

**MINUTES OF THE MEETING**  
**October 2, 2013**  
**CONSERVATION COMMISSION**  
**Approved at the October 16, 2013 meeting**

**PRESENT-** Dean Anson, Hillary May, Lisa Morin, Deb Williams and Mike Foote

**ABSENT-** Marnie Schulz & Jane Connelly

**I. Call to Order:**

Review of the minutes from the Wednesday September 4, and Tuesday September 24, meeting

L. Morin made a motion to approve the minutes of September 4, 2013 meeting as presented, seconded by M. Foote. The motion passed 4-0-1. H. May abstained

L. Morin made a motion to approve the minutes of September 24, 2013 lecture as presented, seconded by M. Foote. The motion passed 4-0-1. H. May abstained

**II. New Business:**

1. **a. Mike Sharron, owner, Appl# PL2013-0120CUP (wetland buffer)  
1480 Old N Main Lot 33 MBL 341-404-5.033**

M. Sharon representing him-self presented the CUP application for an existing lot located in the Woodgate subdivision. Wetland impacts are within the 50-foot buffer. All wetlands were marked by a certified wetland scientist as shown on the approved site plan. The condominium Association requires certain setbacks to be in force. The size of the house is slightly larger than the minimal size required by the Association. Since wetland buffer impacts are required the criteria under the TRC review requesting blueberry bushes along the wetland border to filter runoff, all erosion control devises must be in place before construction, and all impacted catch basins lined off site. The Con Com was not pleased with the buffer infringement but realized the lots were created when only a 30-foot buffer was in place.

The Laconia Conservation Commission reviewed the application to construct a new home on a previously subdivided lot. A certified wetland scientist has shown all wetland boundaries on a signed as built plan. The lot was subdivided under the 30-foot wetland buffer criteria and the proposed home would be partially located in the 30-foot wetland buffer.

The motion was made by M. Foote and seconded by L. Morin to approve the proposal to locate the new home within the 30-foot buffer with the following concerns and recommendations: (See TRC comments for November 13, Planning Board Meeting )

**b. DES enforcement activities**

A sub leaser was pressure washing construction equipment in an industrial zone. The stormwater generated from this activity created contaminated runoff. Runoff was moving toward catch basins that directly discharge into Lake Winnisquam.

The city first received a complaint from the Condominium Association and visited the site warning the contractor to use BMP's to protect runoff from entering the catch basins. The city was told by the sub renter they were following all BMPs and the stream appeared to have stopped before entering the catch basin.

A second complaint was received from the Association and pictures were sent to City Hall. After consultation in the planning office NH Des confirmed they had concerns. A City enforcement letter was then sent out to the owner of the property. The owner immediately called and was willing to work to rectify the situation.

In the interim a third complaint was made to the city by the Association including additional pictures documenting another infraction. I suggested the Association call NHDES to substantiate the city's inquiry. I then e-mailed NHDES with all supporting materials. I instructed the owner to present the city's letter and BMP's to the renter. She gladly did so.

The NHDES legal department issued a stern warning letter indicating sufficient evidence now exists that if inappropriate actions do not cease the next correspondence from their office will involve a substantial fine. The entire complex is now on record to follow BMPs and such violations will not be tolerated.

S. McPhie added similar enforcement activities are conducted every day at the local level. Specific ordinance language is always cited. Documentation of all violations is the most important step. Follow up activities and escalation where required makes compliance possible. Without letters and regulations cited in those letters effective enforcement is not possible.

**b. Current status of all newly open construction projects**

- Wal-Mart is underway
- Christmas Island is underway
- Cantin's expansion on Mechanic Street is coming to a close
- Advanced Auto parts store walls are going up.

c. Follow up on open space meeting

The Society for the Protection of New Hampshire Forests will provide a feedback questionnaire soon. The Con Com will then be asked to provide answers to the questionnaire

d. Water testing wrap up

Most water testing activities were completed for the year. S. McPhie will continue turbidity testing at Christmas Island. Wal-Mart is paying for Black Brook testing sampling before, during and after construction.

**III. Old Business:**

a. Black Brook RFQ/RFP-status report

The RFQ's have arrived and are being distributed tonight for your evaluation. Three firms have submitted proposals for consideration.

b. Union Cemetery Durkee/ Meadowbrook status

L. Morin updated the Con Com on the latest efforts to move forward with this task. She included an opportunity for D. Williams class to organize a plantings day. L. Morin applied for grant funding. She will wait for the results and move forward accordingly. The city will cooperate to assist with any grant related transactions.

**IV. Liaison & Sub-Committee Reports:**

Permit Sub-Committee –

The wetland permit for Mountain Lake Village requires updates before construction can begin. The original Appleridge wetland permit is connected environmentally to Mountain Lake Village and therefore must be approved and updated to meet current State standards.

**V. Other Business:**

- Commissioners Comments

S. McPhie would follow up on the status of the \$500.00 check sent out for D. Williams for her work with the New Hampshire Lakes Association.

- Staff Comments

Easements walks are coming up soon.

**VI. Adjournment:**

L. Morin made the motion to adjourn. The motion was seconded by M. Foote  
The motion passed 5-0-0.