

PEMBROKE CONSERVATION COMMISSION (CC)
Approved Minutes of October 12, 2009 Meeting

Present: Lea Anne Atwell; Carol Bertsimas, Vice-Chair; Ammy Heiser, Chair; and Stetson Heiser

Not Present: Brian Mrazik, Secretary; Fred Kline, Board of Selectman (BOS) Representative; Jeff White, Planning Board (PB) Representative; and Ayn Whytemare.

Others Present: Brett Kay, Nobis Engineering (Item #7)

1. **Call to Order:** Ammy called the meeting to order at 7:07 pm.
2. **Ames Brook Monitoring Report** – Kevin Krebs could not make the meeting, so this item is tabled until next month’s meeting.
3. **CTAP: Open Space Program with Vanessa Bittermann** – Vanessa could not make the meeting. She did request an updated map of town conservation land. Ammy spoke with Elaine about getting an updated map, and Ammy will provide Vanessa with a copy.
 - a. **Newsletter** – The town newsletter date has been pushed out. Jeff revised the article on the Open Space committee to reflect the new dates.
 - Vanessa could not make the meeting.
 - b. **Open Space Committee** – Because of the delay in the newsletter, the selection of the committee has been pushed out. We will discuss the committee selection at our next meeting. Norm from the town Water Department expressed interest in the committee.
 - c. **Survey Results** – The survey is online for people to take. Also, Ammy printed up copies of the survey to drop off at several churches in town.
4. **Hillman Parcel on 553 Buck Street** –
 - a. **Five Rivers** - Ammy provided an update on the various activities associated with the acquisition. The Cooperative Agreement was due August 30th. We are waiting on Five Rivers Trust to review the Easement language, as they are interested in holding the easement. Meanwhile, the New Hampshire Farm and Ranch Protection Program (NHRFP) has drafted up new easement template language.
 - b. **Update and Time Line** - NHRFP is reportedly putting together a letter to everyone participating in the program that spells out the entire process, including due dates, which we should be receiving soon. We will potentially have a meeting with Five Rivers and the NHRFP. Until we receive the letter from NHRFP, there is nothing to move forward with for now.
5. **Review and Approve Minutes – September 14th** – This item was tabled until our next meeting, as there were not enough people present who were at the September 14th meeting to hold a vote.

6. Conservation Land

- a. **White Sands** – This item was tabled as there is nothing new to discuss.
- b. **Beck** – During the monitoring, CC members noticed that there was one property where an abutter had cut down a tree on their own land, and the slash landed on conservation land. **ACTION ITEM:** Ammy will ask Fred how we should communicate with the abutter.

A large fort / bunker area was also noticed during the monitoring. Carol checked the property today, and it looks like the area is no longer being used. However, there are still several ditches and holes. **ACTION ITEM:** Carol will coordinate the effort to fill in the ditches and holes.

- c. **Belfry** – An easement does exist for the property. There was a notification to two property owners that the easement encompasses the pond and 100’ around the pond. The easement language is on two separate deeds. There is no mention of the easement on the Town’s tax cards for these two properties, so the property owners may not even know that there is an easement on their property. The easement was supposedly recorded on March 16, 1989. Stetson will research the deeds for the properties.

- d. **Bragfield – Monitoring Form filed** – The Bragfield property is part of the LCHIP program, and they are requesting information about the monitoring for the property. **ACTION ITEM:** Lea Anne will submit the information requested.

7. Review Planning Board Applications

- a. **Concord Sand and Gravel: Application #09-107** – Brett Kay from Nobis Engineering was present to discuss the application with the CC. He presented oversized plans, as well as photographs of various portions of the site. Concord Sand and Gravel is proposing to expand operations to lots 3 and 5 to extend the life of the facility. An area of approximately 780 square feet of wetlands will be impacted as part of the project. Alteration of Terrain and Wetlands Permits will be required from the New Hampshire Department of Environmental Services (NHDES). They also need approval from the Town.

The expansion involves stripping off soils, which will be stored on-site, and tree removal. We discussed erosion control measures. Mr. Kay explained that there are regulations that restrict the size of an area that can be worked on at one time. They will then remove rock, resulting in a 150-foot high cut at the highest point. The rock is then crushed to make sand and gravel. Full expansion will take approximately 100 years.

Reclamation will involve placing approximately two feet of fill on top of the ledge, then loam, then hydroseed. The “restored” area will be a grassy area with native grasses. The rock face will remain. Restoration would be done with oversight from NHDES. The wetlands impacts are below the required threshold limit for remediation and will not be remediated.

We discussed stormwater. The property is shaped like a bowl and in general is well drained, and most of the stormwater infiltrates into a sand and gravel unit at the southern end of the property. Mr. Kay indicated that as long as the bowl is maintained, the stormwater is contained on-site, and they do not need to do a stormwater plan. If these conditions change, stormwater would need to be addressed.

We discussed impacts to groundwater. The bedrock is highly fractured, and bedrock monitoring wells were installed on the property. They have also monitored wells on abutting properties, which reportedly have not been affected by activities at the property. Groundwater is within 10 to 12 feet of the surface, sitting on top of bedrock, and the excavation will be below the water table. They have a waiver in to the Planning Board for this reason. The expansion area is outside of the Town's Aquifer Protection District. Water doesn't seep out of the active face. According to their hydrogeological study, the excavation will not significantly change groundwater flow patterns.

The bedrock is blasted to extract the rock. Concord Sand and Gravel is planning to measure water levels quarterly to assess groundwater elevations and potential impacts from the expansion; however, they are not planning to analyze groundwater samples to assess potential impacts from blasting agents. They are not currently submitting samples from on-site wells for lab analyses. The City of Concord well field is adjacent to the site, and those wells are monitored for any impacts due to blasting. The City of Concord is an abutter and will have the opportunity to comment on the application.

Concord Sand and Gravel will be at the PB meeting on October 27, 2009. The CC was asked to provide comments. The consensus from the CC was that the development was inevitable, but that we would encourage them to consider analytical monitoring of groundwater and run-off.

b. Other – There were no other PB applications to review.

8. DES Letters for Review – The CC received copies of the following letters:

The CC received copies of Letters of Deficiency from NHDES to the same logger, cc'd to two different landowners, for nine unpermitted wetland crossings along 6th Range Road. These will require wetlands restoration for 260, lots 40 and 35.

NHDES received the Alteration of Terrain permit application and drainage report for the Silver Hill development. The development is a 193,000 square foot 5-lot commercial subdivision.

9. Pine Grove Appraisal – The PB had told the CC that this property was already protected. Stetson has found no permanent protection recorded anywhere in the town records. The appraisal is on hold, and Stetson will follow up with the Planning Board.

10. Mail and Correspondences

a. NHACC Conference on Saturday, November 17th – You can go online to register for the conference. Ammy will send a check to cover the registration fee.

b. Other –

Chief Lane asked for support for the Safe Routes to School Program, which encourages people to walk, not drive to school. Ammy wrote a letter of support for the program.

There has been interest from a landowner on 6th Range Road in putting property into conservation. Stetson will coordinate a site walk.

11. Adjournment: Lea Anne made a motion to adjourn the meeting at 9:20 pm. Carol seconded. Six in favor.

Submitted by Lea Anne Atwell, CC Member.