

MINUTES OF THE MEETING
October 7, 2015
LACONIA CONSERVATION COMMISSION
CITY Hall
Room 200B
Approved at the October 21, 2015 meeting

I. Call To Order :

D. Anson, Chair, called the meeting to order with a roll call vote at 6:00 PM

PRESENT- Dean Anson, Chair, Deborah Williams, Assistant Chair, Lisa Morin, Marnie Schulz and Mike Foote

OTHERS PRESENT- Sean W. Donohue, CSS, CWS, LSE -representing Liberty Utilities and Richard Christopher, Con Com candidate

II. REVIEW OF THE MINUTES:

1. Review of the minutes of the Thursday September 9, 2015 meeting

L. Morin made a motion to approve the August 28, 2015 minutes as written. M. Foote seconded the motion. The motion passed 5-0.

III. New Business:

1. Milfoil Subcommittee Discussion

D. Anson updated the Con Com explained Amy Smagula is in the process of documenting all milfoil contained in the State's waters within Laconia. The information will assist to create the future management plan.

The Lake Winnepesaukee Association will finance hand pulling of milfoil from the mouth of Black Brook at Spinnaker Cove Yacht Club to the area where hand pulling was completed near the Union Avenue Bridge. Jon Jude will prepare the proposal and provide the Con Com with a copy of the contract.

2. Sean Donohue, CSS, CWS, LSE Project Manager, Liberty Utilities Gas Line work. Liberty Utilities 1,500 +/- foot, 4-inch diameter gas line within existing sewer line easement from Provencal Road to Lakes Regions Community College

S. Donahue explained the proposed natural gas pipeline route connecting the newly paved Provencal Road and the existing and future buildings of Lakes Region Community College. All 50-foot wetland buffers have been marked, no DES wetland permits are required because the directional boring method will be used. All work will be below the wetland. All impacts appear to be uphill from the aquifer. The City will review the project as a minor site plan therefore tonight's comments will be forwarded to that Committee. An existing woods road right of way already containing a sewer line will be utilized therefore reducing impacts. No trees will be cut but limbs will be removed on an as needed basis. D. Anson asked how deep the bore was. S. Donahue said it will be 3-5 feet. The 50-foot dashed line is the wetland buffer. The material used for the pipeline will be low pressure plastic. L. Morin asked

about a maintenance plan for the pipeline. S. Donohue added he would provide a copy of the maintenance plan to the Planning Department. The Con Com asked for an example of a similar project already completed in the State. S. Donohue said a similar project was recently completed in Henniker, NH. R. Christopher asked about the length of each section of pipe and if it will be flexible. S. Donahue said each pipe length would be 35-feet and therefore flexible. He suggested placing a shut off valve on either end of the new pipe. S. McPhie added the Lakes Region Community College site plan should be amended accordingly to make sure the as-built drawings reflect any additional utility connections.

D. Williams made a motion to send a positive recommendation to the Minor site plan Committee with the following recommendations:

1. Provide maintenance and monitoring plan for the pipeline extension
2. Add a shut off valve on the Provencal Road side and the Community College side.
3. If any valves or structure related to the gas line are added on the Lakes Region Community College property please amend the final as built accordingly.

The motion was seconded by L. Morin. The motion passed 5-0.

S. McPhie will create a memorandum to be sent to the minor site plan subcommittee.

M. Foote was excused to Chair the CIP Meeting.

IV. Old Business:

1. Non-Public Session concerning land acquisition per RSA: 91: A: II (d)-(roll call vote required).

Dean Anson called a roll-call vote to enter non-public session. M.Schulz, D. Williams, D. Anson, and L. Morin all voted yes.

2. Brook Subcommittee updates

L. Morin added that they would be working on labeling catch basins and creating Do not feed the Fowl signage. The signage will assist with educating the Public about their impacts on Water quality. S. McPhie added the TMDL for Jewett Brook has located the major perpetrator of the e-coli spikes to a business in Gilford. The Gilford Planning Department will be working with NHDES to address that issue. The areas in the vicinity of the Sacred Heart Church will still need to be evaluated more in Laconia but NHDES was pleased that Laconia was making a good faith effort to address issues.

3. 30-foot natural seasonal stream buffer zoning amendment

The Laconia Conservation Commission discussed the need to add back the 30-foot waterbody buffer to the Laconia Zoning Ordinance due to recent projects that were allowed to build too close to unstable stream channels. Water is a very powerful force and when there is little or no vegetation to anchor ground sudden stream shifts caused by heavy rain events transport sediment. The sediments negatively impact water

quality and increase infrastructure maintenance costs. The sediments also transport phosphorus and permanently negatively impact our fish and invertebrate population.

L. Morin made a motion to add back the 30-foot stream bank buffer that was lost when changes were made to Ordinance 235-17 in 2012. The suggested language will read

” Protect the 30-foot waterbody buffer on the centerline of seasonal and intermittent streams to maintain stream bank stability, water temperatures, and help anchor slopes during and after heavy storm events. We will need to add the words intermittent and seasonal as separate words in our Zoning ordinance index. D. Anson recommended the use of the EPA definition for “intermittent and seasonal streams to reduce future confusion.

D. Williams seconded the motion. The motion passed 4-0.

4. Easement walks begin

S. McPhie asked again for volunteers to assist with the easement walks. D. Anson volunteered to take care of the Bonham and Wilkin’s Conservation Easement. L. Morin suggested S. McPhie create a spread sheet with the schedule of walks so volunteers could free up their schedule accordingly.

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

1. Permit Sub-Committee review and updates

Permits were reviewed and signed off on.

VI. **Other Business:**

1. Subdivision/ Site Plan update

2. Commissioners Comments

D. Williams indicated there was an issue with Messer Street and she would update us at the next meeting.

D. Anson and D. Williams attended the Roberts Rules of Order educational event to review current meeting procedures. He requested copies of Roberts Rules be sent to all Con Com members.

L. Morin indicated she submitted a grant on behalf of the Belknap County Conservation District in support of the Laconia Conservation Commission. The purpose of the grant was to fund the additional work to complete the trash cleanup of the Winnepesaukee River in Laconia.

D. Anson asked if wetland buffers cross Community lines. S. McPhie said not even prime wetland boundaries cross Town borders. He suggested that S. McPhie contact Jeff Hayes at Lakes Regional Planning Commission and encourage him to contact Towns abutting Laconia and encourage them to adopt the same sized or larger wetland and water body buffers to maintain consistent protections of the very important headwaters. Taking this action will protect our valuable Lakes particularly Laconia’s Water Supply.

D. Williams brought up the Dunkin Donuts Plaza Project. She was concerned about the Historic tree on the site. S. McPhie updated the Commission that there still has not been a proposal to remove it. Recently a sidewalk was added on top of some of the trees roots impacting over 33% of the existing root structure. Generally if more than 33% of a tree's root system is impacted the long term health of the tree becomes a question mark. Luckily Oak trees are more durable due to their tap root systems. The Con Com would like S. McPhie to have a letter ready to submit to the Planning Board if and when a site plan amendment is made to take the tree down. The Con Com made the original suggestion to save the tree and the Planning Board adopted it as part of their Notice of Action.

L. Morin made a motion that the Con Com recommends the Large Historic Oak Tree located on the Dunkin Donuts Plaza property on Union Avenue remain in place. D. Williams seconded the motion. The motion passed 4-0. The following recommendations are to be included in the motion to the Planning Board in the event the amendment to remove the tree is officially raised:

1. Remove the asphalt pavement from the impacted trees root system
2. Require the Con Com to choose an independent arborist to evaluate the Health of the tree and what actions should be taken to preserve it. The cost of the arborist to be paid for by the owner.
3. The pavement should be removed by hand to prevent any additional impacts to the root system. Any metal sidewalk alternative should also be installed as to be careful not to disturb the root system.

D. Williams spoke about having the Laconia Conservation Commission take over the management of the Laconia portion of the NH Lakes Host program. D. Anson indicated he felt it was fine for the Con Com to finance the Lake Hosts work but was concerned about having the time and people to manage the projects. The State has done a nice job so far in managing the program. S. McPhie suggested P. Tarpey may want to take that on. L. Morin cautioned the Con Com that P. Tarpey would need to make sure she had the time to manage such a project.

3. Staff Comments
None

4. Wetland Emergency Permit update

The Union Cemetery failure required the Laconia Public Works Department to step in and assist with an emergency wetland permit. Thanks to Belknap County Conservation District various work was already underway to address Long term solutions for this difficult site. NHDES may require additional work to take place to stabilize both Durkee and the small Meadow Brook area to Minimize plot damage. The only remaining alternative would be to subdivide a dry area of the Cemetery and prepare to move vaults as needed. S. McPhie and L. Morin will work to send a letter out to update the abutters of Durkee Brook.

VII. **Adjournment:**

L. Morin made a motion to adjourn the meeting at 8:00. The motion was seconded by D. Williams passing 4-0.