



TOWN OF
NEWMARKET
NEW HAMPSHIRE

Conservation Commission

November 14, 2024 7:00 PM

Town Hall Auditorium

APPROVED MEETING MINUTES

Members Present: Ellen Snyder (Chair), Melissa Sharples (Vice-Chair), Cris Blackstone, Jessica Cann (Alternate), Jeffrey Goldknopf (Planning Board Rep.) Tom Jones, Colin Lawson (Alternate), and Brian Ward (Town Council Rep. ex officio)

Members Absent: Zachary Angelini (Alternate), David Bell, Emma Fortin (School Liaison), and Julianna Tyson

Town Staff: Bart McDonough (Director of Planning & Community Development) and Bridgette Grotheer (Land Use Administrator)

Guest: Drew Kiefaber

The Chair called the meeting to order at 7:00 PM.

1. Pledge of Allegiance

2. Roll Call

The Chair appointed **Jessica Cann** and **Colin Lawson** as voting members this evening. The seven voting members include **Ellen Snyder, Melissa Sharples, Jessica Cann, Cris Blackstone, Jeff Goldknopf, Tom Jones, and Colin Lawson.**

3. Public Comment

None.

4. Approve Meeting Minutes

May 9, 2024

Several corrections were made by the Chair.

Action

Motion: **Melissa Sharples** made a motion to approve the Minutes of May 9, 2024 as amended.

Second: **Tom Jones**

Discussion: none

Vote: **Unanimously Approved 7-0-0**

October 10, 2024

Action

Motion: **Melissa Sharples** made a motion to approve the Minutes of October 10, 2024 as drafted.

Second: **Cris Blackstone**

Discussion: none

Vote: **Unanimously Approved 7-0-0**

Bridgette Grotheer distributed the prepared Non-Public Notes to the members for consideration.

Action

Motion: **Melissa Sharples** made a motion to approve the Non-Public Notes of October 10, 2024 as drafted.

Second: **Jessica Cann**

Discussion: none

Vote: **Unanimously Approved 7-0-0**

Action

Motion: **Tom Jones** made a motion to keep the Non-Public Notes of October 10, 2024 sealed per the RSA until further notice.

Second: **Melissa Sharples**

Discussion: none

Vote: **Unanimously Approved 7-0-0**

5. Financial Summary

The Chair reported that the Conservation Fund has a balance of \$137,649.01, the Schanda Park Fund is \$4,621.11 for total of \$142,270.12. We received some interest and made a partial payment for the Heron Point boundary survey of \$1500. A bill of \$450 for the annual membership to the New Hampshire Association for Conservation Commissions ([Home :: NHACC :: New Hampshire Association of Conservation Commissions](#)) was received. The General Fund balance is currently \$4,515.20.

Action

Motion: **Colin Lawson** made a motion approve the expenditure of \$450.00 for the annual membership to the NHACC for 2024-2025 from the General Fund.

Second: **Melissa Sharples**

Discussion: none

Vote: **Approved 6-0-1 (Cris Blackstone abstained)**

The ConCom received a Trail Construction Agreement from Martin Forestry Consulting, LLC for the project at Wiggin Farm for a sum not-to-exceed \$10,500 (funds

Town Hall, 186 Main Street, Newmarket, NH 11/14/2024 Conservation Commission

coming from two grants: LRAC and the Great Bay Stewardship program for a total of \$10,700 total).

Action

Motion: **Cris Blackstone** made a motion to approve the expenditure up to \$10,500 from the Conservation Fund for the construction agreement with Martin Forestry Consulting.

Second: **Tom Jones**

Discussion: none

Vote: **Unanimously Approved 7-0-0**

Weather permitting, this project is expected to begin in late November. The Chair will send out a request for volunteers to help with dismantling of the old bridge once a date is announced.

6. Committee/Board Reports

Piscassic Greenway Plan Update: Drew Keifaber is the Town of Newmarket Representative to the SELT committee for the Piscassic Greenway Management Plan Update this year. He is here this evening to apprise the ConCom on the revised/updated management plan. Three properties in Newmarket have been added (~100 acres) to the Piscassic Greenway since the plan was developed in 2008. The Updated Management Plan did not have significant changes other than to incorporate the new properties. There will be no changes in access points or trails currently in use. The parking lot on Bald Hill road currently has 4 parking spaces and they plan to increase that to 6 spaces. The Emerald Ash Boror is present and killing most or all of the ash trees. Those remaining ash trees will simply die and drop. The Hemlock Wooley Adelgid is also present. They will cut out any hemlocks which may still have viable timber. The forestry plan for 2025-2026 includes selective cutting for logs along the eastern side of the properties. They hope to accomplish this with a minimum of damage. Generally, invasives take over after trees. In order to promote early successional growth and open the understory, an invasive removal plan will be prioritized. When the logging is scheduled, they plan to enter through the Neal Mill Road side which may restrict public access for a while. A public walk will be announced before the timber harvest is begun. SELT intends to maintain the status quo as they are very happy with the property and usage in general. Thank you Drew for the report!

Town Council: **Brian** reported on the recent TC meeting on November 6. Several committee/board positions were considered and the new tax rate was set. The Ash Swamp Culvert project was discussed. For more information please read: [11062024 approved minutes.pdf](#).

Town Planner: **Bart** brought forward a request from the Finance Office. In order to facilitate the use of the funds in the Open Space Bond (\$87,969.03 plus any earned

interest) for the Mitchell Land Conservation Project, the Finance Office requests that we close out the bond by vote.

Action

Motion: **Tom Jones** made a motion to request that the Finance Office close out the Open Space Bond which has a balance of \$87,969.03 as of August 31, 2024 plus any earned interest to date for the purpose of the Mitchell Land Conservation Project which was approved by Resolution 2023-2024-40 by the Town Council on July 27, 2024.

Second: **Melissa Sharples**

Discussion: **Jeff** thought we should protect the funds by adding language about using the funds for another ConCom project if the deal falls through.

Motion: (amended)

Tom Jones amended the motion to read: “that the Finance Office close the Open Space Bond which has a balance of \$87,969.03 as of August 31, 2024 plus any earned interest to date for the purpose of the Mitchell Land Conservation Project which was approved by Resolution 2023-2024-40 by the Town Council on July 27, 2024. If for any reason the project falls through, the funds will be reallocated to other land conservation projects proposed by the Conservation Commission.

Vote: **Unanimously Approved 7-0-0**

Bart brought before the ConCom an issue with the recent Railroad Street project that had a first reading at the recent Town Council meeting. This issue was not discovered in the Site Plan Review Process or the Technical Review (TRC). The developer is in violation of a slope easement which was set in the early 90's by the DOT to prevent erosion along the street. The easement was deeded back to the Town. **Bart** showed where the violation was on the plan which he distributed – a corner of the building, now under construction, sits on the easement. The question before the Town is to completely remove the easement or adjust the easement so it is not under the building corner. The Town Engineer and the Town Consulting Engineer (Underwood Engineers) have looked at the issue. The Town Council requests an opinion from the ConCom before they make a decision. After discussing the pros and cons, the members agreed that they would like to see an opinion of the Town Legal Counsel. Discussion will be permitted at the second reading at the TC. **Bart** read the Underwood Engineer conclusion letter into the record to remove the easement or dissolve the easement. The Chair summarized the broad discussion for **Bart** to take back to the TC: as long as there is a legal opinion and that the intent remains the same for erosion control of the slope, then,

whatever the Town decides is the best course, will be fine. The ConCom is grateful to have been asked for comment.

Bart would like to ask that everyone take the time to view the PlanNH ([Home page - PLAN NH](#)) Charrette on DCAT at [Design Charrette 2024 - October 19th, 2024](#). The charrette was successful and many exciting possibilities were discussed. It will be ~ 6 weeks before the completed report will be ready and posted. The Chair would like to discuss ideas that came up about Heron Point and Schanda Park at the next meeting in December. She will distribute the deed for Heron Point for everyone to read.

The Master Plan SubCommittee met last evening. There are still many opportunities to contribute to various chapters. Everything is coming together.

Bart introduced **Brigette Grotheer** to the members. She is the new Land Use Administrator in the Planning Department. She has been designated as staff support for the ConCom. **Brigette** began her position in June and previously worked for the Town of Hooksett in the Community Development Office. Part of her job there was as staff support for the Conservation Commission in Hooksett. **Bridgette** will be maintaining all of the ConCom official records and she is trained in GIS – which is great for us! Welcome **Bridgette**!

The Chair asked to move the agenda forward. The members agreed.

8. Land Conservation

Rosa Property: The Chair moved this agenda item up to be accommodating to **Bart**. The ConCom discussed the Rosa property in Non-Public at our last meeting. Bart has received permission from the Rosa's for the ConCom to open this up to the public. The Chair handed out two maps: 1) a regional map with the general location and a zoom in on the property and 2) the ConCom criteria checklist for acquisition. The property is out on Rt 152 and is owned by Wayne and Janice Rosa. The land is partially in Newmarket and also in Durham. **Ellen, Tom, and Bart** (now denoted as the Team) have all been working on this project together. They have reached out to the SELT and NH Audubon for a discussion. The property is abutted by SELT, NH Audubon, and the Town of Newmarket. We currently own some property in Durham. NH Audubon does not have a lot of capacity for conservation by owning the land or holding an easement, so they are not able to help. The Team is discussing holding an easement on the front portion and holding the fee acquisition on the back portion. The next step is to seek an appraisal. The Rosa's may be interested in holding back a house lot, but have not decided just yet. Mr. Rosa has structured the easement this way because he still wants to mow the field and he wants to maintain the family cemetery. Any appraisal right now would include the entire property. If a house lot is negotiated later, we would deduct that from the total appraisal. It is estimated that an appraisal would cost about \$4,000-5,000. SELT has recommended an appraiser which they use often. The SELT is willing to help

by staffing the project for us– this is a very big help with the administrative work.

Action

Motion: **Melissa Sharples** made a motion to approve the expenditure up to \$5,000 from the Conservation Fund for the appraisal of the Rosa Property located at 240 Wadleigh Falls Road for an easement on the front part and a holding of the fee acquisition on the back and to approve **Ellen Snyder**, **Tom Jones**, and **Bart McDonough** as the “Team” to negotiate on behalf of the Conservation Commission regarding the scope of the appraisal with the Rosa’s.

Second: **Cris Blackstone**

Discussion: none

Vote: **Unanimously Approved 7-0-0**

Mitchell Property: The Chair announced that the LCHIP and NHDES Drinking Water grants will be announced next week – so we are still waiting.

The Chair returned to the agenda.

6. Committee/Board Reports (continued)

Planning Board: **Jeff** reported on the recent PB meeting. They had a zoning discussion only. The conversation surrounded looking at the wetland overlay buffers and the setbacks to the buffer. **Jeff** believes that the ZBA can give relief from a setback, but not relief from a buffer by variance or special exception. **Jeff** likes the ability to protect the wetlands. **Bart** mentioned that there are plans to accomplish comprehensive zoning reform in about one year with the help of grant funding. At the January meeting, the PB will be looking at the ordinance chapters for review. To get started, **Bart** and **Jeff** would take a ‘stab’ at a draft of the wetland ordinance chapter for review by the ConCom in January.

Riverfront Advisory Committee/Schanda Park: They will be meeting next Monday to discuss the ideas from the charrette.

Energy & Environment Advisory Committee: No report this evening.

School Liaison: No report this evening.

Newmarket 300th Anniversary Committee: **Melissa** reported that there was meeting last night. They voted to elect a board of Officers. Mike Provost was elected Chair.

7. Easement Monitoring

Tom reported that **Julianna** has now completed the Bald Hill report. He is still waiting for the Smith-Sisters report from **David**. The Chair reported that the field work is complete for the Silverman-Schneer property and just needs to be written up. The Chair went out with Charlotte Harding from the State (who monitors Wiggins and Dearborn).

Town Hall, 186 Main Street, Newmarket, NH 11/14/2024 Conservation Commission

No major issues to report. The Dearborn property does have maple sugaring tubing which may be over the boundary, but the line is unclear. The Chair went out with Katie Bates (SELT) on the Nostrum easement. Katie finished the Hilton property that day. The Nostrum Farm has sold to a family who wish to continue small-scale farming. The Nostrum has never been surveyed, so the boundary is unclear. She recommends that we should do a baseline condition report (which she can do), but she believes that we should consider an updated boundary survey. After discussion, the members decided to let the new owners know where we believe the easement is and let them decide if they wish to survey the property after we review the baseline condition report in a month or two. **Melissa** mentioned that there are lots of photos from last year showing the conditions. SELT is scheduled to do the monitoring of the Piscassic River-Loiselle on Nov. 26.

9. Projects

Prime Wetlands Mapping: Mark West has completed the work and his GIS staff is making the maps. He will be attending our meeting in January.

Heron Point Sanctuary: Hazzard Tree Removal and Boundary Survey, Access:

The Chair reported Orion Tree Services has completed the tree work. She does not know the status of the boundary survey work. The gate is still permanently closed.

Colin called the Town to get the combo to the gate and went in to clear the boardwalk of leaves (to avoid rotting). He worked for approximately 3.5 hours. Thank you **Colin!**

Wiggin Farm: Boardwalk Replacement: Greg DiSanto is planning to begin work on Dec. 1 or 2 by removing the boardwalk. The Chair hopes to have volunteers help with the removal. Please bring a power drill! She will send out an email confirming the date.

Ash Swamp Road Turtle Crossing/Aquatic Passage Grant Application: Great news! Lindsay received a grant for \$75,000 from the Nature Conservancy. This seed money is for the engineering report.

10. Events, Outreach, and Education

Salamander Crossing Brigade: Vernal Pool Survey: Postponed until next month.

Rain Barrels: **Julianna** mentioned that everyone is very interested in the project! Lindsay says that the DPW will host the sale.

TurtleFest 2025, May 10th: **Cris** updated the members. She has contacted Lamprey Printing in Newmarket for an estimate on the screen print design. The shirts will cost: #1-25 ~\$9.00(sizes up to 1XL) to \$11.00 (sizes 2XL+ up). Distribution and ordering procedures still need to be worked out. **Cris** has contacted John Herman, an artist from Newmarket (<https://johnherman.org/>), who does beautiful woodcut designs. The store Good Juju by Cici in downtown Newmarket has displayed his art works many times. The shirts will say 'TurtleFest 2025', have a design of three different turtles and could also say 'Newmarket Conservation Commission'. The set-up fee is \$25.00 and the artist design fee will be \$300.00 (including a shirt for each member of his family). Tonight **Cris**

is requesting approval for the \$300 artist design fee. The members agreed that the design be limited to the turtles and to only saying 'TurtleFest 2025'.

Action

Motion: **Colin Lawson** made a motion to expend \$300.00 from the Conservation Fund to pay John Herman for the artist design fee for the t-shirts for TurtleFest 2025.

Second: **Melissa Sharples**

Discussion: none

Vote: **Unanimously Approved 7-0-0**

The Chair mentioned that she has confirmed NH Turtle Resue for the event. They do not charge a fee, but they request a donation of \$300. The Library is also interested in a presentation from them for children during the week prior to TurtleFest. The Chair would like to request that we donate \$600 for both of the presentations. She also believes that we might target specific businesses in Newmarket to help defray the cost. A more detailed budget will be considered in December- maybe ~ \$1500. **Bart** suggested that a formal committee be established – **Cris, Ellen, Bart, Brigitte, & Emma** to start. **Julianna** is still scheduled to do the bird walk early on that day.

Newmarket Library: ConCom Display: **Cris** met with Heather and Lauren from the Library about putting up a display. They offered us a permanent display area for Conservation Commission! Think books (i.e. "The Book of Turtles" by Sy Montgomery), bookmarks, trail maps, photos, etc. The display might change twice per year. They also offered end cap space. In January, February, and March the Library will have a special book conversation group. If you have any ideas for book, please email **Cris**.

11. Adjourn

Action

Motion: **Melissa Sharples** made a motion to adjourn at 9:18 PM.

Second: **Tom Jones**

Discussion: none

Vote: **Unanimously Approved 7-0-0**

Respectfully submitted,

Sue Frick, Recording Secretary

DCAT:

https://videoplayer.telvue.com/player/XSekdEeRsk0JHqVHAvKJVka7_5VjxKP/videos