

Atkinson Conservation Commission Minutes
March 3, 2014, 7:30 PM
Atkinson Town Hall

Members Present:

Tim Dziechowski
Dan Kimball
Pete McVay
Paul Wainwright
Denise Legault

Others Present:

Julie LaBranche, Rockingham Planning
Commission

1. Call to order, attendance

Chairman Dziechowski called the meeting to order at 7:38 PM, Monday, March 3, 2014.

2. Guest Business and Plan Reviews:

- **Julie LaBranche, RPC, review draft buffer language for the Future Land Use Chapter of the Master Plan**

Ms. LaBranche reviewed the section on buffers and setbacks with the Conservation Commission. It is at the bottom of Page 3 of the Master Plan. The section talks about the difference between a buffer or setback. The only setback required now is the 100 foot setback from jurisdictional wetlands, not surface waters or intermittent streams. New language needs to be crafted clarifying whether setbacks are needed not just for wetlands but surface waters and intermittent streams. Prior to 1993 there was a 300 foot buffer set back that was repealed. Ms. LaBranche reviewed the differences between buffers and setbacks from the draft with the Commission.

Mr. McVay remarked that the terms setback and buffer are scary words to many residents and would like to draw residents into the dialogue regarding setbacks and buffers. He would like to see some way of educating people about setbacks and buffers. Mr. Dziechowski pointed out that wetland variances are rarely denied, except in extreme cases. Mr. Dziechowski feels a 50 foot buffer provides better protection than a 100 foot setback. It is necessary to look at current development in the town and variances already in place. It will require a lot of work. Mr. McVay pointed out that anyone who practices good land management will use setbacks and buffers. Property owners need to look at abutters, too.

Ms. LaBranche remarked that a public education program to teach people about buffers and setbacks and also good land management practices would be two recommendations by the Conservation Commission.

Mr. Dziechowski recommended a report that explains setbacks and buffers.

Ms. LaBranche informed the commission that the first point is the value of setbacks of buffers and maintaining water quality. Also, the importance to having buffers to all surface waters and wetlands.

The second page of the draft goes through the types of conditions on the ground that influence the function of buffers.

The next paragraph discusses the difference between buffers and setbacks. Also maintenance

considerations. Buffers require very little maintenance compared to structural methods of controlling runoff

Ms. LaBranche pointed out that if buffers were adopted instead of setbacks, a lot of properties would have to be grandfathered. Another possibility would be to require buffers on new development. Mr. Dziechowski said developers would prefer setbacks. Mr. Wainwright asked how the buffer rules would be enforced. Mr. Dziechowski replied that it could be a potential serious problem. Ms. LaBranche recommended air photography. Monumenting buffers is also a good idea. The Commission discussed reaching out to other towns to see how they manage buffer zones. The Commission continued to discuss how to enforce codes on buffers and setbacks. A few resources were recommended. Special neighborhood committees could be appointed.

The Commission also discussed MS4 - Municipal Separate Storm Sewer Systems. The Commission discussed how runoff could be managed on a residential lot, such as rain barrels, french drains and sloping driveways. A big consideration is proximity to a wetland. There are many best management practices that do not need an engineering stamp. The Commission continued to discuss buffer enforcement and maintenance. Ms. LaBranche recommended "A Homeowner's Guide to Storm water Management". Mr. McVay agreed that educational materials were needed.

Ms. LaBranche returned to reviewing the draft buffer language for the Master Plan. It discusses the major points about buffers so that if zoning is changed to include buffers, the language is in the master plan.

Mr. Dziechowski polled the commission regarding including buffers. All members agreed that buffers would be a better alternative to setbacks. Mr. Dziechowski recommended giving the homeowner a choice between a buffer and a setback by going to the ZBA. Ms. LaBranche pointed out that the setback is only for buildings with septic systems or that generate human or animal waste.

Ms. LaBranche pointed out that the Commission would like to include education regarding buffers and setbacks as well as land use management. Also to include the use of buffers for wetland protection in addition to or instead of setbacks.

Ms. LaBranche asked if there were any more questions or recommendations. There were none. Ms. LaBranche asked if the Commission would be in favor of helping the Planning Board write the section on buffers and setbacks for the Master Plan. The Commission agreed.

Mr. Dziechowski requested that Ms. LaBranche stay to discuss future use of town owned lands.

- **Review recommendations for future land use of town owned land.**

Mr. Dziechowski has compiled a spreadsheet of all town owned land. The purpose of compiling the spreadsheet is to assess what land the town owns and what the highest and best use for the land would be. Mr. Dziechowski explained highest use for town owned land. The first question would be if you could put a building on it. Ms. LaBranche mentioned other highest best uses such as agriculture. Mr. McVay stated that most of the land suitable for agriculture is already being used. Mr. Dziechowski discussed more uses of town land and how to value it for sale. Wetlands mitigation could be one use. Atkinson also needs a new cemetery which could be one use for municipal land.

Ms. LaBranche mentioned the Town Center. The Town owns a lot of land in the Town Center and how to manage it is an issue. Mr. Dziechowski wants to identify what land the Town can build on, lease or sell. Ms. LaBranche proposed a future discussion on uses for Town owned land.

The discussion turned to the spreadsheet listing all Town owned land. Most of the property listed is town forest or parcels whose uses is not going to be changed. There are three properties on the list that are the subject of a warrant article next week. There are also several lots used as fire ponds on the list as well as some conservation land that can be repurposed as fire ponds.

He will review those with the Fire Chief. There are also several lots that are deeded for recreational purposes. The deeds for those lots need to be reviewed. He would like to start by identifying, land that is being used for fire ponds or other issues; also gores or parcels too small to be used. One example is the parking lot where the ice cream stand is. That was town land. Another example is the parcel at North Broadway and Sawyer. The conservation lots also have to be identified. Another issue is 7 1/2% land donated to the town. There are still parcels left that were not deeded back to the original owners. There are two parcels behind the Chadwick Town Forest that cannot be accessed and could be made Town Forest. Mr. Dziechowski will identify the different uses for the town land on the spreadsheet.

The Commission also discussed whether any of the land has endangered species on it, what land should be conservation and what land can be leased or sold. Mr. Dziechowski would first like to identify which parcels are not going to change use, those that cannot be used for much such as gores,

Other quest business - none

3. Review of Correspondence

- **Planning Board Minutes and Agenda**

- 2/19/14 meeting
- Site plan amendments for Clinton Teague and Bob Allen
- 3/5/14 workshop
- Ongoing master plan future land use chapter review

- **ZBA Minutes and Agenda**

- 2/12/14 meeting - Mr. Dziechowski has sent the letter for the variance that was discussed, Joseph Maynard, recommendation letter sent for wetlands setback, variance for garage addition at 1 Sunset Drive, Map 8 Lot 12

4. Dredge and Fills / Site Walks / Complaints

- 2/15/14 Hampstead moonlight snowshoe walk - not attended, there will be one Sunday, March 16, 2014
- 2014 perambulation - there is an article on perambulation in New Hampshire Magazine
- Monitoring form for the Caroline Orr Town Forest -

5. Other Business

- Starting to get email inquiries about the town firewood program mentioned in town report

- Should we participate in state tree planting program? The Commission can buy small plantings for themselves or other people. The state stops taking orders in February and ships in April. The Commission returned to the discussion of scotch pine.
- Tim Lavelle, Industrial Drive Right of Way land swap, no updates
- Canoe dock out of water, at town garage for repairs - Mr. Dziechowski has found some of the paperwork and will take it to East Coast to order float.
- DRED grant for trail upgrades in Sawyer town forest - Mr. McVay is going to talk to the people to find out what they expect.
- DRED needs more documentation - The last documentation needed was for documenting gratis work by soil engineers. He does not believe it will impact the grant. He would also like to see what literature they have.
- Future trail plan and work
- Scout Troop 9 would like to camp in Bonin Field the weekend of 4/11/14. They have been given provisional approval. They would like to come in and discuss potential service projects. The Commission discussed writing a letter authorizing a class 2 campfire. A designated fire pit area would be a good idea. Cleaning up the field, a fire pit or trail projects would be good.

Mr. Dziechowski requested a motion.

Mr. Dan Kimball made a motion to write a letter to recommend allowing the Scouts to camp in Bonin Field the weekend of April 11/2014 and have a class 2 campfire. Mr. Paul Wainwright seconded the motion. The Commission voted all in favor. Vote: 5/0.

- Town tax map errors/updates - Tim to review maps with Barbara Snicer -- no changes

Other new business - none

7. Internal Business

Secretary report - minutes unapproved year to date are February 3 and 24 2014. Deferred.

8. Adjournment

Mr. Dziechowski requested a motion to adjourn.

Mr. Paul Wainwright made a motion to adjourn. Mr. Dan Kimball seconded the motion. The Commission voted all in favor to adjourn the March 3, 2014 meeting of the Conservation Commission at 8:30 pm. Vote: 5/0.

The March 3, 2014 meeting of the Conservation Commission was adjourned at 8:30 PM. The next meeting will be Monday April 7, 2014 at 7:30 PM.