time to come up with plan that will work. The City owns the little corner parcel. They have worked with the City to come up with an agreement to extend stabilization and connect with the large rock at their parcel. Mr. Taylor has worked with Dave Price at DES to come up with a game plan that made sense. It will be riprap. The minimum needed for the shoreline range from 16-20 foot long embankment down to the lowest point of the creek. The top of the portion of the slope will be riprap then it will be built up from there. Erosion control methods will be put in around the temporary disturbance area and along top of the riprap. They will only be removing stone that would allow stabilization in course of working tide cycle. The section will be built back up with existing stone and any new stones needed. The applicants have been working with DES and agreed to remove any live stones with existing seaweed. They will be incorporated back into the structure accordingly. The impact is about 168 feet of lineal shoreline. There will be 1,830 square feet of permanent impact and 2,997 of temporary impact. 1,693 square feet of the permanent impact is over existing stabilization. There will only be about 140 square feet of additional permanent impact beyond that.

Chairman Miller commented that in one of the pictures it looked like the house was 10 feet away from the silt fence, but on the plan it looked like it was all new construction. Mr. Taylor responded that the bottom photo is the abutting property lot 102-29. That is their boathouse. The top photo is an older photo. The house has since been finished. Chairman Miller questioned how much room was between the house and the shore. Mr. Taylor responded that it was built to be outside the 50-foot setback.

Chairman Miller questioned what the plans were for the area above the riprap and the reconstruction of the shore. Chairman Miller questioned if the property still had an active gravel drive between house and the brook. Mr. Taylor confirmed they did. That was approved and will remain. The rest of the area would be seeded for stabilization. The lawn that is there now will be brought back. The planting schedule that was originally approved would be put back in place. That's what will be restored. Chairman Miller clarified that after the construction there would be a silt fence with riprap and then plantings. Mr. Taylor confirmed that was correct.

Ms. Morison questioned if they had a sense of how much erosion the property has experienced in the past few years. Mr. Taylor responded that from when construction started the erosion is 4-5 feet past the original silt fence. It is actively eroding. It's just going to keep eating away into the yard. Ms. Morison questioned if they were confident the flow of water was causing the erosion behind the silt fence. Mr. Taylor confirmed they were. It appears from the way the erosion is happening it is caused by higher tides and storm surges. Mr. McTigue added that rivets are visible at the water line.

Ms. Morison questioned if there was actually an existing wall there today. Mr. Taylor responded that wall is no longer there. Ms. Morison appreciated that they had an agreement with the City to tie in the western end of the wall with the City parcel. Ms. Morison questioned if the height would be consistent on that end. If there is a difference in height, then water can wrap right

around it and undermine the wall. The height needs to be consistent. Mr. McTigue responded that he was not in that discussion, but it does look a little lower on that end. Mr. Taylor noted that the design of the wall was based off the elevation. That was the best ending point of the wall because it's tying into the slope. The principle at MSC felt this design would effectively tie into the City parcel to prevent undermining the wall. Mr. Britz added that the slope goes up at that point. If they didn't put the wall there, then it would be undermined. It turns into a steep riprap slope. This design closes that gap. Ms. Morison questioned how the eastern end would be tied in. Mr. Taylor responded that there was a stonewall there. There is a failed section of the stonewall in front of the boathouse. The intent of the owners of that parcel is to stabilize that accordingly. It will be left open to allow for a future design to tie in. They are not ready to move forward yet. Ms. Morison commented that was a little concerning because there was no guarantee a continuous structure would be built.

Ms. Morison requested more detail on the analysis of the alternatives. Ms. Morison questioned why a living shoreline would not be feasible. It would have to be re-graded to 3:1. Mr. Taylor responded that the concern is that the creek is 350 feet long. Out of all the shoreline there literally isn't a foot of it that isn't hard armor. They would have to go another 15 feet into the yard for that. There is an active experiment of living shoreline in town, but it is not proven yet. This property is the end of the creek and directly next to and across from a seawall. The concern is that they would go through the living shoreline experiment and it won't work. Then hard armor would be needed. The creek is what it is. Most of the parcels don't even have the opportunity to knock down the sea wall and create a living shoreline. The sea wall will always be across from this parcel. There is not much that can be done in this particular situation. Mr. McTigue added that this location is also where Pickering Creek narrows.

Vice Chairman Blanchard questioned how old the house was. Mr. Taylor responded that the original house was old, but it was essentially rebuilt.

Chairman Miller commented that he was not suggesting the site's suitability for a living shoreline, but wanted the applicants to investigate if there was any opportunity for one there. It's already hard armored, but it's a tough one. This is not going to be the only application in front of the Commission.

Vice Chairman Blanchard commented that the application gave an impact number and a relatively small percentage was new. Vice Chairman Blanchard questioned if that new piece was towards the house or creek. Mr. Taylor responded that it was towards the house. The project would straight line the shore a little bit more. The proposed conditions plan shows the existing riprap in light gray. The hatched line shows the proposed riprap. Except for the tiny little corner on the right the project is all in the existing riprap area.

Vice Chairman Blanchard questioned if they knew the age of the work that was done previously that is eroding now. Mr. Taylor responded that he was not sure of the age. The pilings are becoming exposed as erosion happens. A lot of this area may have been filled. Mr. Taylor did not know when the stone was installed, but thought it was before permits were required. This was taken into account during the whole process of alternative analysis. The final conclusion is that it's not ideal in the direction the City is trying to head to protect the NH coast line.

However, this is almost an isolated incident. This project would not be creating any cumulative impact or setting a precedent. There are very few other sections of shoreline in Portsmouth to say that the hard armor will work. This is the last piece of hard armor in the shoreline here.

Chairman Miller commented that it is human nature to think that the wall would be the best option. However, the Chairman was not sure there were better options in this situation. The site is narrow and has other constraints. Chairman Miller appreciated that they were saving the living rock. Chairman Miller questioned how it would be stored. Mr. Taylor responded that there is a lot of water room near the construction site. They would still be in the waterway. Chairman Miller questioned if DES approved that plan. Mr. Taylor confirmed they had. They preferred an effort to save the rock. It is unclear how successful will be, but it's a healthy seaweed.

Ms. Morison questioned how far away the proposed trees would be from the wall. Ms. Morison was concerned about root system interference. Mr. McTigue responded that they would be 10 feet away. Chairman Miller commented that the landowner would have to be sensitive to the plantings and monitor them. They will have to be willing to try something else if the trees don't survive. Mr. Britz added that they might want to move the trees back a little bit. They won't get salt water there, but they may interfere with the wall.

Ms. Morison commented that the plans mention a non-woven geo-textile filter fabric, and questioned what material that would be. Mr. McTigue responded that it would be a plastic fiber. Ms. Morison noted that the preference would be to use a non-plastic material. Mr. McTigue responded that there may be other options, but the idea is that plastic doesn't disintegrate. The plastic would prevent more maintenance. Mr. McTigue confirmed they would look into alternatives. The goal is to put it down once and not have to pick it up again. There would be more disturbances if it had to be replaced. There are pros and cons to both. Mr. Taylor added that was the backbone of the whole structure. The layers would be built up from that. If something that has a 10-year life is put down, then there is potential to have more erosion again. That's what is really protecting the shore.

Vice Chairman Blanchard questioned how this would be monitored if it moved forward. Mr. Taylor responded that they still have to go through DES and work with the Army Corp. The approval needs to be recorded and the building permit would be based off the approved plans. The City Planning Department Code Enforcement will make sure they do the work the plans say will be done. Mr. Britz added they could report back to him about what material alternatives they find. If there is no plastic alternative, then the plastic is a better solution over nothing. It would be anchored plastic. Ms. Morison noted that plastic does degrade over time. It probably is longer lasting than other materials, but it is not fail safe. Vice Chairman Blanchard suggested as the motion goes forward the Commission ask them to evaluate the non-plastic options including information about the longevity. The more the area has to be disturbed the more challenging it would be to the shoreline. There should be an extensive report about habitat involvement. The Commission does not want to create a bigger problem. The applicants should explore and evaluate the options and their effectiveness including the life span of the product. Mr. Taylor confirmed that they would report back to the Conservation Commission and will

speak to it with DES also. Mr. Britz noted that it would be worthwhile to know if there was a good alternative. Then the Commission could recommend that in the future.

Ms. McMillan questioned how high the wall was going to be compared to the one across from it. Mr. Taylor responded that the elevation was at 9 and the elevation on the South Mill St. was around 7.5 to the top of the granite. Chairman Miller noted that he had seen the water right there. Mr. Taylor agreed that was the concern about matching the wall height. The goal was to find the healthy balance between building something that will protect the property and reduce aesthetic. Ms. McMillan questioned if the grade behind the wall was going to be at the level it was now. Mr. McTigue confirmed that was correct.

Ms. McMillan questioned if that area was ever stabilized after the construction was put in. Mr. Taylor responded that he was brought in for this project. Ms. McMillan commented that it seemed like there has not been any attempt to stabilize the bank at all since the construction. Mr. Britz noted that was why the applicants were here. Ms. McMillan commented that the area was disturbed with construction materials. It seemed like there was no attempt to circumvent the erosion from happening other than this extreme solution. Some of the erosion seems self-created. Mr. Taylor responded that he could not speak for the owners. This project probably should have been submitted at the same time the rest of the project was submitted.

Vice Chairman Blanchard moved to approve the application with the following recommendation, seconded by Ms. McMillan:

1. The applicants explore a non-plastic option to the web that is proposed. The research should include the effectiveness, cost and the prospective life span.

Ms. McMillan noted that they did not get a staff recommendation for this application. Mr. Britz responded that they don't typically give one for a state wetland application. Mr. Britz went out and looked at the site. There is no viable alternative. The living shoreline would not work with the elevation of the house. Ms. Morison questioned if it would work with a hybrid of riprap and an enhanced buffer. Mr. Britz responded that the rest of the shoreline was all hardened around it. It's like a loose tooth. The water will go there. The preference is not to have the whole shoreline hardened, but this is the one that needs it. The goal is to secure it. It's riprap below the wall. It's not an easy project. It will take a while to get everything to a living shoreline and protect the properties. They don't want to put in something that won't work and would undermine the house and foundation. The shoreline location would change if a living shoreline were installed. The abutting property would have to do it too.

Vice Chairman Blanchard clarified that a tie vote would be a failed motion. Mr. Britz confirmed that in that case they would not get a favorable recommendation to the state.

Chairman Miller noted that this was a tough decision and the Commission will be struggling with it more and more in the future. The Chairman was not sure how many alternatives there realistically were for this particular site. Vice Chairman Blanchard commented that she had attended a program put on by Discover Portsmouth and the first topic was sea level rise for the South End and Strawberry Banke. The challenges are enormous. Because of the rising tides and

the rising ground water. Vice Chairman Blanchard noted that she did not like hardware, but would support the application.

Chairman Miller commented that he did not know what else to do for that location. There are concerns about the future, but a lot of those concerns are not answerable right now. The biggest worry is that the wall will be attractive and it will prompt others to want one. However this is a gap in a wall. Mr. Taylor commented that the grading back into the parcel would create two pinch points on each corner. There is a boathouse on the eastern side. They would have to build a cove into the property for a living shoreline to work. It may be just as complicated on the City's parcel along the street. Mr. Taylor told the owners that this would be a difficult project. The City is becoming a leader in what they are trying to do for the shoreline. There is not a whole lot that can be done for this site. Chairman Miller wished there was a better alternative, but was not sure there were other options.

Ms. McMillan noted that one of the concerns she had was about setting a precedent. Chairman Miller responded that overall the Commission does a pretty good job looking at each application parcel by parcel. Mr. Britz noted that this property was a little different because it is riprap right now. The wall is a cap. The water is in the riprap. The live stone seaweed will move its way up the riprap. This project would not be making it worse. It's going to be something the Commission will have to deal with going forward. Ms. McMillan noted that the wall was the biggest concern for her.

Ms. Morison clarified that the adjacent property had a stonewall. Mr. Taylor confirmed that was correct. Mr. Taylor handed out a highlighted version of the shoreline. The yellow showed the existing sea wall and the orange showed the riprap area. This shows what the creek looks like now. There is armor on all of it. Ms. McMillan was still concerned. Chairman Miller pointed out that there weren't any good alternatives. The applicants are trying to solve erosion of the shore.

The motion tied in a 2-2 vote. In the event of a tie the motion fails.

Vice Chairman Blanchard commented that with a failed motion the Commission loses the direction to the applicant to evaluate non-plastic options and information on their longevity and costs.

Two members of the Commission expressed concern for the installation of the wall and a hardened shoreline. They were interested in the applicant exploring a living shoreline solution in this location.

IV. WORK SESSIONS

1. 230 Commerce Way
230 Commerce Way, LLC, owner
Assessor Map 216 Lot 1-5

Jim Gove from Gove Environmental, Bob Uhlig from Halverson Design, and Patrick Crimmins from Tighe and Bond spoke to the project. Mr. Gove noted that they were here for the Cane Company. The proposed project would remove invasive species and create a trail system in the woodland area marked by Market St., Portsmouth Blvd. and Commerce Way. The Cane Company owns 230 Commerce Way. Market Basket is the building next to it. The Cane Company recognizes as they continue to build in the area a lot of folks moving in are interested in outdoor recreation. They have already installed an outdoor yoga area. It's a marketing feature to offer outdoor recreation. This plan shows the topography and the wetland delineation. The woodland area has some drainage systems behind Market Basket. The wooded wetland area has a marshy center. There are a lot of the invasive species. There was a homeless encampment in there. There is a lot of trash. The Cane Company would like to remove the invasive species. They do not want to remove trees. The intent would be to go in with a landscape crew to remove the invasive plants by hand. Once the plants are removed, they would like to create a walking trail in that area. There is no sidewalk along Portsmouth Blvd. on that side. It's difficult to get over to Market Basket. There is a Panera over there too. Today people drive to get to them. The goal is to create a walking trail system and bridge to give access to the Market Basket plaza. This plan will require a CUP. If there were any structures involved, then a Dredge and Fill permit would be required. Mr. Gove commented that they were here to get input from the Commission early about the invasive plant removal and trail network. Mr. Uhlig brought along some samples of things he's done in the past to talk about what might work in this area.

Vice Chairman Blanchard questioned if there were any structures there now. Mr. Gove responded that there were not. Vice Chairman Blanchard questioned how many acres the area was. Mr. Gove responded that it was about 3 acres.

Chairman Miller commented that it was a nice forested area. There are a lot of invasive plants and it is full of trash. The homeless camp is kind of a problem. Vice Chairman Blanchard added that there is a significant amount of wildlife. Mr. Uhlig commented that the invasive plants are not limited to the understory. There are a lot of vines growing up. Mr. Gove added that if they move forward with the project, then it would become something the Cane Company will maintain. They do want it to look good.

Mr. Britz questioned where the ownership lines were for the Cane Company. Mr. Gove pointed out several parcels. The Market Basket folks would be interested in being part of the trail to complete the loop. It could be a round trail with cross intersections.

Chairman Miller questioned what the trail would be made out of. Mr. Uhlig went through some examples. One approach may be concrete closer to the road and stone dust in the wetlands. It would be a 6-8 foot wide pedestrian path. Chairman Miller noted that the path should be for pedestrians, but not wide enough for bikes. There are a lot of big mature trees in that area, and they should be preserved.

Vice Chairman Blanchard questioned if it would be a seasonal trail. Mr. Uhlig responded that if the company wanted to maintain it, then some parts of it could be year round.

Mr. Gove commented that there is a ridge off the Commerce Way parking lot. The trail could go below the ridge to be in the forested area. It would go along the edge of Portsmouth Blvd. and cut down toward the Market Basket plaza. It would not be that difficult to put in a 6-foot wide pedestrian walkway. Mr. Uhlig noted that it may not be same experience all the way around. They could create overlooks that went into the wetland. It could be an experience as much as a walking path. It may be interesting to provide signage if it becomes part of a bigger trail network or if there were things worth noting.

Mr. Gove noted that a walkway to overlook the marsh would be nice. It is a nice marsh.

Ms. McMillan noted that that letter referred to a site walk with Chairman Miller. Chairman Miller commented that they walked out to take a look at the site and see what was in the regulations. Mr. Britz noted that they would need permit for the bridges, but may not need one for a trail depending on the surface.

Chairman Miller was in favor of a pedestrian trail that would allow people to walk around the perimeter. It should be a narrow stone dust pathway. Right now it's so degraded with trash. One way to prevent that would be to have people use it. Mr. Gove commented that he would be happy to do a full site walk with the whole Commission. They want to bring a plan to the Commission that they feel good about.

Vice Chairman Blanchard questioned what the white lines on the plan were. Mr. Gove responded that it noted the topography. Vice Chairman Blanchard questioned what the yellow line was. Mr. Gove responded that they were the property lines.

Vice Chairman Blanchard questioned what Mr. Gove thought the natural course would have been for the stream. Mr. Gove responded that he thought the stream was under the Market Basket plaza somewhere. The straight-line channel was dug and carries it down to the larger marsh system. There may have been enhancements to the runoff. It's a mucky area. The middle is wet.

Ms. McMillan questioned if they would be removing invasive species from the whole parcel or just the area the trail would go. Mr. Gove confirmed that they would be removing them from the whole parcel. Removing them from a narrow path wouldn't do very much for the parcel. Nothing will be sprayed. There will be a landscape crew going in and working a couple weeks to do the job. The parcel will be maintained afterward.

Ms. McMillan questioned if they would be lighting the path. Mr. Gove responded that they probably would not. Ms. McMillan commented that she would like to see the trail just around the outer edges and no lighting. The trail should not go into the wetland even for a viewing outlook. That would disrupt the bird habitat. Ms. McMillan questioned how they would ensure dogs were kept on leash on the trail. Vice Chairman Blanchard added that the area was already being used by people with their pets. Ms. Morison commented that there's an old trail at the end of Portsmouth Blvd. People do use it already. It loops to Osprey Landing and Spinnaker Point.

Chairman Miller noted that the point of the work session was for Commissioners to say what they would be agreeable to.

Ms. McMillan commented there was so little oasis left for the wildlife to take advantage of. The trails should be kept to the outer edges. There should be a survey plan to show what will be removed and how. Mr. Gove responded that might be impossible because the invasive plants are throughout the entire thing. They are not in clumps. They are everywhere. Vice Chairman Blanchard agreed with Ms. McMillan about the trail and the concern about the dogs. Whoever is hired to do the project will have to come in with a real plan to identify the invasive plants to the extent possible. The procedure to harvest and dispose of the plants should be included in the plans.

Ms. McMillan questioned what would be left since there is such a large volume of invasive plants. It may compromise the habitat. Restoration may be needed to make up for that loss. The plans should account for that. Vice Chairman Blanchard questioned what would be planted to minimize the maintenance. Chairman Miller added that the plantings should have wildlife value. It seems like birds are probably using it more than anything else. Mr. Uhlig commented that if they don't replace what is removed, then it will just come back. Vice Chairman Blanchard commented that the Cane Company would assume responsibility for safety of the people out there. The trails should be kept to the perimeter. Chairman Miller agreed that was something to think about.

Ms. McMillan commented that they should put in a lot of signage about the expectations of what people should and should not be doing in the area. The dogs should be leashed and there should be plenty of receptacles to prevent littering.

Mr. Britz commented that the people who live in Osprey and Spinnaker would be interested in a short cut. Mr. Britz questioned if there was an opportunity to create a short cut for them to Market Basket. Mr. Gove responded that the intent would be to make the trail a circle all the way around with a bridge to get to Market Basket. Mr. Britz thought it would be a good opportunity. Chairman Miller noted that he has parked at the end of Market Basket and it's a little sketchy back there. Chairman Miller questioned if it would be more problematic to have a short cut or would if it would make it a safer place to be. Mr. Britz commented that he like the idea of bringing people to open spaces. There are problems where people don't go often. A regular path may improve the situation. Vice Chairman Blanchard noted that increasing public presence on Pierce Island decreased the problems in that area.

Chairman Miller commented that there should be signage and stewardship of the area. People in the offices would appreciate being able to get out. Mr. Gove commented that the transition from the upland to the wetland is where most of the invasive plants are.

Vice Chairman Blanchard questioned what the timeframe would be for this. Mr. Gove responded that this was the first step. They are interested in doing it this year. They may be back in a couple of months with the application.

Ms. McMillan noted that the Commission should do a site visit. Chairman Miller agreed. Mr. Gove confirmed they could do that.

Ms. Morison commented that they should not under estimate the potential users from Osprey and Spinnaker. Mr. Britz added that they should talk to Market Basket about access in the back. Mr. Gove confirmed that they would.

Chairman Miller liked the idea of connecting to sidewalks to go around the parcel. It would be a nice loop. They could explore the idea of putting in a little boardwalk in the wetland by Home Depot, so people could sit out there and observe. The connectivity of the circle would be good. Adding signage about the loops would be good too.

V. OTHER BUSINESS

Mr. Britz commented that he received a call from Dave Desfosses from DPW about Prescott Park. There is a brick missing from the sea wall. There is a sinkhole situation on the inside of the Prescott Park sea wall. The City will do a temporary fix to pull up the asphalt. There are sinkholes along the Pier 2 area. After the area is patched the City will look into a long-term solution to rebuild the sea wall. The intent is to turn around the repair quickly to prevent further damage. The whole section needs to be made safe.

Mr. Britz followed up on his report back on the coal tar information. Vice Chairman Blanchard questioned if Mr. Britz had more information about the catch basin testing. Mr. Britz responded that the sediment is taken to the sewer treatment plant. The sediment is sampled depending on where it is taken from and they dispose of it. Mr. Britz was still waiting to hear back on what they test for.

Ms. McMillan noted the Urban Forestry Center was holding a meeting on Sagamore Creek on March 21, 2019 from 6-8 p.m. to learn about the creek and monitoring it. Mr. Britz confirmed that he would email the Commission the details and would put them on the web site.

VI. ADJOURNMENT

Vice Chairman Blanchard moved to adjourn the meeting at 6:01 p.m., seconded by Ms. McMillan. The motion passed unanimously by a 4-0 vote.

Respectfully submitted,

Becky Frey,
Acting Secretary for the Conservation Commission