

PEMBROKE CONSERVATION COMMISSION
MEETING MINUTES
DECEMBER 11, 2023

In attendance: Ammy Heiser (Chair), Brian Mrazik (Secretary), Tom Gallo, Ayn Whytemare, Erin Insley, Brent Edmonds (PB Rep)

Absent: Carol Bertsimas (Vice), Wendy Weisiger, Karen Yeaton (BOS Rep)

Guest: Mark West, West Environmental, Inc.

Call to Order: Meeting called to order at 7:02 pm.

DES Letters and Applications: Expedited wetlands permit for sidewalk along Whittemore Road. Mark West briefed the CC regarding the plan for installation of a sidewalk along the northwest side of Whittemore Road. The sidewalk is being proposed by Pembroke Golf, LLC. The sidewalk will impact 2,310 square feet of wetlands and 121 linear feet of stream. The stream impact will involve the filling of one channel of a bifurcated stream segment and diverting the flow to the second channel northwest of the proposed sidewalk. Tom moved that CC concur with the plan and have Ammy sign off on the application. All voted in favor.

Planning Board Applications: Major Site Plan Application #23-105 and Special Use Permit Application SUP-AC #23-311, EJ Realty Group, LLC, owner of Tax Map 632, Lots 15 and 16 located at 88 & 94 Sheep Davis Rd. in the Aquifer Conservation (AC) and Wetlands Protection (WP) Districts. The Applicant proposes to add 42,520 SF of gravel staging area for equipment and vehicles.

The CC is concerned that the proposed project will fill wetlands possibly existing between lots 15 and 16. The attached map shows the location and extent of wetlands mapped along the intermittent stream that divides the two lots. These wetlands were mapped in 2014 by Rick Van de Poll, Ph.D., of Ecosystem Management Consultants of Center Sandwich, NH. The map is contained in the natural resources inventory (NRI) report entitled *Natural Resources of Pembroke, New Hampshire, May 2015*. Dr. Van de Poll is a certified wetland scientist (#110) in the State of New Hampshire and was the past Chair of NH Joint Board of Natural Scientists which certifies wetland and soil scientists in the State. He also was the senior wetland scientist author for the *Method for Inventorying and Evaluating Freshwater Wetlands in New Hampshire*, University of New Hampshire Cooperative Extension, December 2015.

The CC examined the May 25, 2021 memorandum prepared by Kristopher Wilkes of VHB regarding his field review of the project area and his conclusion that the site is a stormwater ditch that is not jurisdictional under the NHDES Wetland Rules nor the Federal Clean Water Act of June 22, 2020. Wilkes also states that "...the ditch does not directly convey flow or feed any jurisdictional areas (wetlands or streams) downstream...". These conclusions are somewhat confusing because the area is mapped as an intermittent stream and a direct tributary of the Soucook River on USGS topographic mapping. LIDAR imagery available from NH Granite (attached) also shows a well-developed swale extending from Rt. 106, through the property of the applicant, and to the Soucook River.

The proposed project will involve filling of approximately 220 feet of stream channel and swale to depths of up to 15 feet and widths up to 50 feet. The project also proposes containment of the intermittent stream within a new culvert. This action would essentially eliminate any natural biological or hydrological processes within this reach. Given the magnitude of the project and the uncertainty of the area's wetland status, the CC recommends that NHDES Wetlands Bureau and/or an independent wetland scientist be consulted prior to approval.

Zoning Board Applications: None

Conservation Lands:

1. **Beck Parcel Survey:** Ammy contacted Jacques Belanger on the status of this project. Jacques advised that surveyors will be on the property on December 13 and 14. Erin agreed to put a notice on the CC's Facebook page so that abutter's will know what is going on.
2. **Monitoring Update:** Clark and Schuett will be monitored by Ayn and Erin, respectively when the wetlands have frozen over. Ayn suggested that Kenniston and Taylor also be reviewed at this time. Ammy reported that the monitoring report for Hillman is at the Five Rivers Conservation Trust for finalization.
3. **Other:** Ayn and Tom will remove the hunting tree stand from Center Hill soon.

Review and Approve Minutes of November 13, 2023 Meeting: Ammy motioned to approve the minutes of the November 13 meeting, as amended to add a previous monitoring action requested by Carol. All voted in favor.

Acquisitions: In discussion with Ammy, Lee Grimes expressed interest in putting a conservation easement on some of his properties. Lee wishes to maintain ownership of the properties and to maintain his farmlands in agricultural use. Potential properties on Buck St. include: 502, 66 Acres; 536, 45 Acres; 531-533, 86 Acres; and 544, 48 Acres. Other potential properties include 19 Acres at 338-356 Brickett Hill Rd and 33 Acres at 124-164 Sixth Range Rd. (which is mostly forested and may be a possible site for the Phipps funding). Lee inquired about the CC's willingness to fund conservation land appraisals on these properties. The CC was concerned about expending funds for appraisals without a commitment to put a conservation easement on the property. Ammy will continue to work with Lee to narrow down the list of potential properties and then do field evaluations on them to determine their conservation ranking. The CC will then take up the question of funding a conservation appraisal.

Other Business:

1. **Conservation Area Signs:** Ayn spoke with the sign shop manager at the State Prison to clarify the design of the proposed signs. She is expecting a cost estimate soon that may exceed the funds limit set by the CC in a prior meeting. If the cost exceeds \$1,000 for 10 signs the CC will have to determine whether additional funds should be allocated. Ayn will circulate the cost proposal as soon as she receives it.

2. **Seasonal Class VI Road Closures:** Ayn suggested that the CC place a note on its Facebook page reminding people that the roads will close to heavy vehicle traffic and OHRV use on December 16. Erin agreed to do this.
3. **Town Website Update:** Ayn noted that the membership and officers list for the CC is out of date on the website. Ammy agreed to follow up with Linda Williams on this.

Mail and Correspondence: None of significance.

Adjournment: By consensus, the meeting was adjourned at 8:30 PM.

NEXT MEETING: January 8, 2024



Town of Pembroke, NH



December 13, 2023

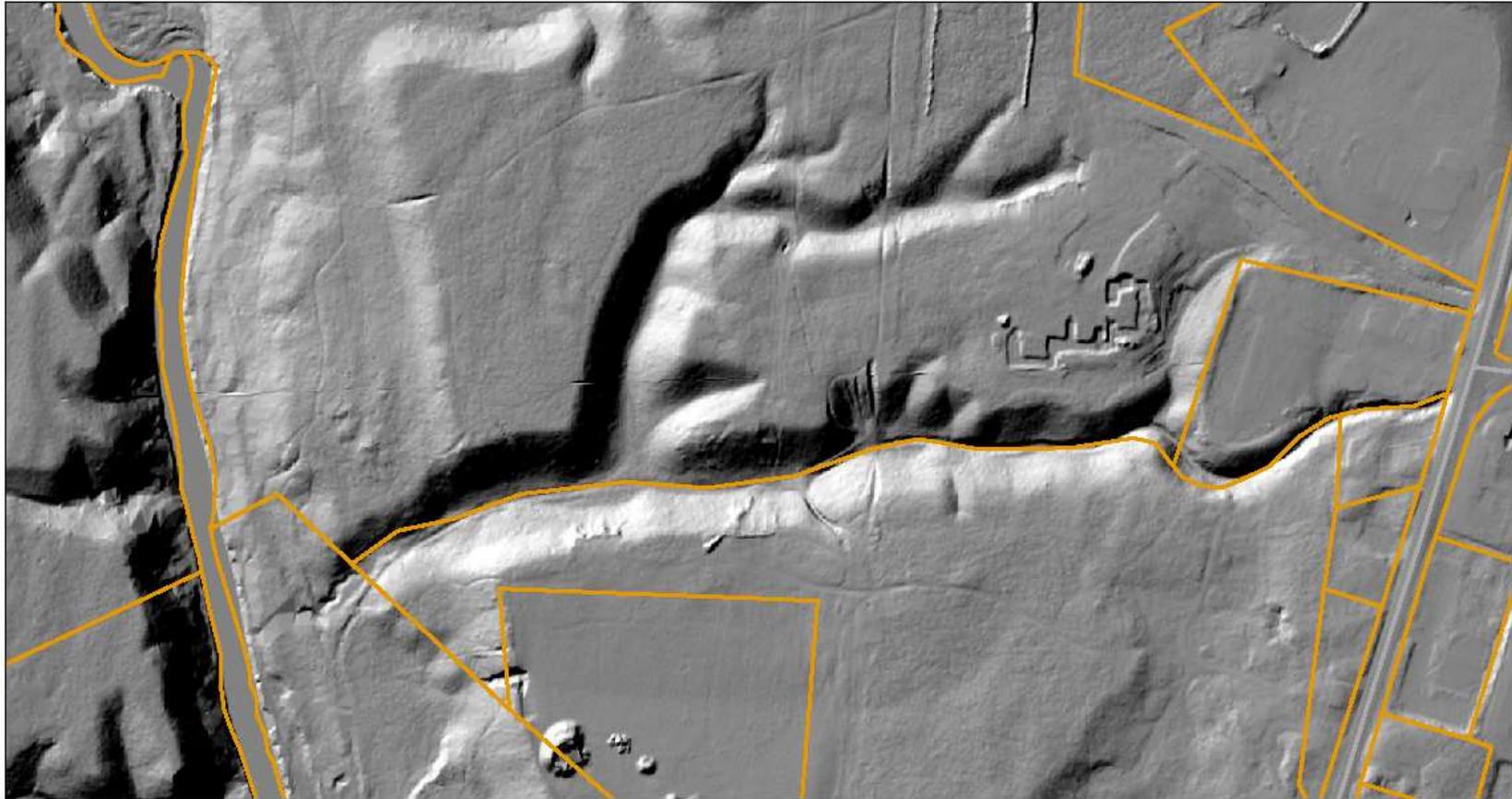
1 inch = 138 Feet

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Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

NH Stone Wall Mapper



12/13/2023, 11:37:36 AM

GRANITView_BaseLayers_8882 LiDAR Hillshade (NW)

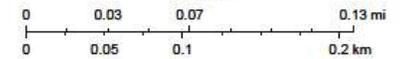
— All Other Roads

▭ Parcels_6322

1906

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