

FINAL

**CONSERVATION COMMISSION
REGULAR MEETING MINUTES
Remote Via Microsoft Teams
[LebanonNH.gov/Live](https://lebanonnh.gov/Live)
November 18, 2021
6:30 PM**

MEMBERS PRESENT: Ernst Oidtmann (Chair), Sarah Riley (Vice Chair, remote), Erling Heistad, Donald Lacey, Darla Bruno (Alt.), Barbara Hirai (Alt.), Bruce James, Megan Smith (Alt.) , Chris Johnson, Susan Almy

MEMBERS ABSENT:

STAFF PRESENT: Mark Goodwin (GIS Coordinator)

1. CALL TO ORDER – Chair Oidtmann called the meeting to order at 6:35 PM

- Chair Oidtmann complimented the Commission on all the work it has done the last few years. He explained that two cyclists he recently encountered on the Rail Trail also passed along their thanks to the Commission. He clarified his recommendations for actions during a meeting for new members. Chair Oidtmann explained that Commissioners should not interrupt speakers during presentations, but instead make notes during the presentation in order to ask precise questions at the end of the presentation. Commissioners should raise hands so that the Chair knows who wishes to speak.

The Board first took up agenda item 4E out of order.

4. STUDY ITEMS: 4E: Proposed Zoning Amendments - Review and Comment

Tim Corwin stated that the City performs an annual review of the zoning ordinance and proposes amendments to keep up with changing conditions. These are presented to the City Council each fall. He does not believe that any of these amendments pertain directly to the Conservation Commission.

***Mr. Lacey MOVED that none of the proposed zoning changes pertain directly to the Conservation Commission.
Seconded by Mr. Heistad.***

**** The Vote on the MOTION was approved (7-0-0).***

2. APPROVAL OF MINUTES: October 14, 2021 & September 9, 2021

Mr. James noted that he did not receive a document with Ms. Riley's edits to the minutes, to review alongside the draft minutes. There was discussion regarding how this process should work moving forward and which versions Commissioners would like to see. Ms. Riley suggested

that the redlined edited version could be submitted into the packet for review by the Commission. The final version could then be printed, once approved.

**Mr. Heistad MOVED to approve the October 14, 2021 Minutes as amended.
Seconded by Ms. Almy.**

*** The Vote on the MOTION was approved (7-0-0).**

Amendments:

- Note that Ms. Bruno, not Ms. Hirai, was remote.

**Mr. Heistad MOVED to approve the September 9, 2021 Minutes as amended.
Seconded by Ms. Almy.**

*** The Vote on the MOTION was approved (7-0-0).**

Amendments:

- Remove “do we need to...” language after Mr. Lacey’s name in the Members Present section.
- Reword page 3, Lines 26-28 to read: “Discussion was had among the Commission members about what to do with the geocache that was on the steep slope, the log staircase going up the steep bank, and a new trail that has been created to the staircase. The Commission discussed making a new trail to the Horse Road.”
- Reword page 3, Lines 32-34 to read: “The 2009 management plan stated that the neighbors thought there was danger of parking along Wildwood Dr to access the Horse Road...”

3. PERMIT REVIEW

A. Review and Comment on NHDES Wetland Standard Dredge and Fill Application (Major Impact) associated with the long-term mining of the Lebanon Crushed Stone Quarry, operated by Pike Industries at 335 Plainfield Road in West Lebanon. The existing active quarry, totaling approximately 57 acres, will expand to an overall total size of approximately 250 acres (the continued mining area) as currently approved by AOT Permit AOT-0709B. A total of 110,413 SF (2.53 ac) of wetland located in the continued mining area will be permanently impacted, including 3 vernal pools.

Mr. Goodwin explained that the Commission should discuss this item in terms of wetland impacts and as a natural resource review.

Brendan Quigley, Wetland Scientist of Gove Environmental Services, Inc., presented the application to the Commission. He explained that the project looks to secure the necessary permits for expanding the existing quarry to the south, east, and west. This is a long-term project. He stated that Pike Industries currently has an Alteration of Terrain (AoT) permit for the continued mining area that it is operating under.

Mr. Quigley stated that there are wetland areas located within the existing mining area. One is quite small, a wet meadow at the top of second hill. The other areas are more substantial forested wetlands. In total, the four areas constitute 2.5 acres of wetland impacts over the coming decades. There are also three vernal pools located within the three wetlands on site.

Mr. Quigley explained that the quarrying activity does not have permanent roads or buildings that can be adjusted for avoidance. Retaining walls cannot be installed. The definition of the project requires total alteration of the land to get to the rock below. Along the second road, there are approximately 2 acres of wetland that are being avoided. This area won't be impacted through quarrying for many decades. Other minimization techniques include monitoring of the wetlands, timing of impacts to the vernal pools and possibly moving certain species from these areas. In-lieu fees are required for impacts to wetlands and vernal pools as part of this project.

Mr. James asked how the impacts may affect groundwater flow and quality. These wetlands may be directly or indirectly connected to the groundwater in the area. Mr. Quigley stated that this is often considered as part of the AoT review. Pike Industries only mines bedrock in this area. They monitor geological items to make sure that all water is kept onsite without downstream impacts.

In response to a question from Ms. Almy, it was noted that the AoT permit and wetlands permit run through the life of the project. These do require periodic updates. The existing AoT permit is likely decades old but was recently updated.

Ms. Riley noted that she believes this is worthy of a site visit or possibly a public hearing. Ms. Riley stated that additional time or possible expertise may be necessary to process this properly. Mr. Goodwin stated that he believes there is a 40-day clock running on this item.

In response to a question from Mr. Oidtmann regarding 29 acres south of the property, it was stated that these acres are not protected in any way. Pike Industries has no plans to utilize this property for additional mining.

Ms. Hirai asked for more information on possibly moving species from the area. Mr. Quigley stated that this may be a condition imposed by DES. He is waiting to hear more from Fish & Game.

In response to a question from Ms. Hirai, Mr. Quigley stated that Cranberry Pond is on a different lot and has nothing to do with this project.

There was a discussion regarding holding a special meeting to further discuss this project before sending comments to DES.

The Commission agreed to hold a special meeting for this item on November 30, 2021.

4. STUDY ITEMS

A. Lebanon Open Space Plan – Review and Adoption

This plan looks to set benchmarks on how much open space land to set aside, and if some should be set aside for preservation (i.e., no trails) instead of conservation. There was discussion

regarding including high value land (Significant Ecological Area) maps; modifications to the trail maps; and enumerating health (physical and mental) benefits of open space; and how the plan does not limit development or economic growth, but rather focuses development in the City's urban cores.

**Mr. Lacey *MOVED* to adopt the Open Space Plan, as currently presented.
Seconded by Mr. James.**

It was noted that the Planning Board's comments have already been incorporated.

**** The Vote on the MOTION was approved (7-0-0).***

B. Zeev Darer Conservation Property – Property Overview & Discussion – this item was postponed to a later date.

C. LOST Fund – Balance Update and pending CU penalties - this item was postponed to a later date.

D. Goodwin Conservation Property - Bridge Project Update

Mr. Goodwin noted that it has become clear that the proposed design for this project will not be viable. The materials can be repurposed for another project. The design did not seem stable enough for large groups of people. There is a lot of interest in getting this done right. A larger project will likely require more help than volunteer labor. Mr. Heistad commented that there is nothing wrong with volunteer labor, but volunteers need to be trained and supervised. He stressed the importance of being organized about how to best use the volunteer help.

5. COMMITTEE REPORTS

A. Reports from other committees:

--Conservation Lands Monitors (Various Members)

There was discussion on the trails needing some extra work before the fall. There was further discussion on some of the trail sites and work that has been done.

Ms. Riley *MOVED* to extend the meeting for five minutes.

Seconded by Ms. Almy.

**** The Vote on the MOTION was approved (7-0-0).***

--Lebanon Biodiversity Group (D. Lacey)

Mr. Lacey noted that Matt Tarr, of UNH Cooperative Extension, and the County Forester will be visiting Baker's Crossing on December 9, 2021; recounted a discussion he had with a deer hunter on Sunset Rock Rd that caused him to mention that he would like to see members of the hunting community on the Commission, along the lines of the natural resource benefits of groups like Trout Unlimited and Ducks Unlimited; and reported on a racist message he found written on scrap lumber down by the Goodwin Conservation Area bridge site.

--Workshops & Educational Opportunities (Various Members)

Mr. James noted that he attended a webinar - [Birdability: Because Birding is for Everybody...and Every Body](#) - hosted by the Harris Center that offered advice for developing conservation areas for access by all bodies.

6. OTHER BUSINESS

A. Review of 2022 Meeting Calendar – this item was postponed to a later date.

7. FUTURE AGENDA ITEMS – none.

8. OPEN TO THE PUBLIC – none.

9. ADJOURNMENT:

The meeting was adjourned at 9:04 PM.

Respectfully submitted,
Kristan Patenaude
Recording Secretary