**Present:** Marge Badois, Chair; Gene Harrington, Vice Chair; Deb Lievens, member; Tiffani Macarelli, member; Bob Maxwell, member; David Heafey, member; Michael Speltz, alternate member

**Absent:** Susan Malouin, member; Jim Leary, alternate member

**Also present:** Michael Bazegian, GIS Manager/Comprehensive Planner; Ron Dunn, Town Council Liaison

M. Badois called the meeting to order at 7:30 p.m. She appointed M. Speltz to vote for S. Malouin.

**CUP - Eversource I-158 Line Structure Replacement**

Kurt Nelson of Eversource and John Rollino of AECOM appeared before the Commission to describe this project. They are replacing defective laminated wood pole structures and fiber optic communication cables. They have applied for dredge and fill and DES alteration of terrain permits. There are protected plants throughout the right-of-way, so they have amended access ways to avoid these plants. There are turtles and snakes close by, but not in the right-of-way.

J. Rollino reported there are wetlands that are repeatedly disturbed, which might have been created during the construction of the right-of-way. They propose installation of a rock ford to allow access and avoid continued matting of the wetlands. They hope this might also slow down individuals accessing the right-of-way on ATVs. The Commission asked about the size of the rocks that will be used, and were told it will depend on the bearing capacity of the soils.

The Commission asked about the ability of amphibians to cross the rock ford. K. Nelson explained the fords will eliminate the mud where turtles hibernate, so they will no longer have to obtain a permit to access their equipment. The fords will be flush with the surrounding topography and not present a barrier.

The Commission asked for a marked-up map that shows the number and types of gates that will be installed in the right-of-way.

They will be paying into the ARM fund for the permitting impact. The Commission asked if they would consider paying into the Conservation fund for the buffer impacts and they agreed they were amenable to considering this.

The gravel pads around the structures will be reduced in size during the restoration phase.

The Commission recognized the good work that Eversource has done over the years.

**Commission Comments:** Require a plan specifying the location and materials of the gates. Recommend discussing a mitigation contribution beyond the ARM fund for impacts to the buffer.

**DRC - Mont Vernon Drive Extension - 8 Wiley Hill Road - Map 5 Lot 28**

T. Macarelli recused herself from the meeting, as an abutter.

Doug MacGuire of The Dubay Group appeared before the Commission representing the applicant and landowner. He reviewed the project, which would provide access to an approximately 15-acre parcel. They are proposing a cul de sac right-of-way extension of Mont Vernon Drive, which would add roughly 500 feet of roadway length and requires one wetland impact. There would be additional wetland impacts involved in accessing the lots off the cul de sac.

D. MacGuire shared information regarding grading, potential locations of houses, proposed driveways, and drainage. He reviewed the buffer and wetland impacts in detail. He noted the wetland system drains away from the property. There will be two wetland culverts and two upland culverts, and he described these. The Commission asked if open bottom culverts had been considered and D. MacGuire said it was not suggested by New Hampshire Fish & Game.

The Commission asked why the driveway accessing two of the lots would not be shared and D. MacGuire explained this is not ideal and can lead to conflict.

The Commission discussed the intention to riprap the slopes and the danger it presents to turtles. D. MacGuire agreed to chink in smaller material to avoid this problem and noted they could lessen the degree of slope. They have obtained a dredge and fill permit.

The Commission asked who will be responsible for maintaining the detention pond. D. MacGuire said this will be the Town's responsibility, as it will be an extension of a Town road.

The Commission discussed the location of signage along the edge of the buffer.

**Commission Comments:** Discuss with New Hampshire Fish & Game the use of open-bottom box culverts. Apply an overlay of finer material to the riprap. Correct the location of the buffer signs. Change the grading to minimize the use of riprap in the specified location.

T. Macarelli returned to the meeting.

**Wetlands Permit - Stoneyfield Inc - 10 Burton Drive - Map 14 Lot 44-13**

Alan Roscoe and Kyra Higgins of TFMoran appeared before the Commission to present an overview of the wastewater treatment plant modernization and enhancement project at Stoneyfield Farm. They presented their plan to protect the emergent wetland and detention basin during construction.

This was conditionally approved by the Planning Board in 2022 and restarted six months ago. They have applied for an amended DES minimum impact permit.

The Natural Heritage Bureau highlighted New England cottontail, Blanding's turtle, and spotted turtle habitat on the site. However, due to the emergent wetland, the applicant does not believe it is ideal habitat for the cottontail. Before and during construction, they will screen the area for turtles. They will also educate contractors to contact Fish & Game to remove any turtles found during construction. The Northern Long-eared Bat, if it were present, would not be negatively impacted by this project.

K. Higgins reviewed the permanent and temporary wetland impact.

The Commission scheduled a site walk on April 15.

**77 & 83 Nashua Road - Map 7 Lot 129 & 130**

Nick Loring of Benchmark LLC appeared before the Commission on behalf of the owners and applicants. He presented the proposed project, which is to improve a commercially zoned property to allow for construction of a commercial building.

The property is adjacent to Indian Brook. They are requesting a variance to allow construction of parking and grading within the wetland setback. There is 11,000 square feet of permanent and temporary wetland impact. N. Loring reviewed the proposed stormwater drainage plan. They are looking for recommendations from the Commission to use erosion control blankets, which are biodegradable, for slope stabilization. He verified the seed mix used to reseed contains native New England plants.

The ZBA is looking for input from the Commission prior to making any decision on this variance request, as it has an environmental impact.

The Commission expressed concern over locating parking in the buffer and asked why parking could not be located on the other side of the brook. N. Loring said they are limited by regulations regarding the amount of parking required. The Commission suggested shrinking the size of the building to limit parking in the buffer. N. Loring noted the financial viability of the project dictates the size of the building.

The Commission questioned the proposed location for snow storage and whether it was sufficient.

**Commission Comments:** The Commission does not believe the project as proposed meets the first two prongs of the ZBA test. The harm to the public health and welfare by imperiling the buffer is greater than any advantage that might accrue. The Commission recommended that they be allowed to reduce the required number of parking spaces to a point that would remove parking from the buffer.

**Old Business**

**Financial Report**

D. Lievens reported that as of 3/12/24, there is $680,396.43 in the Open Space Protection Fund. The Commission noted the $150,000 payment to Merrill might not be reflected in this balance. There has been no action in the General Fund and Habitat account. There is $1,900 left in the budget, so she encouraged the members to consider if anything is required to fulfill their obligations.

**Musquash Trail**

M. Badois spoke with the DES, who said a wetland permit is needed.

**Dock Permit**

M. Badois asked for clarification completing the dock permit. M. Speltz offered to help.

**Conservation Ranger**

M. Badois reported Ranger Aprile is back to light work after shoulder surgery.

**Musquash Bridges**

M. Badois received pictures and information from the resident who volunteered to help work on the bridges in the Musquash.

**Signs**

M. Speltz will be working with Town Manager Malaguti on locations for the signs.

**New Business**

**Conservation Land Cleaning**

M. Badois saw an ad on Facebook asking for volunteers to rake Conservation land. She replied to them that Conservation land should not be cleaned up.

**Approval of Minutes**

Change that M. Speltz was appointed to vote for T. Macarelli, not G. Harrington.

***B. Maxwell moved to approve the minutes of the March 26, 2024, meeting as amended. G. Harrington seconded the motion. A vote was taken, all were in favor except T. Macarelli, who abstained. The motion passed 6-0-1.***

**Adjournment**

***G. Harrington moved to adjourn the meeting. D. Lievens seconded the motion. A vote was taken. The motion passed unanimously.***

The meeting was adjourned at 9:49 p.m.

Respectfully submitted,

Beth Hanggeli

Recording Secretary