



**Conservation Commission
August 14, 2007**

Members Present: William Weiler, Chair; Katheryn Holmes, Vice-Chair; Bill Annable; Deane Geddes; Frank Perrotta

Mr. Weiler called the meeting to order at 7:30 p.m. The Commission reviewed the minutes of July 10, 2007 and made corrections.

Ms. Holmes made a motion to accept the minutes of July 10, 2007 with corrections. Mr. Perrotta seconded the motion. All in favor.

Intents to Cut

Mr. Weiler informed the members that he had received an email from Mr. Unger stating that there were no intents to cut for review.

Mr. Geddes mentioned that there was an intent to cut in the Conservation Commission's tray from Rheta Heller, perhaps not reviewed by Mr. Unger at this time.

Mr. Weiler explained that a land owner may cut up to 10 mbf or 10 cords of wood for their own use without filing an intent to cut. If the wood is going to be sold, an intent must be filed.

Wetlands Board Applications

1. James & Jacqueline Hecker : Notice of Past Violation - Newbury Tax Map 29A-514-070 for property located at 303 Chalk Pond Road. Mr. & Mrs. Hecker received a letter from DES informing them that the violation referenced as File #2007-01039 has been documented and will be maintained on file at DES. The inspection on July 20, 2007 documented a healthy regeneration of the woodland buffer vegetation along the shore front. In an effort to promote better understanding and compliance with wetlands laws and rules, DES provided the Heckers with contact information for any future projects or questions.
2. James & Jacqueline Hecker: Notice of Completeness – Seasonal Dock Notification - Newbury Tax Map 29A-514-070 for property located at 303 Chalk Pond Road. Mr. & Mrs. Hecker received permission from DES to install their seasonal dock with conditions. The notification is on file as File #2007-01205 & 2007-01039.
3. Mr. Courtney Galluzzo: Docket No. 07-14 WtC – Courtney Galluzzo Appeal. Newbury Tax Map 28-369-268 for land only located off Chalk Pond Road. Mr. Galluzzo's representative, Peter S. Schauer, Schauer Environmental Consultants, LLC, received a letter from DES Wetlands Council notifying him that on July 20, 2007 DES received his appeal of the DES Decision on Reconsideration denial of June

- 22, 2007 relative to Wetlands File # 2007-00291. The Council is expected to vote to accept or dismiss the appeal at its September 11, 2007 business meeting.
4. Mount Sunapee Resort: Permit by Notification – Newbury Tax Map 13-386-092 for property located at 1298 Route 103; Mt. Sunapee Access road of Route 103. Mr. Gamble seeks to dredge an existing pond to remove accumulated sediment materials with the purpose of restoring the pond's original size and aesthetic qualities as well as restoring the pond's ability to retain runoff and sediment during rain events and annual snow melt. The dredged material from the pond will be used throughout the property for grounds maintenance and is not proposed to be stockpiled. Impact to the pond will total a maximum of 10,300 sq. ft.
 5. Mount Sunapee Resort: Permit by Notification – Newbury Tax Map 13-386-092 for property located at 1298 Route 103; Mt. Sunapee Access road off Route 103. DES sent a letter to Mr. Gamble requesting more information by August 22, 2007 in order for the PBN to be considered.
 6. Town of Newbury: Minimum Impact Expedited Application – Scope of work to replace four culverts in the Mountainside subdivision that have failed several times in the past year and increase the size of the culverts to handle the flow.
 7. Deane Geddes: Minimum Impact Expedited Application – Newbury Tax Map 20-343-520 for property located at NH Route 103. Mr. Geddes seeks to extend a culvert 20 ft. for the purposes of site grading required by new residential construction. The proposed impact is 150 sq. ft.
 8. Deane Geddes: Minimum Impact Expedited Application – Newbury Tax Map 20-343-520 for property located at NH Route 103. DES sent a Mr. Geddes a notice stating that his application is administratively incomplete and more information is needed.

Mr. Weiler asked Mr. Geddes if DES has adopted the language directing applicants to notify their local Conservation Commission when filing a **Permit By Notification** for lakes. There is language in the RSA for rivers. Some of the PBN's for lakes do come to the Conservation Commission and some do not.

Mr. Geddes suggested contacting the DES to ask them why the Conservation Commission is not in the loop for all PBN's. The Board members agreed.

Mr. Perrotta shared his concern with the Board regarding a large amount of fill that has been placed and seeded along Pike Brook. Apparently there is no regulation in place to oversee placing fill up to the edge of a brook. The new earth is unstable is at great risk of washing in to Pike Brook in the event of a strong rain storm.

Mr. Weiler commented that any work within 300 ft. of a brook should have erosion control measures in place.

Mr. Perrotta asked for clarification regarding the use of pressure treated wood for dock projects because of arsenic.

Ms. Holmes explained that in the past all pressure treated woods contained arsenic but now there are some without arsenic and safe for use in the water. Cedar is a common wood for docks and is also safe for the water.

Ms. Holmes shared some points of interest from a culvert lecture that she attended. It is important to install larger culverts to keep water from swirling. The swirling action is what eats away at the earth and erodes the land which creates washouts. The larger culverts keep the water moving freely so that it does not fight against itself. Fish will not go through a culvert without light and stones. Culverts should be designed to be environmentally friendly to the wildlife.

Communications

None.

Old Business

Fishersfield

Mr. Weiler informed the Board that Mr. Wright has indicated that he wants to wait until the construction equipment is out of Fishersfield before there is a site visit with the Commission.

Natural Resources Inventory

Mr. Weiler informed the Board that the final version of the NRI has been received from Anne Poole. It will be taken to Concord to be bound and 100 copies will be made for reference.

Conservation Plan

Mr. Weiler informed the Board that the Conservation Plan will be drafted by August 17, 2007 and will be ready for the Planning Board's Masterplan project.

New Business

National Heritage Bureau

Mr. Weiler reported that a National Heritage Bureau Report is now a requirement of every Wetlands Board Application. The report will give information about endangered or threatened species or exemplary natural communities. An applicant's project will be reviewed by the NHB and assigned a NHB Identification file number. DES needs this ID number and an environmental review letter from NHB in order to accept the application as administratively complete and review the application.

Ms. Holmes made a motion to adjourn. Mr. Perrotta seconded the motion. All in favor.
Meeting adjourned at 8:45 p.m.

Respectfully submitted,

Linda Plunkett